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The basis for limitation of accepting women's evidence from theological and jurisprudential perspective

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Abstract

The problem of women's giving evidence in legal and criminal suits is a current issue in all countries. In Islamic laws and jurisprudence, the independent evidence of women is not accepted and it should be annexed to men's evidence. This case is mentioned as a deprivation of women from their certain rights, but in the Islamic laws and jurisprudence, the reason is that in acceptance of independent evidence of women is an exemption from responsibility not deprivation of rights. The present article deals with the explanation and investigation of the basis for limitation of accepting women's evidence from theological, jurisprudential and legal perspectives in order to clarify that annexing men's evidence to women's is not a deprivation of women's right, but it is for their protection from the consequences of giving evidence.

Keywords Right, Duty, Evidence, Limitation, witnesses.

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