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# The Role and Impact of Family Therapy Theory in the Prevention of Crime and Delinquency

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## ABSTRACT

The purpose of this study is to evaluate the capacity of family therapy theory for its application in the fields of criminal law and family law, based on an integrative legal-psychological perspective. The research method is documentary and library-based. The study is descriptive and analytical in nature. The research population consists of sources related to the theory of family therapy in the works of Western and Muslim scholars, as well as texts in criminal law, family law, and religious sources concerning the domain of the family. The findings of this study indicate that law, in its broader sense, is deeply influenced by psychology, and without it the definition of law remains incomplete. Family therapy minimizes judicial intervention and, in this respect, is superior to other approaches, including judiciary-centered models. An examination of statutory provisions shows the direct impact of counseling and arbitration on strengthening family relationships. Criminal institutions can also contribute to reducing crime rates. The legislative approach has been based on resolving marital disputes in counseling or arbitration centers; however, it has largely become a mere procedural formality. Ultimately, the prioritization of family therapy over judicial resolution is the principal finding of this study. In line with this objective, establishing and reinforcing a culture of counseling for families on the verge of divorce is of particular importance. Therefore, without giving centrality to the institution of family therapy within its legal system, the Islamic Republic of Iran will not achieve any of its macro-level policy objectives.

**Keywords:** *family therapy, principle of benevolent cohabitation, strengthening the family, social harms.*

## Introduction

The family is the primary locus for preserving the values of every society, the solid foundation of stable social relations and kinship ties, and the center of the most intimate relationships among individuals and the elevation of the human spirit. A healthy family is an open system in which members, while enjoying warm emotional relationships with one another, still maintain their individual identity. In such a family, love flows unconditionally and members are accepting of one another. The family's threshold of tolerance for conflict and stress is high, and in times of need, members voluntarily seek to help and to be helped. In these families, there is a strong and clear alliance between the parents, and power is shared between them. In contrast, a dysfunctional family is one that is unable to resolve its problems and conflicts; consequently, its functioning is impaired. Boundaries between members are unclear, individuals lack autonomy in decision-making, and therefore support and cooperation do not occur. Unfortunately, the increasing rate of divorce in such families in recent years in Iran is a shocking and distressing reality.



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Accordingly, addressing this problem and developing strategies for managing and treating marital conflicts is of particular importance.

For scholars in the human sciences and for those who work professionally with families, it is no secret that the Iranian family, especially urban families, is facing numerous crises. The greatest structural transformation in the Iranian family in recent decades has been the shift from extended family forms to the urban nuclear family. These fundamental changes have had consequences in every possible domain, including how family members relate to one another, the emotional significance of family members for each other, the emotional functioning of the family, gender roles, and the capacity to resolve legal-relational problems. In line with this reality, building and strengthening a culture of turning to counselors in times of crisis is one of the most critical challenges in family life. The next step, based on this analysis, is to propose therapeutic strategies using family therapy approaches that can create the conditions for reconciliation, preservation, and cohesion of the family.

At present, multiple approaches exist in family therapy, including strategic family therapy, Bowenian family systems therapy, solution-focused family therapy, and cognitive-behavioral family therapy (1-5). On this basis, a realistic and progressive legislator, as Montesquieu states in *The Spirit of the Laws*, "thinks less about punishment and instead strives to prevent crime from occurring; such a legislator, rather than torturing and punishing offenders, seeks to familiarize people with morality and humanity and to expand education." With this perspective on law, family therapy theory is not merely a psychological theory; in leading legal systems of the world, including that of England, it plays a key role and is considered an integral part of the legal order (6-9). In fact, earlier research in this field adopted a strictly single-discipline perspective on this theory, meaning that they either addressed the family solely from a purely psychological standpoint or dealt only with its criminal dimension under headings such as crime prevention, restorative justice, and similar topics (10-13). By contrast, the present article seeks to examine the capacity to employ this theory within the Iranian legal system on the basis of an integrated legal-psychological perspective, a question that has not yet been addressed and thus constitutes the innovative aspect of this work.

The main research questions of this study are as follows:

1. How has family therapy theory been conceptualized in the works of Western thinkers?
2. What is the approach of the Iranian legal system in its documents and laws toward family therapy theory?

The research hypotheses are as follows:

Family therapy is a form of treatment in clinical psychology that, for the purposes of education and prevention, engages the entire family and considers the whole family system when attempting to resolve the problems of the family or one of its members. Family therapy helps family members gain insight into themselves and their reciprocal behavior, increases positive exchanges between spouses, and ultimately leads to a reduction in marital conflicts and in the number of judicial cases in this domain (14-16). On the other hand, the approach of the Iranian legal system, in light of family therapy theory, is based on resolving family harms in the courts and related institutions (17-20).

## Research Literature

Family therapy emerged in the late 1950s as the product of the flourishing ideas of a group of creative theorists and clinicians. After four decades, both at the theoretical and clinical levels, there remain doubts and uncertainties that themselves indicate a stage of maturation. Nonetheless, opinions about the roots and origins of this movement trace it to even earlier periods. The new clinical method known as family therapy took various forms in the 1960s

and 1970s, including structural, Bowenian, and other models (2, 21-23). From the mid-1970s onward, as family therapy advanced and developed, it broadened its scope to include a variety of clients and devised specific interventions for special groups such as individuals with substance use disorders, hospitalized psychiatric patients, families under the care of social welfare services, and violent families, each with its own distinct challenges (24-26). Some schools of family therapy today seek to protect the family against the over-interpretation of the therapist. They worry that the interventions of an interpretive therapist may dominate the family and render its members powerless. These approaches assume that therapy can only be a dialogue between two co-creators of a narrative that has no roots in any empirically testable reality. Many now believe that the only way to avoid wielding such a heavy hammer is for the therapist to enter the process merely as a co-narrator. In this view, human beings are not only influenced by the stories they construct about themselves but are nothing other than these stories (24).

However, there is another way of thinking about families and their problems. One such approach is adopted by a group who believe that therapy is a domain of human interaction in which it is impossible for the therapist not to influence the field. Therapists in this group are usually innovative, committed, action-oriented, and optimistic, and their involvement with families helps family members resolve their difficulties. Thus, only by recognizing the specific differences among therapists and the distinct features of each therapeutic orientation can genuine respect for each particular family become possible. The advantage of this position is that the therapist, as a repository of multiple psychological transferences, experiences a wide range of complex behavioral dynamics. As a differentiated self, the therapist personally experiences these conflicts or responds by creating a context in which family members confront one another in new situations, thereby providing an opportunity to explore the novelty of these situations and alternative choices (23, 27).

