

REVIEWER'S REPORT

Manuscript No.: IJAR-57108

Title: Challenging witnesses and its effect on the course of legal proceedings ((fiquhiati study).

Recommendation:

Accept after minor revision.....

Rating	Excel.	Good	Fair	Poor
Originality		(✓)		
Techn. Quality	(✓)			
Clarity	(✓)			
Significance	(✓)			

Reviewer Name: Abdul Haseeb Mir

Detailed Reviewer's Report

The academic article titled "Challenging Witnesses and its Effect on the Course of Legal Proceedings (Fiquhiati Study)" provides a detailed examination of the legal and religious frameworks governing witness testimony within Islamic jurisprudence. The author establishes that testimony is the fundamental pillar of a legal case, comparable to the structural supports of a building, and thus requires rigorous scrutiny to ensure the integrity of judicial outcomes. The central focus of the research is the "challenge" to witnesses—the process by which the reliability or eligibility of a witness is contested before a judge—and how such challenges dictate the acceptance or rejection of evidence. By employing a comparative and analytical approach, the text explores the criteria for witness qualifications, the grounds for rejection, and the procedural consequences of contesting a witness's credibility.

A significant portion of the manuscript is dedicated to the conditions for attesting to witness reliability and the methods for avoiding the rejection of testimony through formal attestation. The author analyzes the specific grounds upon which a judge may dismiss a witness, emphasizing that the burden of proof regarding a witness's character often shifts during the proceedings depending on the nature of the challenge. The text also delves into the rights of the litigants to challenge testimony and the various categories of testimony recognized by jurists, such as bearing witness versus giving testimony. However, to meet the standards for final academic publication, the article requires several minor revisions to enhance its depth and clarity.

First, while the article provides a strong overview of classical juristic opinions, it would benefit from a more explicit integration of how these traditional fiquhiati principles interact with contemporary statutory

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legal systems in Muslim-majority countries. The review recommends that the author modify the section on "methods for avoiding rejection" to include a brief discussion on how modern rules of evidence might overlap or conflict with these traditional criteria. This would provide the work with greater practical relevance for modern legal scholars. Second, the transition between the theoretical definitions of "testimony" and the practical "consequences of attestation" is somewhat abrupt; the narrative flow would be improved by a more robust bridging section that explains the judicial weight given to different types of witness challenges.

Furthermore, the author should expand on the "criteria for rejecting testimony" by providing more concrete examples from classical case law (nawazil) to illustrate how jurists historically applied these rules in complex social scenarios. The current analysis is theoretically sound but occasionally lacks the illustrative power that specific historical examples would provide. Additionally, a minor stylistic revision is needed to ensure that the Arabic terminology used—such as "Jarh" (challenging) and "Ta'dil" (attesting to reliability)—is consistently defined and applied throughout the English text to avoid confusion for non-specialist readers. Finally, the conclusion needs to more forcefully synthesize the findings, explicitly stating how the rejection of a key witness alters the specific "course of legal proceedings" as mentioned in the title, such as leading to a stay of execution or a retrial. Addressing these technical and structural points will ensure the manuscript serves as an authoritative and accessible reference in the field of Islamic legal studies.

Recommendations and publication decision

Subject to these minor revisions, the article is suitable for publication.