ISSLP
Interdisciplinary Studies in Society, Law and Politics

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The Concept of Public Law in Wael B. Hallaq's Paradigm in Islamic Jurisprudence

Tahsin. Hamah-Saeed Shamsulddin[1] · Arkan. Sharifi[2*] · Ebad. Rouhi[2] · Haneh. Farkish[2]

[1] Department of Law, Science and Research Branch, Islamic Azad University, Tehran, Iran
[2] Department of Law, Sanandaj Branch, Islamic Azad University, Sanandaj, Iran

* Corresponding author email address: arkansharifi@iausdj.ac.ir

## 1.	Round 1

### 1.1.	Reviewer 1

Reviewer:

The introduction mentions the importance of the study but does not clearly articulate the research gap. While it states that limited research exists, it does not specify what aspects of Hallaq's paradigm remain unexplored. A more precise statement of what this article contributes to the existing literature would strengthen the argument.

Several paragraphs contain long direct quotations from Hallaq (e.g., "The existence of public law in Islamic Sharia is one of the issues that Western Orientalist jurists reject" (Hallaq, 2014, p. 250).). While direct quotes are useful, excessive reliance on them can weaken the article's originality. Consider paraphrasing some passages to integrate Hallaq's ideas more fluidly into the argument.

The discussion of Orientalist critiques of Islamic law lacks historical context. The article could briefly discuss how Orientalist scholars historically approached Islamic jurisprudence and how Hallaq's work responds to or critiques specific scholars.

The article discusses Kuhn, Foucault, and Schmitt's theories but does not provide clear transitions between them. The reader may find it difficult to understand how these theories interconnect to support Hallaq's paradigm. Explicitly stating how each theory contributes to Hallaq's framework would improve clarity.

The article shifts between discussing "Islamic governance" and "Islamic public law" but does not clarify if these terms are interchangeable. If they are distinct, the differences should be explicitly stated.

The article states that Islamic public law was entirely independent of modern legal systems. However, some scholars argue that Islamic law has historically interacted with other legal traditions, such as Persian, Roman, and customary laws. A brief discussion acknowledging potential external influences would strengthen the argument.

The article discusses theoretical aspects of Islamic public law but does not provide concrete historical examples where Islamic public law functioned as Hallaq describes. Adding examples from Islamic history (e.g., Ottoman, Abbasid, or Mamluk periods) would enhance credibility.

Authors revised the manuscript and uploaded the document.

1.2.   Reviewer 2

Reviewer:

The term "paradigm" is used extensively throughout the article, but its precise meaning in the context of Hallaq's theory is not always clear. The article should explicitly define what is meant by "paradigm" in relation to Kuhn's theory and Hallaq's legal philosophy early in the text.

The methodology is described as "descriptive-exploratory," but it is unclear how this methodology was applied. How were the sources selected? What criteria were used to analyze them? Providing a brief but explicit methodology section would enhance clarity and rigor.

The introduction references The Impossible State as a primary source but does not explain why this book is central to the argument. Are there other key works by Hallaq that contribute to the discussion of public law? If so, they should be mentioned explicitly.

The statement that "Modern public law is a positivist, non-ethical law" is too broad. While positivism dominates in many modern legal systems, ethical considerations still play a role (e.g., human rights law). This claim should be nuanced or supported by legal scholarship.

The discussion on sovereignty in modern public law suggests that it is monolithic, with the state as the sole actor. However, many legal systems now incorporate non-state actors, such as international organizations and corporations. Acknowledging these complexities would provide a more balanced argument.

Authors revised the manuscript and uploaded the document.

2.   Revised

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