At present, family therapy appears to have secured a firm place among therapeutic modalities and has demonstrated a systematic and principled method and approach for resolving problems. The history of family therapy to date has furnished abundant evidence that considering and modifying interpersonal interactions, by whatever means, can be a valuable avenue for treating a wide range of difficulties (1, 28-32). As noted earlier, in relation to the present dissertation, no truly interdisciplinary works are available, because an institution equivalent to family therapy has not yet entered the Iranian legal system, let alone become the subject of dedicated research. Existing studies in family therapy are single-discipline works in the field of clinical psychology that focus solely on family therapy theories and have neglected its application within the legal system; in contrast, this article seeks to explore the capacity of this theory for implementation in the Iranian legal system and to determine the extent to which the institution of family therapy can be incorporated into the legal sphere as a novel legal institution that addresses family problems (33-37).

## Methodology

The research method employed in this study is documentary and library-based. The study is descriptive and analytical in nature. The research population consists of sources related to family therapy theory in the works of Western thinkers and in criminal law and family law texts, as well as religious sources—including Quranic exegesis, educational works, and sociological studies—within the domain of the family (38-45).

## Conceptual Clarification of Terms

### *Family Therapy*

Family therapy is a form of treatment in clinical psychology that, for the purposes of education and prevention, engages the entire family and considers the whole family system when attempting to resolve the problems of the family or one of its members. In fact, in family therapy, the therapist seeks to eliminate the factors that cause or exacerbate problems within the family. Family therapy is an intervention focused on changing interactions among family members and aims to improve the family as a unit composed of individual members. Family therapy, therefore, is a concept far broader than merely seeing family members in each other's presence. What distinguishes family therapy from other forms of psychotherapy is its way of thinking about the nature and causes of emotional and behavioral disorders. Family therapists believe that it is impossible to understand an individual's behavior without understanding the context in which that behavior occurs. Consequently, in this process, all or some family members may be asked to change their behavior, since even a small behavioral change can have a profound effect on the family. It is important to remember that time reinforces patterns, so any change must occur over time in order for a new pattern to be consolidated (46, 47).

### *Principle of Benevolent Cohabitation (Mutual Assistance)*

The phrase "benevolent cohabitation" (*mu'āsharat bi'l-ma'rūf*) appears in verse 19 of Surah al-Nisā': "... and live with them in kindness ...." In *Tafsīr al-Manār*, this expression is interpreted to imply reciprocity and equality in cohabitation, meaning: "O men, live with women according to what is customary and appropriate, and women likewise must live with men on the basis of what is recognized as right and proper" (44). Some exegetes of the second Islamic century referred to this principle merely as companionship in kindness (42). Other scholars have defined "ma'rūf" as the fulfillment of the rights that God has made obligatory upon men, as well as divorcing with beneficence when necessary (41). According to some commentators, the meaning is that one should treat women in an acceptable and commendable way—emotionally, through affection and kindness, and materially, by fulfilling their bodily rights and providing for their living expenses—while others emphasize that one must not behave harshly, but rather approach them with warmth and openness (45). Qurtubi maintains that benevolent cohabitation means that a man fulfills his wife's dower and maintenance, does not distress her except when she commits a sin, does not speak to her harshly, and does not make his inclination toward other women apparent to her (43). Some scholars have also emphasized the role of customary norms and have drawn the legislator's attention to this principle, stating that "the legislator must rely on custom in matters of cohabitation with women and their rights and must define sound cohabitation accordingly" (41).

### *Strengthening the Family*

"The family consists of individuals who, through marital bonds, blood relations, or adoption, are mutually connected as wife, mother, father, husband, brother, sister, and child, create a shared culture, and live together as a distinct unit." The purpose of strengthening the family is to generalize the principle of moderation among all members, to establish the rule of ethics, and to safeguard the rights of everyone. If the objective of establishing marriage and forming a family, as expressed in the Qur'an, is "that you may find tranquility in them," then all behaviors and interactions must be oriented toward realizing this tranquility, and the meaning of consolidation is to

perfect this state of repose, which is incompatible with even minimal injustice, unfairness, or humiliation of any single family member (48, 49).

### *Social Harms*

Any undesirable and harmful phenomenon that threatens the health of society—such as crime, offenses, and any form of delinquency—is referred to as a social harm. The concept of pathology is borrowed from the biological sciences and denotes the study of disorders and harms; thus, the examination of social harms such as poverty, unemployment, criminality, and so forth, along with their causes, contributing factors, and modes of treatment, as well as the analysis of pathological and abnormal social conditions, is called social pathology (50). In effect, social pathology is the study of social deviations and disorders such as unemployment, poverty, addiction, suicide, alcoholism, vagrancy, robbery, begging, and other phenomena, together with their causes and methods of prevention and treatment, as well as the conditions under which a healthy social order can be achieved (51). Social harm involves a state of disorder, disruption, and confusion, at least in parts of society that lack stability and exhibit a trend of escalation and spread. Some sociologists describe this condition as *anomie*, which literally means normlessness or lawlessness and, in a broader sense, social disorganization. Its scope thus extends from non-compliance with laws to theft and other forms of deviance (52). Social harm refers to any individual or collective act that falls outside the framework of the moral principles and formal and informal rules governing collective behavior in a given society and that encounters legal, moral, and social disapproval. For this reason, deviants attempt to conceal their deviant behavior from the gaze of legal authorities, moral opinion, and social order, because otherwise they will face legal prosecution, moral condemnation, and social exclusion (38, 51).

## **How has family therapy theory been conceptualized in the views of Western thinkers, and to what extent is it effective?**

### *Bowen Family Systems Therapy*

In this theory, it is assumed that optimal development occurs when family members are differentiated from one another, and this very factor leads to reduced anxiety. Accordingly, the parties are in a good position in terms of emotional contact with their families of origin. People often suppose that, once they are outside the parental home and living independently, they have left their old problems behind; however, all of us carry unfinished business in the form of unresolved sensitivities that erupt as tense relationships wherever we go. Most individuals, by learning to stop ignoring their own role in family conflicts, can prevent these conflicts from recurring in new relationships. At the stage when families join through marriage, the primary task is commitment to the new couple; yet this is not merely the joining of two individuals but the transformation of two entire systems. While it may appear that the problems of this stage are mainly between the spouses, they may in fact reflect a failure to separate from the families of origin or emotional cutoffs that place severe pressure on the couple. Planning the wedding ceremony, choosing a place to live, buying a car, the birth of a child, and choosing a school are all junctures at which these struggles may surface (53).

