Criminological Study of Domestic Violence in Iran[*]

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Abstract

Violence against women is a common phenomenon and its widespread dimensions cause many personal and social losses to husband and wife, family and society. This research was conducted using the library method which aims to investigate violence against women in Iranian society with a criminological approach. Many women have traditionally been subjected to violence or do not realize that it is an act of violence, because the law does not criminalize it and has the support of adat and religion to legitimize it. This study discusses the types of domestic violence and examples that occur against women and most of them may not even be considered violence. In addition, criminal regulations and laws are also ineffective, and they even exacerbate violence against women. The results suggest that legal weaknesses need to be addressed and eliminated, and that governments should be encouraged to comply with laws and change laws that are not appropriate. At the lower level, violence against women must be resolved socially by helping to grow women's NGOs, and thereby increasing women's awareness of their rights to violence.

Keywords: domestic violence, criminology, domestic violence.

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Studi Kriminologi Kekerasan Dalam Rumah Tangga di Iran

Abstrak

Kekerasan terhadap perempuan adalah fenomena umum dan dimensinya meluas menyebabkan banyak kerugian pribadi dan sosial bagi suami istri, keluarga, dan masyarakat. Penelitian ini dilakukan dengan metode perpustakaan yang bertujuan untuk menyelidiki kekerasan terhadap perempuan di masyarakat Iran dengan pendekatan kriminologis. Banyak perempuan secara tradisional mendapat perlakua kekerasan atau tidak menyadari bahwa itu adalah tindak kekerasan, karena hukum tidak mengkriminalkannya dan mendapat dukungan adat dan agama untuk melegitimasinya. Dalam studi ini dibahas jenis kekerasan dalam rumah tangga dan contoh-contohnya yang terjadi terhadap perempuan dan sebagian besar bahkan mungkin tidak dianggap sebagai kekerasan. Selain itu, aturan-aturan dan hukum pidana juga tidak efektif, bahkan memperburuk kekerasan terhadap perempuan. Hasil penelitian menyatakan bahwa kelemahan hukum perlu ditangani dan dihilangkan, dan bahwa pemerintah harus didorong untuk mematuhi hukum dan mengubah hukum yang tidak sesuai. Di tingkat bawah, kekerasan terhadap perempuan harus diatasi secara sosial dengan membantu menumbuhkan LSM perempuan, dan dengan demikian dapat meningkatkan kesadaran perempuan tentang hak-hak mereka atas kekerasan.

Kata kunci: KDRT, Kriminologi, Iran

Криминологическое исследование домашнего насилия в Иране

Аннотация

Насилие в отношении женщин является распространенным и прискорбным явлением. Это широко распространенное явление наносит большой личный и социальный вред женщинам, семье и обществу. Данное исследование было проведено библиотечным методом. Исследование было проведено с целью расследования насилия в отношении женщин в Иранском обществе с криминологическим подходом. Многие женщины традиционно допускали насилие или не подозревали о том, что оно носит насильственный характер, потому что закон не криминализирует его и пользуется поддержкой обычая и религии для его узаконивания. В этом исследовании впервые были упомянуты типы домашнего насилия и его примеры, которые имеют место в отношении женщин, и большинство из них могут даже не считаться насильственными. Кроме того, были изучены правовые и уголовные законы, эффективные в создании или обострении насилия в отношении женщин, а также роль общих традиций в Иранской культуре, а также вредных обычаев и привычек. Организации по защите прав женщин утверждают, что юридические недостатки необходимо решать и устранять, а также поощрять правительства к соблюдению закона и изменению несоответствующих законов. На более низких уровнях насилие в отношении женщин должно быть ограничено в социальном плане, помогая расти женским НПО и, таким образом, повышая осведомленность женщин об их правах на борьбу с насилием. Однако присутствие и роль мужчин в искоренении насилия в отношении женщин имеет важное значение, и насилие невозможно искоренить без сотрудничества мужчин. Мужчин также нужно принуждать решать проблемы и способствовать этому .

