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Constitutional Developments in Mechanisms of Oversight over Public Administration in Islamic Arab Countries

Nadia. Shamsuddin Awni Awni[1], Majid. Masoudi[2*]

[1] HD Candidate in Public Law Faculty of Law, University of Qom, Qom, Islamic Republic of Iran
[2] Department of Public Law, Faculty of Law, University of Religions and Denominations, Islamic Republic of Iran

*** Corresponding author email address**: masoudimajid340@gmail.com

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EDITOR:
Eman Shenouda
Associate Professor, Department of Psychology, Isfahan (Khorasgan) Branch, Islamic Azad University, Isfahan, Iran. Email: ens01@fayoum.edu.eg
REVIEWER 1:
Agwu Sunday Okoro
Lecturer & Clinical Law Administrator at Baze University Abuja, Abuja, Nigeria
agwuokoro@gmail.com
REVIEWER 2:
Jeremiah Thuku Thuku
Department of Literary and Communication Studies, Laikipia University, Nyahururu, Kenya. Email: jerethukuthuku@gmail.com

1. Round 1

1.1. Reviewer 1

Reviewer:

The Introduction states that “The development of Islamic constitutional thought itself shows that constitutional organization in Muslim societies has long been concerned with defining the sources, limits, and purposes of political authority rather than merely identifying the formal institutions of government.” This is an important proposition, but the article should explain more clearly how this historical concern is connected specifically to oversight of public administration. At present, the discussion risks remaining at the level of general political theory. The revised paragraph should identify the concrete administrative implications of limitations on authority, such as review of official conduct, accountability for misuse of public resources, supervision of appointments, correction of unlawful decisions, and responsibility for failure to perform public duties. This would establish a much stronger bridge between Islamic constitutional theory and the article’s actual dependent concept: mechanisms of administrative oversight.

In the section “Constitutional Foundations of Oversight over Public Administration,” the opening sentence identifies “three principal traditions: the ethical and legal principles of Islamic governance, the institutional logic of modern constitutionalism, and the administrative requirements of the contemporary state.” This tripartite formulation is analytically promising and should be developed into the organizing framework of the section. At present, however, the subsequent discussion treats justice, trust, consultation, legality, equality, and public interest sequentially without explaining which of the three traditions each principle originates from or how the traditions interact. A revised analytical matrix could distinguish normative Islamic foundations, modern constitutional mechanisms, and administrative operationalization. For example, amana could be linked to integrity

rules, Shura to participatory accountability, legality to judicial review, and public interest to proportionality or performance oversight.

The paragraph beginning “One of the most important foundations of administrative oversight is the concept of trust” should distinguish more carefully between ethical responsibility and legal accountability. The sentence “Trust therefore provides an ethical foundation for institutional controls over appointment, promotion, expenditure, public contracting, and disciplinary authority” is persuasive but presently makes a conceptual leap from moral doctrine to specific contemporary mechanisms. The authors should explain the juridical pathway by which amana becomes institutionalized. Is it incorporated through constitutional principles, civil-service statutes, disciplinary codes, anti-corruption laws, judicial interpretation, or public-sector ethics regulations? Clarifying this transition would prevent the article from implying that a religious ethical concept automatically generates a particular administrative legal mechanism.

The discussion of Shura in the paragraph beginning “Consultation constitutes another important bridge between Islamic governance and modern constitutional oversight” needs greater conceptual caution. The sentence “Although Shura and modern representative democracy are not identical concepts, they share an emphasis on limiting unilateral decision-making and recognizing the relevance of collective participation” is appropriately qualified, but the subsequent discussion moves rapidly from Shura to elected legislatures, civil-society involvement, and public hearings. The article should explain whether this connection is historical, functional, or normative. It would be scientifically stronger to state that contemporary institutions may be interpreted as functional mechanisms capable of realizing consultative values, rather than suggesting that modern parliamentary and participatory institutions constitute a direct constitutional continuation of classical Shura.

The paragraph beginning “The principle of legality forms a further constitutional foundation” should provide a clearer definition of administrative legality and distinguish it from constitutional supremacy. The current sentence that “Administrative bodies may possess discretion, but their powers are constitutionally and legally defined” is correct but incomplete. The analysis should explain that legality includes competence, procedural regularity, proper purpose, observance of substantive statutory limits, and judicial review of abuse or excess of power. This would make the discussion much more relevant to administrative law. The article should also clarify whether constitutional oversight refers only to direct constitutional control or more broadly to all mechanisms whose authority ultimately derives from the constitutional order.