Bowen believes that individuals typically choose partners whose level of lack of differentiation is similar to their own. When conflict arises, each party becomes aware of the other's emotional immaturity, while at the same time the other party is prompted to change. A man realizes that his wife has cast him in the role of her father, which not only implies a burdensome dependence, but also leads to quarrels and prolonged bitterness (2).

In practice, a Bowenian therapist works with each person individually, one at a time, often starting with the one who functions better or is more motivated. The therapist asks non-confrontational questions, gathers information about events, and attends to emotions. The goal is to explore the perceptions and beliefs of each spouse without siding with either of them. Taking sides prevents people from learning how to live together. In this process, the use of the “story of displacement” is recommended as a tool to help family members gain sufficient distance. To help spouses define situations as differentiated selves, it is also useful for the therapist to take an explicit “I-position.” Family members gradually learn to express their beliefs calmly and to act on them without attacking others or becoming excessively upset. Often, the spouses tend to hear most of what the therapist says as either defending them or opposing them; but when they are calm, they come to understand the idea that whenever one person must be right, the other must be wrong, and they can then benefit from educational sessions. As both spouses learn about systems theory, they are sent home with the task of arranging meetings within their extended families to continue the differentiation process (21).

### *Strategic (Communications) Family Therapy*

According to this theory, healthy, growth-oriented families are those that possess positive feedback mechanisms. Negative feedback in the face of disruption strengthens the family’s capacity to maintain a stable state, whereas positive feedback amplifies innovations that allow adaptation to changing circumstances. Thus, the positive feedback path is communication. Healthy families are capable of adaptation because they communicate clearly and are flexible in their responses (22).

Symptomatic families are those trapped in dysfunctional patterns that have achieved a kind of equilibrium in their communications. These families cling to rigid ways of interacting and respond to signals of change or negative feedback in a resistant manner, regarding change not as an opportunity for growth but as a threat (31).

At the first stage, the therapist seeks a clear definition of the core problem. If the problem is stated in vague terms such as “It seems we just cannot live together,” or framed in terms of assumed causes such as “My mother’s job has made her depressed,” the therapist helps translate it into a clear and concrete goal by asking questions like “What will be the first small sign that things are starting to get better?” After the problem and goals are defined, therapists examine previous attempted solutions that may be maintaining the problem. One problematic pattern is denial of the problem, meaning that no attempt—however misguided—is made to solve it despite its existence. Another pattern consists of attempts to solve a problem within a framework that makes resolution impossible; in other words, action is taken, but in a way that is ineffective for that particular issue. For example, a husband may increasingly buy expensive gifts for his dissatisfied wife, while what she wants is affection. When the therapist devises a strategic idea to change a persistent problem, the client must be persuaded to follow that strategy (30, 32).

During the preceding stages, the therapist has identified the client’s unique language, and on this basis explains how to solve the problem using that same language. Within this framework, the therapist gives every family member the opportunity to speak and encourages them to share their perspectives with one another. Haley believes that family members’ struggles are meaningful, and that reasonable solutions can be derived from them. To reach such solutions, the therapist helps families discover new ways of resolving their difficulties (31).

### *Cognitive–Behavioral Family Therapy*

Behavior therapists adapt their treatment to each client, yet the general goal in behavior therapy is to extinguish undesirable behaviors and strengthen positive ones. The goal of cognitive–behavioral therapy is to modify and correct specific behavioral patterns in order to reduce the presenting problem and alleviate particular behavioral difficulties. The motto of behavior therapy is that behavior changes when reinforcement contingencies change. One of the main features of behavioral family therapy is that behavioral change is achieved more by accelerating positive behavior than by merely reducing negative behavior. Therapists in this field believe that the most distressed families frequently employ maladaptive response patterns, and therefore extensive positive reinforcement is used in behavioral family therapy (4, 26).

Behavioral couple therapy also begins with the therapist's initial assessment of the spouses' reciprocal behaviors. Assessments are designed to identify the strengths and weaknesses of the marital relationship. In the interview, efforts are made both to understand the etiology of the problems described by the couple and to observe directly what they report. Some therapists ask couples to prepare a list of pleasant behaviors that the other partner has performed during the week. Reviewing these lists in the next session provides an opportunity to emphasize the importance of positive feedback. Another method is to ask each spouse to think of things the other partner would like them to do, then to carry them out and observe what happens. Couples are taught to express their requests in specific, positively framed terms; to talk about the present and the future rather than the past; to listen to each other without interrupting; to minimize punitive and negative statements; and to avoid questions that function more as ultimatums than as genuine inquiries (5).

### *Solution-Focused Family Therapy*

Contrary to what its name might suggest, solution-focused therapy is not about identifying the causes of problems and ultimately offering a solution to eliminate them. Rather, it emphasizes the positive aspects of life and seeks to foster effective communication among family members. Therapists in this field believe that those who seek treatment are capable of acting effectively, but that this effectiveness has been lost due to their negative mental state. Redirecting their attention to forgotten capacities helps them disengage from preoccupation with their failures and revitalize a more competent sense of self. Solution-focused therapy means helping clients change the negative belief that their problems are permanent. The art of this approach lies in enabling clients to recognize exceptions to their problems—that is, to think about times when the problem did not exist, or to consider that solutions may exist for their difficulties (1, 54).

The objectives of solution-focused therapy are to resolve current complaints as quickly as possible. Searching for deep-seated underlying errors has no place in this treatment. Solution-focused therapists do not believe that one must uncover hidden parental conflicts, low self-esteem, dysfunctional communication patterns, or repressed emotions in order to help people solve their problems. Their goal is never to prescribe what structural form a family should take; instead, they focus on how clients would like their lives to be different. Thus, goals are defined in the clients' own language and are unique to each family (3).

The therapist suggests that clients devote more attention to positive aspects of life. Common recommendations in solution-focused sessions include: "Do more of what works," "Do something different," "Go slowly"—that is, a warning to avoid rushing into rapid changes—"Do the opposite," since some attempted solutions actually perpetuate

many problems, and “Prediction task—before going to bed tonight, predict whether your problem will be better tomorrow or remain the same.” As can be seen, these affirmations and suggestions all follow the principle of trusting the solution-focused approach and draw attention to the family’s resources while encouraging them to rely on their own abilities so that they can concentrate on solutions rather than problems (55).