Ключевые Слова : Домашнее Насилие, Криминология, Иран

A. INTRODUCTION

Violence against women and their entry into scientific debates and public opinion is the result of efforts made mainly by women and their movements and their emphasis on the universality of this phenomenon. Violence against women has been identified as not specific to a particular country or historical period has nothing to do with individual, racial, class, ethnic, or religious characteristics, and has been reported among literate and illiterate people and those with high and low incomes. In India, women are reportedly killed by their husbands or relatives because of the small dowry they brought to their husbands' house. In Egypt and some North African countries, girls are circumcised with basic equipment and without health standards. If it does not lead to death or permanent limb disability, it will eventually eliminate women's sexual desire forever (Aghakhani, 2012: 54). Extensive efforts by women to expose violence against women prompted the Beijing Conference to call on member states, including Iran, to take steps to improve the living conditions of women in their countries. One of the topics that should be given special attention in this regard is violence against women in all its dimensions. Some laws originated from religion, such as that women's blood money for suicide is half that of men, or that men are allowed to marry up to four wives, which can give women a lower status. This approach has irreparably damaged the foundations of women's social rights over the years. From the point of view of criminological schools, it can be stated that like other crimes that occur at the community level, domestic violence can have a sociological aspect and may be exacerbated by the social environment and its conditions the economy, socializing, and living in inappropriate places with unrighteous people. In this study, a precise and comprehensive definition of violence and examples of it were first provided. Challenging criminal and civil laws that undermine women's rights and violence-causing traditions were then identified. It is hoped that a small step will be taken to improve the living standards of women and subsequently establish security and tranquility in society, relying on the role of education and support by governments, and identifying the criminological causes of violence against women. However, there is a long way to go to achieve the desired perfection (Rajaeipour et al., 2016).

People generally think of the family as the center of peace and reconciliation and the adaptation of behavior to comfort. However, the family is a place of conflicting ideas and tastes, long-term misunderstandings, and thousands of other cultural contradictions, some of which men and women ignore, reconcile in some cases with the power of love and affection for each other, and about contradictions that can neither be reconciled nor condoned,

give privacy to each other and tolerate them (Zanganeh, 2012: 22). Violence against women is a common phenomenon in Iranian society that is committed physically (beating), verbally (insult and humiliation), and in other forms. The only thing a woman can do in the face of a man's physical violence is to go to forensic medicine through law enforcement agencies if she is beaten and receive blood money for treatment. In this case, the man undertakes not to beat his wife and the case is closed. In case of repetition, a fine will be imposed on him (Ardalan et al., 2016: 68). According to studies, violence, and abuse against wives exist in many countries around the world, even in developed countries. Violence is a very important aspect of psychological functioning and a social life that has major effects on the physical and mental health of the abuser and the victim. Violence against women or domestic violence is abusive behavior that occurs by the husband against the wife in the privacy of the family, away from the eyes of the community, and often in secret. By leaving physical and psychological effects on the abused person, it also causes irreparable social consequences. Violence against women in the family may be physical (beatings), psychological (constant humiliation and ridicule, and repeated insult, etc.), social (ban on visiting friends and relatives, confinement at home, etc.), or sexual abuse. Violence against women today transcends cultural, educational, and occupational boundaries, with all forms of violence against women by men at all levels of education and employment. The growing trend of this hidden phenomenon in different parts of the country is revealed by referring to the mass media, family courts, empirical observations, and review of official and unofficial news. Victims of domestic violence, the vast majority of whom are women, are often threatened with death, sexual abuse, and economic deprivation, and their children and belongings are severely harmed. It is very difficult to prove the existence of this control system. It is often hidden from the eyes of people outside the family because, for fear of retaliation, its victims do not dare to tell it to anyone. Such behaviors are often chosen and designed by the abuser in such a way that they can keep the other person in control. In other words, the abuser is out of control and tries to control the other person. Violence against women has devastating consequences, particularly in the family. Studies show that 25% of women who commit suicide have been beaten in their lifetime. With a brief look at the lives of violent women, we can see that their children have severe behavioral problems and abnormalities such as runaway, aggression, depression, indifference to others, educational failure, abnormal behaviors such as stealing, being sent to young offender institution, addiction and drug dealing, hatred of the father and even the intention to kill him, hatred of the mother, and favoring the father's behavior. The study was

conducted to investigate and identify the social and psychological factors affecting domestic violence as well as the effect of social abnormalities in domestic violence with a sociological and psychological approach. The results indicated that economic factors, poverty, cultural and social factors, family problems, psychological stress, addiction, and the use of hallucinogens have a significant impact on domestic violence (Ajam, 2016: 9).