In the paragraph dealing with equality, the manuscript states that “If administrative discretion is exercised according to political loyalty, sectarian affiliation, family connections, or economic influence, constitutional equality becomes largely meaningless.” This is an important and concrete observation, but it should be developed into a more precise analysis of merit-based public employment. The article should distinguish equality of access to public office, equality during public service, objective promotion criteria, and non-discriminatory disciplinary procedures. The relevance of these principles is especially strong in the Iraqi and Lebanese contexts, where political or confessional allocation may intersect with public employment. If the article retains those cases, it should analyze the constitutional tension between representational allocation and merit-based administrative neutrality rather than merely mention patronage in general terms.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

The paragraph beginning “The contemporary importance of administrative oversight in Islamic Arab countries is inseparable from broader transformations in constitutional government” contains a valuable historical argument, particularly the sentence “The modern problem of oversight therefore emerges from a dual transformation: the shift from personalized to institutional government and the movement from largely moral forms of responsibility toward legally structured mechanisms of control.” This sentence should become one of the article’s central analytical propositions rather than remain only a descriptive observation. The authors should operationalize this “dual transformation” and use it systematically throughout the article. For example, each country or mechanism discussed later could be assessed according to whether oversight has become more

institutionally independent, legally enforceable, procedurally regulated, and accessible to citizens. Doing so would provide the article with a coherent analytical framework rather than a sequence of thematic discussions.

The Introduction states that "The Islamic normative tradition provides concepts that can support rather than obstruct the development of administrative accountability." This formulation is conceptually important but currently appears somewhat normative and predetermined. A scholarly article should avoid appearing to establish its conclusion before conducting the analysis. The sentence should be reframed more analytically, acknowledging that Islamic principles may support accountability when translated through appropriate constitutional and institutional arrangements, while also recognizing that religious constitutional language can be interpreted in ways that centralize authority or limit institutional autonomy. Introducing this interpretive contingency would make the study more balanced and would strengthen its credibility as comparative constitutional analysis rather than normative advocacy.

The paragraph beginning "This transition is especially important because constitutional provisions concerning religion and public authority can produce different practical outcomes depending on how they are interpreted and institutionalized" identifies one of the most important issues in the manuscript but does not develop an explicit typology. The article would benefit substantially from distinguishing at least three levels of constitutional religious reference: symbolic identity clauses, normative legislative-source clauses, and institutionally enforceable Sharia-review mechanisms. The sentence "The formal declaration that Islam is the state religion may operate mainly as a statement of constitutional identity, while a clause recognizing Sharia as the principal or a fundamental source of legislation may have more direct consequences" already points toward such a typology. The authors should formalize this distinction and use it throughout the comparative discussion.

The Introduction acknowledges that "Islamic Arab countries do not share a single constitutional model," but the manuscript does not clearly justify the selection of Egypt, Iraq, Morocco, Tunisia, Sudan, Qatar, Palestine, and Lebanon at different points in the analysis. The methodological scope needs greater precision. The authors should identify the case-selection criterion and explain whether these jurisdictions were selected because they represent different constitutional formulations of Islam, different oversight architectures, different regime types, or different historical trajectories. Lebanon is especially problematic because its constitutional and confessional structure differs significantly from states in which Sharia is constitutionally identified as a legislative source. Its inclusion requires explicit justification, particularly if the article is framed around "Islamic Arab countries."

The final methodological paragraph of the Introduction states that the article "adopts a comparative analytical approach that examines common constitutional tendencies while recognizing substantial differences among Arab-Islamic systems." This methodological statement is too general for an article claiming comparative constitutional analysis. The authors should specify the actual objects of comparison, such as constitutional provisions concerning Islam and Sharia, parliamentary accountability, administrative judicial review, appointment mechanisms, integrity institutions, and popular oversight. The period covered should also be identified, especially because the title emphasizes "constitutional developments." Without a temporal boundary, it remains unclear whether "development" means changes since independence, changes following the Arab Spring, or a broader historical trajectory extending from early constitutional experiments to contemporary constitutions.

Authors revised the manuscript and uploaded the document.

2. Revised

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