#### *Evaluating the Effectiveness of Western Family Therapy Theory in the Family Institution*

There is growing evidence that family therapy: prevents divorce, reduces divorce rates, increases marital satisfaction among couples, creates a safe environment for children, corrects spouses’ cognitive distortions, reduces the rate of referrals to family courts, and has a significant positive effect on resolving marital problems, reducing anxiety and depression, increasing sexual satisfaction, enhancing marital commitment, and decreasing and preventing delinquency among children and adolescents (10-16, 25, 29, 49, 56-62).

#### *Synthesis of the Answer to Question 1*

In the formative decades of family therapy (late 1950s), a variety of models were developed. Each of the major schools (those discussed in this section) focused on a specific aspect of life and proposed its own theory of the family, which becomes apparent in where they begin their search for the sources of family problems. Some consider the entire family system (Bowenians); others attend to interactional chains that maintain and perpetuate symptoms (strategic and cognitive-behavioral approaches); and yet another group pays minimal attention to the causes of problems and instead prefers to mobilize family members to act against the problems themselves (solution-focused approaches).

Given all this, it appears that a model of family therapy that integrates all existing models would be more effective. Over time, each school of family therapy has shown weaknesses or limitations in some of its functions or has failed to respond adequately to all families. The real reason for combining elements of different approaches is to maximize their overall utility. Therefore, by aggregating the strengths and effective components of each school and forming an integrative model, we can arrive at a more comprehensive family therapy that responds to the full spectrum of needs. On this basis, reason dictates that we adopt a single, integrative conceptual framework.

#### **What is the approach of the Iranian legal system in its documents and laws toward family therapy theory?**

##### *Principles and Strategies of Family Therapy in Iran’s Supra-National (High-Level) Policy Documents*

High-level policy documents constitute a comprehensive, coherent, dynamic, and future-oriented set of foundations, objectives, policies, strategies, structures, and requirements for the country’s strategic transformation across all domains, grounded in Islamic values. With the promulgation of these documents, all executive bodies and institutions are required to exert maximal effort toward fully implementing the policies, programs, and necessary measures.

##### Constitution of the Islamic Republic of Iran

The family is an emotional and educational necessity whose role in the growth, elevation, and comprehensive development of society is profound. Neglect of the family and its collapse ultimately lead society toward corruption

and destruction. Accordingly, Islam's emphasis on preserving and strengthening the family demonstrates its significance and inherent power (63).

Given that the Islamic Republic of Iran, under Article 2 of the Constitution, is founded on the sovereignty of God, submission to divine authority, and the foundational role of divine revelation in articulating laws, the family—as the fundamental pillar of social life—stands at the center of constitutional attention. The Constitution explicitly emphasizes the importance of the family. Its preamble identifies the family as the fundamental unit of society and the primary center of human development. Doctrinal and ideological compatibility in forming a family, which serves as the basis for human perfection and growth, is regarded as an essential principle, and providing the means to achieve this is an obligation of the Islamic government.

This principle is further emphasized in Article 10, which identifies the family as the fundamental unit of the Islamic society and obligates the state in three areas:

1. Facilitating the formation of families,
2. Safeguarding the sanctity of the family, and
3. Regulating family relations based on Islamic law and ethics.

With respect to the first obligation, the state must legislate, plan, and provide necessary resources and facilities to ease family formation. Although various governmental, revolutionary, executive, and public institutions—such as Parliament and national financial institutions—have provided multiple material and spiritual supports, evidence suggests that such measures have not fully sufficed to generalize or facilitate family formation in society; this is due both to the high number of applicants and the fact that marriage is not merely a material matter but involves complex psychological, cultural, and social dimensions that current measures have not adequately addressed (34).

The overall orientation of the Constitution is toward honoring and strengthening the family. For instance, Article 21 obligates the state to establish competent courts for the preservation of the family. In the legal system of the Islamic Republic, the dignity and identity of women have been emphasized from various perspectives, with the objective of restoring their true human worth and status (64).

#### General Policies Announced by the Supreme Leader

The general policies of the system aim to ensure stability and coherence in national governance and to direct governmental institutions toward coordinated steps in achieving long-term national objectives. In this respect, they constitute a unique institution in the constitutional order of the Islamic Republic. These policies, which bear close relation to governmental rulings (*ahkam-e hokoomati*), establish the overarching framework for the orientation of state institutions and create an essential link between constitutional principles and the operational duties of governmental bodies. Without these policies, the three branches of government—as well as economic, cultural, and social sectors—would lack cohesive strategic direction, and the absence of such policies would create a significant structural vacuum (18).

Additionally, some scholars argue that the religious foundation of these general policies lies in the doctrine of governmental rulings, a view accepted by several members of the Constitutional Revision Council, who considered the essence of Article 110(1) reflective of such rulings (39, 40). Therefore, the general policies announced by the Supreme Leader are treated as binding governmental directives, whose issuance is explicitly mandated in the Constitution.

A review of the demographic policies issued by the Supreme Leader indicates an emphasis on: improving life expectancy, ensuring public health and proper nutrition, preventing social harms—especially addiction—removing obstacles to marriage, facilitating and promoting family formation and childbearing, lowering the age of marriage, supporting young couples and empowering them to meet living and child-rearing costs, providing appropriate facilities for mothers (especially during pregnancy and lactation), covering childbirth-related medical expenses, supporting infertility treatments for men and women, strengthening relevant support institutions, enhancing family stability through public education on the sanctity of the family and child-rearing, emphasizing life-skills training, offering culturally grounded counseling services, and strengthening social welfare systems.

Furthermore, in clauses 9 and 10 of the General Judicial Policies, the Supreme Leader highlights the necessity of establishing specialized courts and implementing mechanisms for institutionalizing arbitration to safeguard the family. These policies, insofar as they prevent families from unnecessarily entering the judiciary and the court process, align with the foundational principles of family therapy (12, 46).

#### The 20-Year National Vision Document of the Islamic Republic of Iran

According to national strategic documents, preserving the integrity of the family and strengthening it are among the nation's fundamental values. In the most important strategic document—the "Vision Document of the Islamic Republic of Iran"—a strong and resilient family institution is identified as one of the defining characteristics of the future Iranian society. Achieving this requires enhancing both the material and spiritual dimensions of family life.

The Vision Document describes future Iranian society as: developed; culturally, geographically, and historically appropriate; grounded in ethical principles and Islamic-national values; based on religious democracy, social justice, lawful freedoms, human dignity and rights; enjoying social and judicial security; possessing advanced knowledge and technology; relying on superior human resources; and exhibiting social cohesion, health, welfare, food security, social protection, equal opportunity, appropriate income distribution, and a strong family structure—free of poverty, corruption, and discrimination.