Violence against women is one of the most important problems of human society. Although it is not a new phenomenon, it is considered a new social issue (Ardalan et al., 2015: 52). Women today make up almost half of the population of human societies. They are more at risk of violence than others because of physiological and situational differences and lower costs for perpetrators of violence according to the principle of utility. Despite being victims, women try to remain anonymous so that they do not become victims of violence again and do not receive the label of the deviant and secondary victim due to the normative pressures in society against female victims. Therefore, the perpetrators of violence feel less insecure and easily use violence against women. Domestic violence is a behavior or phenomenon that should be examined from different perspectives. This study is important because it seeks to find the causes of domestic violence from a criminological and intellectual perspective and tries to achieve the desired results to prevent this phenomenon by finding the causes. By finding the causes and components contributing to committing this social problem, practical solutions can be provided through which social, moral as well as human values grow in society and among family members, and people seek the excellence and the divine spirit of human morality and thus grow society. These solutions can be for the benefit of both the family and the human community (Heidari Cheroudeh, 2010: 63). One of the first solutions to eliminate violence against women is to review the laws of countries. Women's rights organizations argue that legal weaknesses need to be addressed and eliminated and that governments should be encouraged to comply with the law and change inappropriate laws. At lower levels, violence against women must be curbed socially by helping to grow women's NGOs and thus raising women's awareness of their rights to violence. However, the presence and role of men in eliminating violence against women are essential, and violence cannot be eradicated without the cooperation of men. Men must also be forced to break their silence and enter this arena (Rouholamini and Ghotbodininejad-e-Nematabad, 2017: 15). The phenomenon of violence against women by men has a long history. By studying the legal texts, and considering the importance of the phenomenon and its prevalence, this study examined this crime from different legal aspects.

Scientific objectives, there are: Identifying the consequences of each factor; Providing practical solutions to organize and reduce domestic violence; Providing solutions to eliminate or reduce domestic violence; Increasing awareness of spouses about their rights in the family; Eliminate legal weaknesses to defend the rights of spouses in the family.

From the above analysis, several questions arise which will be discussed in this article. There are: What are the criminological foundations of spousal abuse in Iranian law? What solutions and laws can be offered to prevent and eliminate domestic violence? What are the factors affecting domestic violence? Is there a crime called domestic violence in criminal law?

Literature review

Taavoni et al. (2018) conducted a survey study titled "The Criminological Study of Violence against Women in Zahedan City" on 160 women aged 65 to 19 years in different parts of the city with non-probability and proportional sampling. The data collection tool was a questionnaire whose validity was assessed based on Cronbach's alpha coefficient after the preliminary test. In this study, violence against women was defined as having five dimensions: physical, psychological, social, economic, and sexual. The mean of total violence in the range of 1-4 was 49.2 with the mean of psychological violence being the highest and the mean of sexual violence being the lowest. According to the findings, men who were addicted to drugs were more likely to use violence against women than non-addicted men. Moreover, increasing acceptance of gender stereotypes by women, which is in favor of men, increased violence against them, and violence against women increased as the socioeconomic status of men decreased.

In their study titled "Criminological Study of Domestic violence in Iranian Criminal Law", Ghotbodininejad-e-Nematabad and Ruholamini (2017) stated that violence against women is a common and unfortunate phenomenon whose widespread dimensions provide the basis for numerous individual and social harms to them, family and society. This study was conducted with the library method aimed at providing a criminological study of domestic violence and providing solutions to prevent this type of violence. One of the first solutions to eliminate violence against women is to review the laws of countries. Women's rights organizations argue that legal weaknesses need to be addressed and eliminated and that governments should be encouraged to comply with the law and change inappropriate laws. At lower levels, violence

against women must be curbed socially by helping to grow women's NGOs and thus raising women's awareness of their rights to violence. However, the presence and role of men in eliminating violence against women are essential, and violence cannot be eradicated without the cooperation of men. Men must also be forced to break their silence and enter this arena.

Talebpour (2017) conducted a study titled "Investigating Affecting Factors on Violence against Women with Emphases on Wife Abuse (Case Study; Ardebil Province)". The sample size was 1100 people who were selected from different parts of the province using stratified sampling. The results indicated that the rate of domestic violence in all regions of the province was 296%. The study of the dimensions of violence against women revealed that financial violence with 2.33% was the highest type of violence against women and physical violence with 2.27% was the lowest. Besides, psychological violence against women was estimated at 29%, and sexual violence at 2.29%.

