

Crimes against Women in Iranian criminal law from the Perspective of the Convention on the Elimination of All Forms of Discrimination against Women

Ghassem. Ghassemi¹, Maryam. Jahanian^{2*}

¹ Assistant Professor, Department of Criminal Law and Criminology, SR.C., Islamic Azad University, Tehran, Iran

² M.A. in Criminal Law & Criminology, SR.C., Islamic Azad University, Tehran, Iran

* Corresponding author email address: JahanianMaryam78@gmail.com

Received: 2026-05-05	Revised: 2026-08-02	Accepted: 2026-08-09	Initial Publish: 2026-08-12	Final Publish: 2027-07-01
EDITOR: Richard Dodder Emeritus Professor of Sociology and of Statistics, Oklahoma State University Stillwater, Oklahoma, USA. Email: rdodder@hotmail.com				
REVIEWER 1: Agwu Sunday Okoro Lecturer & Clinical Law Administrator at Baze University Abuja, Abuja, Nigeria. Email: 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 statement that CEDAW “aims to guarantee the principles of equality and human dignity for women in all spheres of life” is broadly accurate but insufficiently precise for the study’s criminal-law focus. The authors should specify which CEDAW provisions constitute the analytical benchmark, such as Articles 1, 2, 5, 7, 15, and 16, and explain whether General Recommendations issued by the Committee on the Elimination of Discrimination against Women were also considered. This is particularly important because CEDAW does not contain a self-contained criminal code on violence against women; many relevant standards have been developed through General Recommendations and the Committee’s interpretative practice. The manuscript must therefore distinguish treaty text from subsequent authoritative interpretations.

The paragraph beginning with “The author’s decision to pursue this topic stems from an academic interest” is not appropriate in its current form for a scientific article. Personal motivation does not establish scholarly significance and should be replaced with a clearly articulated research problem, documented knowledge gap, and rationale for the study. The authors should explain what previous Iranian studies have not examined, why an empirical survey of legal experts is necessary, and how the present study advances beyond descriptive comparisons of Iranian law and CEDAW. The paragraph should culminate in explicit research questions or hypotheses rather than a statement of the author’s personal interest.

The paragraph describing the family as “a foundational pillar of society” introduces a normative family-centered discourse that is not fully integrated with the article’s criminal-justice framework. The authors should avoid implying that women’s legal protection is important primarily because of their familial role. Women’s rights and protection from violence are independent human-rights concerns grounded in dignity, equality, bodily integrity, and access to justice. The discussion of honor killings

should also be supported by a precise legal definition and connected to the relevant Iranian criminal provisions, including rules concerning retaliation, blood money, guardianship, mitigating circumstances, and the criminal responsibility of relatives.

The sentence “The statistical population consisted of law professors, judges, attorneys, and master’s and doctoral law students in Tehran in 1404” requires correction and clarification. The year should be reported in the Gregorian calendar in accordance with international publication standards, with the precise data-collection months stated. More importantly, postgraduate students should not automatically be classified as legal experts merely because they are enrolled in advanced study. The authors should define minimum eligibility criteria for students, such as completed coursework, publications, professional practice, or specialization in criminal law, international law, or women’s rights.

The validity assessment was based on the opinions of eight professors, yet the manuscript merely states that “face and content validity were used.” The authors should report the experts’ fields, selection criteria, review procedure, and quantitative validity indices. Content Validity Ratio and Content Validity Index values should be presented for individual items and the overall instrument, together with the decision rules used to retain, revise, or remove items. Face validity should also be distinguished from content validity, and any pilot study conducted to assess clarity, ambiguity, response burden, and completion time should be reported.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

The paragraph discussing Articles 1115 and 1130 of the Civil Code combines civil remedies with criminal protections without explaining the analytical distinction between them. Leaving the marital residence, claiming maintenance, and seeking divorce are civil or family-law remedies rather than criminal-law responses. The authors should clarify whether the study examines the broader legal protection of women or specifically criminal protection. If the latter is intended, civil-law provisions should be presented only as contextual mechanisms and should not be treated as evidence of criminal-law conformity with CEDAW. The legal status and contemporary application of the terms *nashezah* and *nafaqah* should also be explained carefully and consistently.

The literature-review paragraph beginning with “Academic discourse in this field includes substantial domestic and international contributions” is too brief and descriptive to support the study. It lists several sources but does not synthesize their findings, methodologies, disagreements, or limitations. The authors should reorganize the literature review around specific themes, including criminalization of gender-based violence, procedural equality, evidentiary discrimination, domestic violence, sexual offenses, honor-related violence, CEDAW compliance, and jurisprudential reform. The review should conclude by demonstrating the exact empirical and legal gap addressed by the present study. At present, the novelty of surveying experts regarding legal conformity remains insufficiently established.

The final paragraph of the Introduction states that the study seeks to “systematically compare crimes against women under Iranian criminal law with the standards established by CEDAW,” but the unit of comparison remains unclear. Crimes, statutory provisions, procedural guarantees, and expert perceptions are conceptually different units of analysis. The authors should specify whether the principal object of analysis is legislation, judicial practice, jurisprudential doctrine, institutional implementation, or respondents’ perceptions. The manuscript currently shifts between doctrinal legal comparison and empirical opinion research without providing an integrated mixed-method or socio-legal research design capable of connecting these components.

The Research Method section describes the study as “applied in terms of purpose and descriptive-analytical in nature, employing a survey approach,” but this classification is methodologically imprecise. The authors should identify the study explicitly as a cross-sectional socio-legal survey combined with doctrinal legal analysis, if both components were genuinely conducted. They should then describe each component separately, including its data sources, analytical procedure, and integration strategy. The manuscript should explain how the library-based legal analysis informed questionnaire development and how survey findings were subsequently interpreted alongside the doctrinal comparison.

The description of the questionnaire as a “researcher-made questionnaire” containing 28 items across four dimensions is inadequate for replication. The authors should provide the full questionnaire, preferably as an appendix, and report the number of items assigned to each dimension, item wording, scoring direction, possible score ranges, and interpretation thresholds. They must also explain how “low,” “moderate,” and “high” conformity were operationalized. Without predefined cut-off points or a defensible scoring procedure, the classification of the overall mean score of 2.74 as “moderate-to-low” appears subjective and cannot be independently evaluated.

The manuscript states that the questionnaire measured conformity with CEDAW indicators, but it does not explain how those indicators were derived. The authors should present a content-mapping table linking each questionnaire item to a specific CEDAW article, General Recommendation, Iranian legal provision, and research dimension. This mapping is essential for establishing content validity and preventing the instrument from measuring general attitudes toward women’s rights rather than legal conformity. The authors should also state whether item development involved a systematic review, expert Delphi process, pilot testing, cognitive interviewing, or adaptation from a previously validated instrument.

The sampling description states that “the sampling was purposeful and accessible,” which conflates two distinct nonprobability sampling strategies. The authors should specify the actual recruitment process, including where participants were approached, how professional eligibility was verified, whether invitations were distributed through universities, courts, bar associations, or online networks, and how many individuals declined participation. Because convenience-based expert sampling may generate substantial selection bias, the limitations of the sampling frame should be discussed explicitly. The use of Cochran’s formula also requires justification because formulas designed for probability samples do not automatically validate sample sizes obtained through convenience sampling.

Authors revised the manuscript and uploaded the document.

2. Revised

Editor’s decision: Accepted.

Editor in Chief’s decision: Accepted.