It further envisions a society that is active, responsible, self-sacrificing, faithful, satisfied, and disciplined; committed to cooperation and social adaptation; loyal to the Islamic Revolution and national progress; proud of its identity; and influential in the Islamic world through strengthening religious democracy, effective development, and intellectual dynamism. As the text makes clear, achieving these developmental goals requires an Iranian individual—male or female—equipped with capabilities appropriate to their gender roles and social responsibilities (48, 49).

#### *Principles and Strategies of Family Therapy in the Statutory Laws of the Islamic Republic of Iran*

The criminalization of offenses against the sanctity and stability of the family constitutes the legal system's mechanism for protecting this institution, based on the belief that proportionate criminal protection—without harming family foundations—can strengthen the family and preserve social order. Criminal punishment is an expression of society's utilitarian response, imposed to suppress wrongdoing and prevent crime (20).

However, over time the scope of criminal-law intervention through punitive measures has narrowed, as policymakers increasingly emphasize preventing crime and rehabilitating offenders through non-punitive methods. This shift has led to the development of preventive approaches grounded in criminological research. Criminal

sanctions are therefore justified only as a last resort, when non-criminal measures are unavailable or ineffective (10, 51).

### The Islamic Penal Code and the Code of Criminal Procedure

The criminal policy reflected in the Islamic Penal Code enables the criminal court judge to utilize all available instruments and mechanisms in order to achieve one of the most important aims and principles of modern criminal law, namely the principle of individualized social reaction (punishment). Accordingly, the legislator's main endeavor is to ensure that, while maintaining proportionality between crime and punishment grounded in the retributive function of sanctions, a reasonable relationship is also established between punishment and the offender's rehabilitation. This, however, is only possible by individualizing the sanction in proportion to the circumstances of the offense and the personal characteristics of the offender.

Although legal family-therapeutic measures in the Iranian legal system are not verbally identical to the notion of "family therapy" as used in psychology, therapeutic, educational, preventive, security, and correctional measures all reflect a shared rationale and underlying unity of thought. In legal therapeutics, the legislator seeks to resolve the conflict between the offender's situation and society and the offender's family, while at the same time aiming to rehabilitate and resocialize the offender, eliminate the conditions for recidivism, and, most importantly, prevent the commission of crime in the pre-offense stage. Thus, legal therapeutic measures in various statutory forms seek either to prevent crime or to rehabilitate offenders. Among these are: exemption from punishment, alternative sanctions to imprisonment, suspension of prosecution, suspension of the execution of punishment, legal aid, criminal mediation, and similar institutions, each of which is explained below.

#### **(a) Exemption from Punishment**

Exemption from punishment is one of the innovations of the Islamic Penal Code and a judgment of exemption does not imply the absence of criminal responsibility; rather, one of its key aims is the offender's reform. To this end, Article 39 of the Islamic Penal Code provides that, in *ta'zīr* offenses of degrees 7 and 8, where grounds for mitigation are established, if the court, after ascertaining criminal responsibility, determines that the offender will be reformed even without the execution of the sentence, and where there is no effective criminal record, the victim has forgiven the offender, and the harm has been compensated or arrangements for its compensation have been made, it may issue a ruling exempting the offender from punishment. Thus, once the statutory conditions are met, the judicial authority has the discretion to exempt the offender from the sentence and, accordingly, from the adverse consequences associated with it.

#### **(b) Alternative Sanctions to Imprisonment**

Analysis of the results of custodial sentences shows that society cannot indefinitely keep the doors of prisons open to the general public, particularly the poor, petty offenders, and young people. The "school of crime," the squandering of material and moral resources, the disintegration of families, and the exacerbation of poverty and social inequality are among the factors that render the expansion of imprisonment irrational. Criminological and penological studies indicate that the reforms implemented in prison systems over the past two centuries—under the influence of the prison reform movement and leading to some improvement in physical conditions—have not produced sufficiently positive or effective outcomes in terms of offenders' social reintegration or crime prevention (6, 17, 36, 37).

In this context, the legislator, albeit with some delay, enacted the 2013 Islamic Penal Code and devoted its ninth chapter to alternative sanctions to imprisonment, thereby aligning itself with the system's general policies aimed at the reform and treatment of offenders, their resocialization, and the abandonment of purely retributive and suppressive approaches (19). Pursuant to Article 64 of the Islamic Penal Code, alternative sanctions to imprisonment consist of probationary supervision, unpaid community service, fines, daily fines, and deprivation of social rights. These sanctions are determined and enforced with regard to the nature of the offense and the manner of its commission, the consequences of the crime, the offender's age, skills, status, personality, criminal record, the situation of the victim, and other relevant circumstances, including the victim's forgiveness and the existence of mitigating factors.

### **(c) Suspension of Prosecution**

Ensuring the conditions for a fair trial requires the existence of certain instruments and mechanisms that allow the authorities to secure the defendant's presence when necessary and prevent disruption in the course of proceedings. These mechanisms are the criminal procedure safeguards and preventive measures. In Articles 80 and 81 of the Code of Criminal Procedure, the legislator has empowered the prosecutor, as the authority responsible for prosecution, to employ the mechanism of suspension of prosecution in ta'zīr offenses as an alternative to initiating or continuing criminal proceedings.

This mechanism is based on the principle of opportunité (appropriateness) of prosecution: if the judge considers that the adverse consequences of criminal proceedings and conviction (such as stigmatization, exposure to prison culture, and learning methods of offending) outweigh their benefits for society, the public action may be suspended for a specified period. If, during that period, the defendant does not commit another offense, prosecution for the original offense will not be resumed. As regulated in Article 81, this is a form of supervised suspension, meaning it is accompanied by the imposition of certain obligations on the defendant. To enhance the effectiveness of this institution, the defendant's consent must be obtained both for the principle of suspension and for the specific obligations imposed (20).

Article 80 of the Code of Criminal Procedure provides: "In ta'zīr offenses of degrees seven and eight, where there is no complainant or the complainant has forgiven the offender, and in the absence of an effective criminal conviction, the judicial authority may, after informing the defendant of the charge and in consideration of the defendant's social status, background, and the circumstances that led to the commission of the crime, and, where necessary, after obtaining a written undertaking from the defendant to comply with legal regulations, refrain from prosecuting the defendant once and issue an order to archive the case." This legislative approach reflects a movement toward a system that seeks to avoid unnecessary engagement with the criminal process, which, on the one hand, provides considerable economic justification for the state and, on the other hand, prevents the negative impact of detention, trials, and court proceedings on individuals and their families (33).