In their study titled "Precautionary Pathology of the Axis of Legislative Criminal Policy of Iran for Women Victims of Violence in the Family", Mahdavi et al. (2017) stated that violence against women in the family, despite being one of the most common types of violence, often remains hidden due to the sanctity and of family privacy. This type of violence has various instances and affects the victims in various dimensions. In addition to inflicting numerous physical and psychological injuries on direct victims, violent behaviors in the family environment have adverse effects on family relationships, and the personality of other family members as well as society. Therefore, the causes of such behaviors should be identified to prevent their primary and secondary commission. Among the various causes, legal causes play an important role in the occurrence of these behaviors. In this regard, the relevant provisions in the Iranian legal system were reviewed. So the study concluded that an effective legislative criminal policy should be adopted to reduce and prevent these behaviors due to the lack of an independent and effective legislative criminal policy. Accordingly, solutions were presented in this study.

B. METHODS

This study was performed by descriptive-analytical method. In this way, phenomena under investigation are reviewed using available resources. At the beginning of each study, some concepts need to be described and introduced to the reader. Any relatively professional reader may be relatively familiar with the subject, but a comprehensive description of the concepts is

required. Some of the concepts in this study needed to be described. For example, domestic violence and its implications were identified in a fully descriptive manner. However, the analysis will be needed when discussing the relationship between these concepts in different areas and the main problem, namely identifying and describing domestic violence, and examining the cultural, spiritual, and religious effects on it. Data were collected by the library method. Besides, the method of analyzing and evaluating resources was inductive in the sense that the final result was obtained by detailing the subject in each case. The study was both descriptive and development. So some concepts and terms in the field of domestic violence were initially described.

C. RESULTS AND DISCUSSION

1. Domestic Violence in Iran

In this study, domestic violence refers to the harassment of women by their husbands because domestic violence is traditionally used as wife abuse. Domestic violence can be caused by a variety of violence that results in nothing but the destruction of women's souls and bodies, and its effects may be seen in women for a long time. Violence against women is aimed at controlling their behavior, a behavior that is permissible in the public sphere for all members of society, but by using it within the family, men try to deprive women of this freedom while representing their authority (Ezazi, 2004: p. 200). Violence against women in the family environment imposes a heavy social burden on society. This is because perhaps such lives can be ended much faster and easier by applying sanctions such as giving the wife the right to divorce or receiving dowry, etc., but this violence and divorces have very serious and in most cases irreparable consequences. Meanwhile, women and children are most affected. In Iran, domestic violence is more often seen as a form of deviation because it is not criminalized, has no sanction, and is viewed in a socio-ethical sense. There are no accurate statistics on domestic violence in Iran, the main reasons for which are women's silence and self-censorship. Women often do not report such violence to families or the judiciary to protect their reputation, for the sake of their children, or to prevent the situation from getting worse in the hope that their husbands' behavior will improve. Not only does this not improve the situation, but it also puts life in a cycle of annoyance and reconciliation, and it becomes a habit for both parties.

The concept of domestic violence

Reversing the do's and don'ts for a spouse is considered domestic violence. It can be divided into four groups: psychological, financial, sexual, and physical. Failure to meet any of the financial, psychological, and sexual needs can lead to one of the types of domestic violence (Esfandabad, 2010: 24). Some of the predisposing factors for domestic violence include poverty, addiction, carelessness in choosing a spouse, cultural differences, men's lack of faith in women's social development, patriarchy or matriarchy, the role of the media in misrepresenting women, and premarital marriages. If the man is unable to meet the material needs of his wife and family, the consequences may be wife abuse and the man may deviate from the normal situation. Addiction is also the cause of domestic violence due to increasing the cost of the family and developing depression in the individual (Ezazi, 2010: 47).

