

Legal Protection of Women from Domestic Violence

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Abstract

This research is focused on legal ways of elimination of domestic violence against women; Ways which are practical and applicable in the legal system of Iran without conflicting with cultural and social circumstances. It takes place in the family privacy and perpetrator is a family member which is in intimate relationship with victim. Therefore most of anti-crime monitoring bodies (such as police), sanctions (such as imprisonment and diya), and traditional legal evidence (such as witness and document) became useless and inapplicable. Methodology of present study is descriptive-analytical; in this way foreign Acts are described by substantive classification. This approach emphasizes on the Acts of the Islamic countries. By the comparative study gaps of the legal system of Iran are analogized and solutions to fill them are suggested. Results prove that domestic violence against women is a matter of public sphere and fighting against it requires political intention and legal creativity. There are many ways to support women in domestic violence cases, such as allocation enough budget, participation of civil society organizations, recognition and criminalization all kind of domestic violence, immediate reaction to reports, ratification supportive creative orders, compensation all damages to the women and put the burden of proof on the accused.

Keywords: Violence against Women; Family; WHO; Protection Order; Proof; Privacy.

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