### **(d) Suspension of the Execution of Punishment**

In this type of suspension, the convict is not unconditionally exempted from the execution of the sentence; rather, during the suspension period the person is subject to certain obligations and conditions while also receiving meaningful support. If the individual does not commit a new offense and complies with the conditions and obligations during the suspension period, they will be exempted from serving the sentence; otherwise, the sentence will be enforced.

Article 46 of the Islamic Penal Code can be interpreted as providing that all *ta'zīr* offenses of degrees 3 to 8 are, in principle, eligible for suspension, except for the offenses expressly excluded under Article 47 of the same law. The court may also require the convict to comply with certain binding instructions. These instructions are exhaustive, and the court may not impose obligations beyond those listed. The obligations may be divided into positive (requiring action) and negative (requiring abstention). Positive obligations include: (a) requiring the convict to attend a hospital or clinic for treatment of illness or addiction, (b) pursuing education in a cultural institution, and (c) reporting periodically to a person or authority designated by the prosecutor. Negative obligations include: (a) refraining from engaging in a specific occupation or profession, (b) refraining from public commission of religious prohibitions or abandonment of religious obligations, or from associating with individuals whose association the court considers harmful to the convict, and (c) refraining from frequenting specified places.

From Articles 46 to 55 of the Islamic Penal Code—which currently regulate the suspension of the execution of sentences in Iranian criminal law—the following judicial duties can be inferred. Some of these duties are expressly stated and others are implicit (9).

#### **(e) Dispute Resolution Councils**

The Law on Dispute Resolution Councils was enacted in 2015 by the Islamic Consultative Assembly (Parliament) with the aim of reducing people's recourse to the judiciary and expanding public participation in dispute resolution. Historically, various methods have been used to resolve civil disputes, foremost among them reliance on the spirit of forgiveness, reconciliation, and compromise between the parties. Article 1 of this law states: "In order to resolve disputes and establish reconciliation between natural and non-governmental legal persons, Dispute Resolution Councils—hereafter referred to as 'councils'—are formed under the supervision of the Judiciary with the conditions set forth in this law."

Pursuant to Article 11 of the same law, in all family disputes and other civil cases, as well as in offenses subject to private complaint, the competent judicial authority may, considering the nature of the dispute and the possibility of its resolution through reconciliation, refer the matter to the council once for a maximum period of three months. Under the article's proviso, councils are obliged to strive to settle the dispute and establish reconciliation, and must report the outcome—whether reconciliation is achieved or not—within the prescribed time limit to the referring judicial authority for the issuance of a settlement report or continuation of proceedings. Thus, in recent years, with the enactment of the new law on Dispute Resolution Councils in matters involving offenses subject to private complaint, specialized reconciliation units have been established within these councils to reduce the volume of criminal cases, enhance social security, and ultimately foster peace between the parties.

#### **(f) Security and Correctional Measures**

Security and correctional measures are a set of social defense tools which, under the law and by judicial order, are applied following the commission of a crime, and are tailored to the physical condition, capacities, character, and criminal history of the dangerous offender in order to rehabilitate and reintegrate them into society and prevent future offending. In other words, security and correctional measures are preventive and protective reactions, referring to the instruments and strategies used in relation to dangerous individuals.

In terms of their nature, security and correctional measures, as important and effective tools of the criminal justice system, possess a judicial quality yet are also sometimes deployed as instruments of crime prevention. They are inherently forward-looking and deterrent. Such measures may be imposed only where the person has already committed an offense and there is a likelihood of recidivism; in contrast, they may not be imposed on someone who

has not previously committed a crime, even where there is a risk of future offending, at least according to the apparent wording of the law. Security measures are applied to both criminally responsible and non-responsible individuals; that is, the existence of exculpatory factors (such as insanity) does not preclude their application. Moreover, the offenses committed by dangerous offenders may be intentional or unintentional, and the law applies regardless of the type of fault (7, 8, 65).

In the 2013 Islamic Penal Code, security and correctional measures extend beyond their traditional technical meaning. They are no longer confined to situations of dangerousness and now also encompass crimes committed by boys aged 15 to 18 and girls aged 9 to 18. This means that such measures may be applied to these individuals whether or not they are at risk of reoffending. Previously, only adults subject to a likelihood of future offending fell within the scope of security measures. With the enactment of the 2013 law and the repeal of the former Law on Security and Correctional Measures, the application of such measures is no longer contingent on a formally defined state of dangerousness.

At the same time, by considering the circumstances and personality of the individual, as well as the gradation of ta'zīr sanctions, and by recognizing the affinity between ta'zīr punishments and security measures, the law underscores that ta'zīr penalties, like security measures, are oriented toward the future. Thus, ta'zīr punishments and security and correctional measures are incorporated within a single system.

In the 2013 Islamic Penal Code, no differentiated policy is observed between dangerous and non-dangerous persons. While this may be viewed as a step toward achieving a unified criminal justice system, it appears that by abandoning a differentiated policy between dangerous persons and others and restricting the concept of dangerousness primarily to children and mentally incompetent persons, the law has not fully utilized the jurisprudential potential for articulating a clear technical definition of dangerousness. Only Articles 140 and 150 refer to dangerousness. Article 140 states: "A person who has a mental disorder to such an extent that he lacks willpower or the power of discernment is considered insane." Article 150 further provides: "If the offender is insane at the time of committing the crime, or in ta'zīr offenses becomes insane after the commission of the crime, and where insanity and a dangerous state are established by expert opinion and the person's liberty threatens public order and security, he shall, by order of the prosecutor, be kept in an appropriate facility until the dangerous state is removed."

Accordingly, to understand the legislator's concept of dangerousness, one must rely on the phrase "where his liberty threatens public order and security," which effectively replaces the technical concept of dangerousness with its ordinary linguistic meaning.

The use of security measures—or punishments that are, in substance, security measures—for children and adolescents is regulated in Chapter Ten, entitled "Punishments and Security and Correctional Measures for Children and Adolescents," beginning with Article 88. This reflects the law's attention to dangerousness in relation to non-responsible individuals (namely minors and persons covered by Article 91 of the Code: boys aged 15 to 18 and girls aged 9 to 18). However, adult offenders over 18 who are dangerous receive less distinct attention in this respect.

Thus, the only reaction of the 2013 law toward dangerous individuals over 18 consists of the complementary punishments of Article 23, under which the offender, in proportion to the crime committed and his or her characteristics, may be sentenced to one or more of these complementary sanctions.