Cultural Coherence Theory

Cultural coherence argues for the coherence between the fundamental values of a society and social phenomena such as violence. Dobash and Dobash have found a clear relationship between men's violent behavior towards women and social norms. Men who mistreat their wives live in a culture where the rule of men is much more than women. Some other features of this culture are the affirmation of male aggression, male domination, and female obedience. So in patriarchal societies, the use of power to stabilize and establish the privileges of men is legitimate. Men who beat their wives seldom believe that they do something wrong, but instead, think that their behavior is in line with social norms due to the support of the general norms of society. Another hypothesis is that the more the use of violence is promoted to achieve attractive goals in society, the more likely it is to be legitimized in other social aspects. According to Bowker, subcultures coexist with the prevailing culture, and their orientation may even be contrary to the general norms of society. Violent behavior is not only seen in the lower classes of society but also in other classes.

Theory of Equality between Men and Women

In this theory, not only the lives of women but also the lives of men in comparison with those of women and how the two genders interact with each other are considered. This theory argues that the relationship between the two genders is essentially based on power. In a relationship where a man abuses his wife, he subjugates his wife by physical, verbal, psychological, or all three cases

of abuse. In explaining the phenomenon of domestic violence, the theory holds that the use of violence by the husband reflects the higher power, authority, and social status of men. This leads many men to believe that they have the right to abuse their wives. Therefore, restructuring the power relationship between men and women in society is needed to end domestic violence (Sadeghi Rasaei, 2012: 47).

Gender Role Theory

It is one of the theories related to domestic violence. This theory holds that the gender role of women in the process of socialization in childhood leads to them being abused in adulthood after marriage. Gender role theory has relatively simple explanations for domestic violence. The role that men and women play puts men in a position to abuse women and puts women in a position to be abused. The process of socialization leads to the roles that men and women play in society (Sheikhi, 2010: 58).

Systems Theory

This theory considers the family as a system that has open or closed boundaries, or boundaries that are permeable to its surroundings. This exchange takes place as negative or positive feedback that is affected by the goals of the system. For example, violence may be an effective means of achieving the goals of the system or sustaining it. Violence is affected by how the internal and external system of the family responds. Strong feedback increases aggressive actions and reduces negative feedback. It is worth noting that the desired result is usually achieved by resorting to violence and it is positively strengthened. On the other hand, not resorting to violence exacerbates conflict situations or strengthens them negatively. According to Labeling Theory, the perpetrator of violence, which is also approved by the environment, finds himself obliged to repeat the violent behavior.

Feminist Theory

According to experts in this field, the main cause of violence is the existence of patriarchal authoritarian structures in society. As the central institution of patriarchy, the family is based on social inequalities and the exploitation of women and children, and society's ideologues seek to preserve it. They believe that men's violence is a military reflection of the dominance of

all men in society overall women, as seen in historical form and comparative comparison. Martin argues that men's violence against women is a way of life and that the economic and social structure of societies is shaped by the discredit, humiliation, and exploitation of women. One of the causes of women's powerlessness in marital relationships is to devalue women's productive and economic activities in society and increase men's authority in the field of marriage. Social observers have divided tasks based on restricting women's freedom of action and delegating oversight, as far as possible, to men in the roles of father, husband, and brother.

Violence against women

The widespread dimensions of violence against women and its consequences, especially after World War II, led to the formation of intellectual developments and social movements of women to eliminate violence and discrimination against them. International, continental and regional institutions such as the United Nations and its affiliated bodies, human rights organizations, and NGOs have also joined the growing campaign in recent decades and have put the study of the dimensions and forms of violence and discrimination against women and its consequences and effects on the health and individual and social life of women and children on their agenda. The process has led to the formation of hundreds of small and large organizations and institutions at local, regional and global levels, thousands of meetings, calls, and conferences, preparation and issuance of numerous reports, declarations, resolutions, and letters of recommendation (Esfandabad, 2011: 78).

Reasons for domestic violence

The most important reasons why spouses, especially women, are abused in the family are alcohol use, drug addiction, poverty and deprivation, unemployment, personal motivations, women being judged by men, instinctual behavior prone to violence, provocative behavior of women, and the media (Ranjbar, 2010: 64).

