

OPEN PEER REVIEW

Analysis of the Effects of Criminal Sanctions in the Family Protection Law from the Perspective of Criminal Sociology

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1. Round 1

1.1. Reviewer 1

Reviewer:

The introduction states, "Using a descriptive-analytical method and the theoretical framework of criminal sociology..." but does not elaborate on which specific criminal sociology theories (e.g., Durkheim's theory of social norms, Foucault's theory of power, or restorative justice models) guide the analysis. This omission weakens the theoretical foundation of the study.

The methodology is described as descriptive-analytical, but it does not specify data sources. Are legislative texts the primary source, or were court cases, legal decisions, or social surveys analyzed? If qualitative methods were employed, NVivo or thematic analysis should be mentioned.

The statement, "The criminalization of family matters may lead to excessive legal interventions that weaken family bonds," assumes a causal relationship without empirical support. Providing case studies or citing legal sociology research on deterrence effects would strengthen this claim.

The article states that "while the law has been successful in protecting family victims in certain cases, it has also contributed to increased tensions." However, it does not define what constitutes "success" or provide statistical evidence on whether domestic violence or financial neglect cases have decreased since 2012.

The paper highlights legal gaps regarding child abuse and economic exploitation but later states that "criminal law has been excessively used in family disputes." Are the authors advocating for more criminalization in some areas and decriminalization in others? Clarifying this stance would strengthen the argument.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

The statement, “Family law is a domain where criminal sanctions are rarely applied...” is somewhat misleading. Many jurisdictions criminalize domestic violence, child neglect, and financial abandonment. A comparative analysis with other legal systems could strengthen the argument.

While the paper mentions CEDAW, it does not analyze its implications for Iranian family law. Given Iran’s reservations to CEDAW, discussing its impact would add depth to the argument.

Since the study is published in *Interdisciplinary Studies in Society, Law, and Politics*, references from sociology, psychology, and gender studies could be incorporated to provide a broader perspective on how criminal sanctions affect family dynamics.

In the section on "Non-Payment of Alimony," the article critiques legal shortcomings but does not address alternative enforcement mechanisms such as wage garnishment, social security systems, or civil remedies. Comparing Iran’s approach with other legal systems could provide a more balanced discussion.

The discussion on “Marriage to a Married Woman or a Woman in Her Waiting Period” focuses on legal provisions but lacks a sociological analysis of why such provisions exist or their impact on family cohesion. Adding qualitative perspectives from legal sociology or criminology would enhance the depth of analysis.

Given that restorative justice principles emphasize reconciliation, it is surprising that the paper does not discuss them in the context of family law. Would mediation or non-criminal dispute resolution be a more effective tool for resolving family disputes?

Authors revised the manuscript and uploaded the document.

2. Revised

Editor’s decision: Accepted.

Editor in Chief’s decision: Accepted.