### Family Protection Act

It is self-evident that the purpose of family law is not to place the wife and husband in opposition to one another, encouraging them to resort to legal mechanisms merely to vindicate their individual rights and, in effect, sever the marital bond. In practice, both spouses often forget that the family is a relationship-based institution rather than an arena for power struggles in which the man rules one day and the woman the next. At the same time, the law itself sometimes appears to forget that the mere vindication of individual rights of men and women is not sufficient; once a man and a woman come together, the concept of "family" emerges. Therefore, the legislator must address the family as an institution whose overall welfare and best interests constitute a value distinct from those of the individual members. In other words, the family is a concept that transcends its individual components. While the private and individual rights of each spouse must certainly be respected, the legislator's perspective on the family unit should be different and must prioritize the welfare of the family over purely individual interests.

Given that counselling services are among the necessities of contemporary life, families and the persons under their care require greater psychological preparedness to cope with work-related stress, special assignments, and similar pressures. The first step in this direction is to assess individuals' needs and organize counselling services accordingly. In matters of family life, professional counsellors constitute the primary advisory resource, and the main issues that lead individuals and families to seek such services include: problems in family relationships, child-rearing difficulties, psychological problems, and related concerns. Historical evidence suggests that, throughout the ages, people have sought advice and counsel from those whom they regarded as possessing superior knowledge, insight, or experience. In early civilizations, philosophers, tribal elders, holy persons, religious leaders, and clerics played the role of advisers and counsellors.

In the same spirit, the wise legislator, in the Family Protection Act of 2012, has provided spouses with the option of submitting a divorce petition either directly to the family court or to family counselling centers. Although, before issuing a ruling, the court must in any event refer the matter to a family counselling center, in practice most applicants file their petitions with the court. When a dispute arises between spouses, either before or after the start of their common life, and both decide to separate, the application to the court may be submitted either personally by the spouses or through a lawyer. Certain points concerning representation (agency) in divorce require clarification. Divorce (*talāq*) is a unilateral legal act that, under Islamic law, must be pronounced by the husband. The husband may, however, grant the wife a power of attorney to perform the divorce formula on his behalf. In such cases, the spouses appear before a notary public where the husband grants the wife an irrevocable power of attorney with the right of substitution, enabling her to divorce herself. The power of attorney may specify the type of divorce, the waiver of the wife's dower (mahr), acceptance of the consideration (mā be-dhal), custody of children, child maintenance, the amount of *ujrat al-mithl* (compensation for household labor), and similar matters, or it may be granted in general terms without such specifications.

Article 16 of the same Act, with the aim of strengthening family foundations, preventing the increase of family disputes and divorce, and promoting reconciliation, provides: "The Judiciary is obligated, within three years from the date on which this Act enters into force, to establish family counselling centers alongside the family courts. Note: In regions where family counselling centers affiliated with the State Welfare Organization exist, courts may also use the capacity of those centers." This provision seeks to further realize Article 10 of the Constitution.

Given that family conflicts and disputes should, as far as possible, remain hidden from public view in order to preserve the family's privacy, Article 8 of the 2012 Family Protection Act stipulates that proceedings shall be initiated simply by filing a petition, without complying with other formalities prescribed in the Code of Civil Procedure. This approach can help keep family disputes confidential and prevent the dissemination of news about conflict or litigation. At the same time, examining family disputes, identifying their roots, and proposing solutions require, on the one hand, adequate time and, on the other, specialist expertise in family psychology. Neither of these conditions is realistically available in family courts.

For this reason, the legislator states in Article 16 of the Act: "In order to strengthen family foundations and prevent the increase of family disputes, especially divorce, and to promote reconciliation, the Judiciary is obligated, within three years from the date of the enactment of this Act, to establish family counselling centers alongside family courts." Article 17 adds: "Members of the family counselling centers shall be selected from specialists in various fields such as family studies, counselling, psychiatry, psychology, social work, law, and Islamic jurisprudence and the foundations of Islamic law, and at least half of the members of each center must be married women who meet the required conditions. The number of members, manner of selection and recruitment, training, and procedures for addressing the misconduct of the members of family counselling centers, together with the way in which they perform their duties and the number of such centers, as well as the tariff and method of payment of counselling fees, shall be regulated by by-law prepared by the Minister of Justice within six months of this Act's entry into force and approved by the Head of the Judiciary." In this context, it is necessary that, following the selection of the members of the family counselling centers, a defined period of practical training be provided for them in courts and counselling and social service centers, and that they complete sufficient study courses on family law and its practical application, while their number and role within the consultative panel should also be clearly specified (35).

The manner in which cases are referred from the court to family counselling centers is described in Article 18 of the Family Protection Act: "In judicial districts where family counselling centers have been established, the family court may, where necessary and by specifying the subject of the dispute and a deadline, request the opinion of these centers in family cases." However, the court is neither obliged to refer cases to the family counselling centers nor bound by their opinions. This optional character conflicts with the objectives set out in the first part of Article 16—strengthening family foundations and preventing the increase of family disputes and divorce (35).

Article 19 continues: "Family counselling centers, in addition to providing counselling services to spouses, shall comply with the court's requests within the prescribed time limit and shall endeavor to effect reconciliation in relevant cases. Where reconciliation is achieved, the centers shall draw up a settlement agreement, and where it is not, they shall submit a written, reasoned expert opinion to the court on the causes and grounds of the failure of reconciliation." The article's note adds: "The court shall issue its judgment at its own discretion after considering the expert opinion of the family counselling centers."

According to Article 25, where the spouses jointly apply for a consensual divorce, the court must refer the case to a family counselling center. In such cases, the parties may initially submit their request for consensual divorce directly to the center. If the applicant does not withdraw the divorce request, the family counselling center shall submit the matter to the court, specifying the points of agreement between the parties so that a final decision may be taken. Under Article 27, in all divorce cases other than consensual divorce, the court must refer the case to arbitration in order to promote reconciliation. In these cases, the court must issue its judgment with due regard to the arbitrators' opinions and, if it does not accept them, must explicitly state the reasons for rejecting those opinions.

As noted, compared to previous legislation, this Act introduces several procedural and substantive innovations and changes in family law and the handling of family disputes.

### *Synthesis of the Answer to Research Question 2*

Ethical and psychological approaches, as the underlying basis of social activities and behaviors, play a crucial role in the drafting, refinement, and implementation of policies and legislation across various domains, including criminal law. Criminal statutes have consistently sought to incorporate moral principles aimed at the rehabilitation of social offenders. This orientation is also evident in Iranian criminal law, and indeed the revised Islamic Penal Code of 2013 can be said to contain some of the most significant innovations in the integration of ethical principles into criminal legislation.

