OPEN PEER REVIEW

Localization of International Criminal Law in Light of Challenges Arising from Conflicts with Sharia Criminal Law

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1. Round 1

1.1. Reviewer 1

Reviewer:

The section titled "Localization" provides multiple perspectives but lacks a clear and systematic definition. The sentence, “Localization refers to changing the context of a global element or commodity with the goal of aligning it with the cultural and social conditions of a society,” should be expanded with legal references to solidify its theoretical basis.

The discussion on the intersection of Sharia law and international norms remains broad. In the paragraph beginning with “Localization, in this sense, is a response to the challenge of how to implement transnational legal principles,” it would be helpful to cite specific examples where this conflict has been resolved or remains unresolved.

While the study discusses localization broadly, the implications for Islamic criminal law remain underdeveloped. The paragraph starting with “Localization and Islamization are not the same, and these two should be distinguished,” should further elaborate on how Islamic criminal laws have been adapted in various jurisdictions.

The discussion of cultural relativism in legal localization lacks direct engagement with legal philosophy. The sentence, “Without localization, the entire world would become a collection of Western discourses that must be accepted as absolute,” should be substantiated with references to legal pluralism literature.

The article lists several challenges but does not provide statistical or documentary support. The paragraph that starts with “Localization of crime control policies in Iran, given the country’s unique cultural, social, and political history, has always faced numerous challenges,” should include specific data or reports.

While the article presents challenges in localization, it does not offer concrete policy recommendations. The section "Solutions for the Localization of Crime Control Policies" could be expanded to include actionable policy recommendations.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

The article references various theoretical perspectives but lacks a structured framework. The paragraph beginning with "It has been established that the localization of international criminal justice is a concept that arises at the intersection of transnational criminal law and domestic law," would benefit from a structured theoretical discussion before introducing examples.

The article references South Africa's unsuccessful localization efforts in the 1990s but does not provide a broader comparative perspective. In the sentence, "The success of a program is primarily contingent on its alignment with local needs and conditions," consider adding another jurisdiction's experience to balance the discussion.

The study does not provide a clear methodological section. The phrase, "This study, with a deep and analytical approach," is vague. Clarify the research methodology—whether it is a qualitative analysis, doctrinal study, or a comparative legal examination.

The article references criminal law adaptation but lacks citations of specific legal cases or precedents. In the section "Dimensions of Localization," including case law examples would strengthen the argument.

The article predominantly relies on theoretical discussions but does not cite empirical studies. The sentence, "It seems that to answer these questions and highlight the importance of the issue of legal localization, a comprehensive and holistic perspective is necessary," should be followed by references to empirical studies supporting the claims.

Throughout the article, terms like "localization," "adaptation," and "domestication" are used interchangeably. The paragraph beginning with "Localization can be defined based on the areas in which it has been proposed," should clarify these distinctions.

The article makes broad statements about localization without sufficient reference to different legal traditions. The paragraph starting with "Legal systems are essentially the product of a complex interaction of religious, historical, cultural, social, economic, and political factors," should explicitly mention legal families (e.g., common law, civil law, Islamic law).

Authors revised the manuscript and uploaded the document.

2. Revised

Editor's decision: Accepted.
Editor in Chief's decision: Accepted.