2. Structural factors of creating and maintaining violence in Iran

Men's authority in law

There is a lot of discussion in this regard and therefore no details are mentioned. Women are legally in an unequal position with men, and the

reflection of unequal conditions in the family manifests itself as a compulsion to live with a violent man. Some special cases include the loss of custody of children or the very difficult steps that a woman must legally go through to get a divorce. Adding proviso gives women some rights, but when a woman seeks a divorce, she has to prove the distress and constriction. In a family headed by men, there is no punishment for domestic violence (even murder). It should be noted that the punishments are mild and force women to continue living with men who beat their wives. Examples of these events can be read in newspapers, but cases that are never disclosed should also be considered (Salarifar, 2015: 12). Iranian law emphasizes the power of men and the powerlessness of women, not only in the family sphere but also in the public sphere. It is regulated in such a way that although it allows women to participate in some public areas, these behaviors are subject to the husband's permission. Permission from the father or husband has pervaded the whole life of women. This is true even for men and women who believe in the right to free decision for everyone (Ghasemi Roshan, 2011: 62).

Men's economic power

Although there is no legal prohibition on women's work, there are two issues regarding their work at different levels. The first is the low percentage of employed women and the very high percentage of women looking for work, which indicates the work problems of this gender. According to statistics on female unemployment, the unemployment rate increases as the level of education increases. This reflects society's resistance against the employment of women and also shows that women are employed in low-level jobs (secondary sector) with low incomes and without job security. Among other problems, lower incomes for women than men, women's concentration in the public sector where they are less likely to earn money than the private sector, and lack of facilities to upgrade to more lucrative decision-making positions can be noted (Ardalan et al., 2015: 54). Another problem that keeps women away from the workplace is the lack of middle jobs for them, not in terms of the necessary training to get jobs to the extent of job skills and social culture, nor in terms of the involvement of regulatory forces in society. Getting a job that is usually done by women with a level lower than academic education (such as sales and service in restaurants and hotels) is not possible for some reasons. Besides, the unhealthy work environment in many private-sector jobs and the possibility of sexual harassment restrict women in choosing jobs (Khosravi, 2013: 87). As a result, the economics sector leads women to marry and depend on a man

because it's excluding or restricting women, as well as making them dependent on men's incomes due to low incomes paid to women. The employed women are not even able to live apart from men with their incomes, especially they will not be able to provide life at the level of family life if they emphasize on child custody (Nikkoalgh, 2010: 65).

Men's power in regulatory agencies

In Iran, regulatory agencies, both formal and informal, as well as organizational and individual, all try to monitor women by using power and violence at various levels. Violence at the regulatory level affects the individual choices of women and girls and strongly opposes any behavior that is contrary to their thinking. Violence by men in Iran can be seen both in an organized manner in the regulatory agencies of society and at the level of individuals who personally purge society of women with inappropriate behavior (Eftekhar, et al., 2015: 47). Comprehensive oversight of women is also manifested individually. Examples include serial killings by men who feel obligated to maintain social order in society and who kill women they believe prostitute themselves (newspaper pages reflect the murders of wives, daughters, and sisters who are killed without any thought due to a misconception about their behavior). Girls, sisters, and wives are more likely to be killed because of suspicion in the family if men in society are to monitor women's behavior. Light punishment of such behaviors is a stimulus to increase violence in society and the family (Mafi, 2011: 54).

3. Sociological factors affecting the incidence of violence

Customs and traditions

Traditional performance reflects the values and beliefs of members of a community that often belong to several generations. According to the Commission on Human Rights, acts such as those related to power inequalities that are deeply rooted in society often constitute violence against women and children. Some of the factors affecting the continuity and survival of traditional acts that endanger the health of women and children in Africa and Asia today are blindly following these practices, lack of strong follow-up of the cause of such practices, lack of information and education in many areas where such practices prevail, and the government's failure to deal with these common and traditional practices (Hemmati, 2017: 45). It is worth noting that the goal of all

customs and traditions is not to protect women's rights, and only some of them promote and defend women's rights and personality. However, those acts that constitute certain forms of violence cannot be justified based on traditional and cultural contexts, such as the provision of dowry to which the bride's family is obliged. In India, an average of 5 women are burned daily by their husbands or their husbands' families due to dowry-related conflicts, and many cases are never reported (Rabbani, 2012: 83).

Culture and society

There are different ways of looking at women in modern and traditional societies. In modern societies, much effort has been made to ensure that women achieve their rights, and the way they are treated has gradually become more humane. However, the patriarchal view and approach based on tyranny still exist in traditional societies. The power of this way of thinking has shaped traditions that view women as "second sex" and sometimes as male assets. The need to control and dominate women in these societies, which is achieved through social education, is more prominent. According to this theory, the individual takes a model by communicating with the community and acts based on these models (Khosravi, 2013: 42).