In effect, the offender's specific family circumstances and the imperative of preserving the integrity of the offender's family have led the legislator to adopt a family-therapeutic approach in the execution of sentences and even after the convict's release. Under this approach, classical punishments retain their place, but the nature and direction of sanctions are increasingly reformative and educational.

Examination of the Family Protection Act of 2012 shows that it, too, contains innovations, creative solutions, and, at the same time, shortcomings in various aspects of family law and family dispute resolution. The presence of female associate judges, the establishment of counselling centers, the prohibition of children's presence in family courts, and similar provisions are among the innovations of this Act. The 2012 Family Protection Act prescribes jurisdictional rules and procedural arrangements for family courts that differ from those in the Code of Civil Procedure. It also introduces new mechanisms for time management in family proceedings, reconciliation in family disputes, and the recognition and enforcement of foreign family judgments—reforms that deserve support and may even serve as a model for improving civil procedure more generally.

The institution of family counselling in the new law constitutes a process that provides appropriate tools for helping individuals adapt to difficult situations and manage stress. The establishment of counselling centers and the provision of counselling services to spouses, particularly with a view to promoting reconciliation in light of contemporary family problems and disputes that can be resolved through advice and guidance, reflect the legislator's concern for the best interests of the family in this area. Nevertheless, these centers have not, in practice, achieved the level of success that the law had envisaged.

### **Conclusion**

Today, given the rising rates of crime, the emergence of new methods of offending, and the evident inadequacy of purely punitive criminal responses, increasing attention has been paid in recent decades to the necessity of employing non-penal preventive measures. This is because the only effective and feasible approach to addressing the root causes of criminal behavior is the attempt to educate and rehabilitate the offender and to ensure that his essential needs are met within the family environment. Family therapy protects family members from social harms—including divorce—while minimizing the need for judicial intervention. In this respect, it is superior to adversarial, court-centered approaches. A review of legal provisions demonstrates the direct impact of counselling and arbitration mechanisms on strengthening family relationships.

However, the mere act of referring spouses to counselling centers, conducting a few brief sessions, and offering generic advice that fails to influence their decision to divorce does not constitute treatment. Such an approach

neither resolves conflict nor alters the couple's trajectory; instead, it wastes time, heightens emotional pressure, and imposes financial burdens. Counselling provided merely as a legal formality cannot dissuade couples seeking consensual divorce. What is required is identifying the root causes of marital dissolution through coherent, structured family-therapy sessions conducted in specialized clinical settings.

Thus, it is recommended that counselling centers confront the underlying causes of consensual divorce so they can play a meaningful role in stabilizing families and reducing both divorce rates and related judicial caseloads. In other words, if counsellors can identify the causes of consensual divorce, discover the underlying issues, and provide targeted treatment, they will be able to limit and reduce the prevalence of marital breakdown. Pre-marital counselling is among the measures that can be emphasized in this context. Such counselling has evolved into a specialized process and is widely practiced internationally. Its importance in preparing individuals to adapt to contemporary social conditions becomes clear upon recognizing that people often lack sufficient knowledge of one another; thus, the assistance of a counsellor is necessary to facilitate informed marital decision-making.

In truth, the Family Protection Act reflects a comprehensive perspective on family-related matters, especially in the domains of counselling and applied family therapy, and it has undoubtedly been influenced by global developments and contemporary conditions. It is natural to observe in this law the reflections of changing social patterns and postmodern thought. The coexistence of religious and civil law, which reflects historical developments, constitutes a significant dimension of legal thinking in this period. The legislator has sought human welfare and the advancement of families, envisioning a prosperous society governed by sound laws and aspiring toward justice. The legislator clearly understands that social corruption cannot take root unless family law is deficient. Penal institutions, too, can contribute to reducing crime rates. Although the legislator has adopted an approach centered on resolving marital disputes through counselling or arbitration, these mechanisms have largely failed in practice and have become mere formalities. Ultimately, this study concludes that family therapy must take precedence over court-based approaches.

In this regard, cultivating a culture of dialogue, mutual understanding, and the development of practical strategies for identifying realistic and achievable solutions in times of crisis represents a central challenge in family life. It is therefore essential to understand the problems of couples experiencing marital crises or facing divorce. The next step, based on such understanding, is to provide therapeutic interventions grounded in family-therapy models capable of facilitating reconciliation, preservation, and cohesion within the family. At present, various approaches are employed in the field of family therapy, including structural family therapy, strategic therapy, Bowenian systems therapy, solution-focused approaches, and cognitive-behavioral family therapy. Collectively, these methods have established a credible and structured foundation for dealing with family problems and have demonstrated their value. Consequently, the Islamic Republic of Iran will not achieve its overarching policy objectives unless family therapy is placed at the center of its legal system.

Overall, the findings of this study indicate:

1. Law, in its broad sense, is profoundly influenced by psychology and sociology, and without these two pillars, the definition of law remains incomplete.
2. Family therapy emphasizes that if the actual family can be guided toward the ideal family model, its members will be protected from social harms, and judicial intervention will be minimized.
3. Factors such as child-rearing, socialization, reduction of social harm, consequent reduction in violations of civil rights, fulfilment of emotional needs, the necessity of a systemic and structural approach to family

functioning, and the role of the family in crime prevention and moral development all constitute preventive elements against the spread of crime.

4. Family therapy seeks to change the negative belief that problems are permanent. The essence of this approach is helping clients recognize exceptions to their difficulties—moments when problems were absent or manageable—thereby moving them toward constructive solutions.
5. Legal provisions show that counselling and arbitration mechanisms have a direct effect on strengthening family relationships, both materially and emotionally.
6. Family-counselling centers established under the Family Protection Act can—when functioning properly—promote reconciliation and intimacy within families and reduce consensual divorces and related criminal behavior.
7. Mechanisms such as exemption from punishment, deferred sentencing, and similar measures can reduce the prison population and improve the circumstances of reformable offenders.
8. In recent years, the legislator's approach has emphasized resolving marital disputes through counselling or arbitration; however, this approach has largely failed in practice and has become a formality.
9. Family therapy, through individualized therapeutic processes tailored to each family, aims to address the root causes of familial problems and has demonstrated notable and reliable success.
10. The prioritization of family therapy over court-centered intervention is one of the principal findings of this research.

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All authors equally contributed to this study.

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The authors of this article declared no conflict of interest.

### **Ethical Considerations**

All ethical principles were adhered in conducting and writing this article.

### **Transparency of Data**

In accordance with the principles of transparency and open research, we declare that all data and materials used in this study are available upon request.

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