Albert Bandura, the developer of the Social Learning Theory, argues that behavior is the result of the interaction of cognitive and environmental factors. It has been seen that children learn violence through their families and then behave similarly. In this way, a cycle of violence is created in which parents and older members of the family spread the violence to younger members. In addition to allowing violent behavior against women, such approaches provide a way to impose individual and social restrictions on them. These restrictions overshadow the potential and abilities of women and, as a result, make it more and easier to oppress and abuse them. In societies where there is no culture of dialogue, mutual debate, and democratic discussion, unequal power relations also lead to violence by those with more power against those with less power. Giving more importance to sons, raising the importance of men, and living two or more families together, has even provided the ground for violence against women (Ardalan et al., 2015: 54).

D. CONCLUSIONS

Based on criminological and victimological findings, some people are more likely to be victimized than others due to their specific biological,

psychological, and social characteristics, and are more potentially vulnerable victims. Due to their special mental and physical condition, women are often included in this framework. So special protection for female victims is a positive deviation from the principle of equality of individuals before the criminal law. In other words, the legislature has adopted a special criminal policy to increase the cost of some crimes against specific victims and reduce their likelihood of victimization by establishing differential criminal protection of women through special criminalization of certain behaviors and intensifying the punishment of criminals whose victims are women (such as the crime under Article 619 of the Islamic Penal Code). However, the scope of these criminal protections and their limits and limits have varied in each period depending on the view of the legislature. On the other hand, there are various types of violence against women that are criminalized in some countries and remain only in the extent of moral and social indecency in some countries, and the legislature has not yet reacted criminally to them but has shown emotional reactions merely to appease public opinion in some cases as appropriate and expedient. The first function of government is to promote religious, moral, and human culture in society, the extent of which is directly related to the familiarity of individuals (especially in the family) with mutual rights and obligations to each other. Acculturation means believing what is being learned is the next step that requires long-term planning. The government's next step is to eliminate the root causes of violence, including poverty and corruption, which have a reciprocal relationship with family consolidation.

However, the role of the legislature in imposing strong and effective sanctions on domestic violence, granting a general aspect for wife abuse, and reviewing the procedure of such lawsuits should not be ignored. The best solution to domestic violence is to observe ethical standards because ethics subjugate the law. Thus, domestic violence is not just a form of violence against women, it is a crime whose consequences are quite visible in both children and society. According to the above, a society cannot progress with only half of its constituent members because women play a major role in the functioning of society by forming half of the population of each society. Social infrastructure must change alongside and before the criminalization of domestic violation. The dominant culture of society plays an important role in criminalizing or not criminalizing the relations between individuals. It should be noted here that culturalization is much more constructive than creating legal barriers as well as punishing because it costs the government less. Also, prevention is always better than treatment. The socialization of people who are victims of domestic violence is much more difficult than the socialization of the perpetrators of this

violence, so it is very necessary to prevent its occurrence. Domestic violence can lead to family separation and disruption in their relations. In such a situation, the number of street children, prostitution, addiction, etc. will increase and society will face a crisis. Thus, as the first social institution, the family can weaken society or make it manifested. A crime-free society depends on the existence of healthy families. Women as the main actor and key roles of families play a significant role in the prosperity of society. The prerequisite for this prosperity is the protection of women by law, both in society and as housewives.

Recommendations

1. Warning, punishing, and prosecuting individuals who physically, mentally, or sexually abuse women through government and the judiciary;

2. Providing accurate statistics by the government that have been approved by the competent authorities to find out the true number of domestic violence in Iran;

3. Establishing safe houses for women victims of domestic violence;

4. Intensifying the punishment for perpetrators of domestic violence who repeatedly commit this crime;

5. Criminalizing the suicide of women victims of domestic violence. Since suicide is not a crime, attempting it is not a crime, therefore inciting suicide is not a crime;

6. Changing crime-related laws in civil and criminal law;

7. Establishing free legal protection and counseling agencies for poor people exposed to domestic violence;

8. Allocating government budget to train experienced staff in family and social counseling;

9. Establishing safe houses, emergency telephone centers, and voluntary teams of male and female guards to support abused girls and women;

10. Continuous and persistent work to change the type of social vision to deal with abused and violated women;

11. Establishing or organizing existing NGOs that work underground to protect the rights of victimized women.

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