



The Effect of Enjoining Good And Forbidding Wrong on Reducing Crimes

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ABSTRACT

Every Muslim's role in determining the destiny of his community and his commitment to accepting social responsibilities require that he watches out all affairs happening around him. This, in Islamic thought, has been introduced as enjoining good and forbidding wrong that is considered as a principle and is among religious duties and legal entities and the most important political thoughts of a Muslim. In fact, this entity is considered as a preventive instrument in criminal sciences' world and especially criminology. And its purpose is to purge public behaviors and reinforce them based on social and Islamic values and not violating these values through public control service so that no offender remains unpunished and unmodified in the society.

The present study entitled, "the effect of enjoining good and forbidding wrong on reducing crimes", has been written by qualitative content analysis method, and library research method. The researcher during writing this paper has tried to achieve the following results with regard to verses and authentic and successive narratives (Ahadith) as well as the statute in the necessity of this vital guidance:

- 1- Proper implementation of this duty leads to cultural, religious, and social security of the society.
- 2- Enjoining good and forbidding wrong have a direct impact on reducing crime in society.
- 3- Topic of enjoining good and forbidding wrong has been mentioned in details in the Koran and Islamic jurisprudence (Fiqh), and it is among duties that are mentioned in Ancillaries of the Faith after Prayer and Fasting, and Khums and etc. and in the case of importance is mentioned equivalent to Jihad and Zakat and etc.
- 4- In Constitution, calling for enjoining good and forbidding wrong is a public duty and it is a responsibility of people towards other people, towards the government, and of the government towards people. Its conditions, limits, and quality are determined by law.

It is recommended to use this subject in order to legislator's use with regard to rehabilitation of convict and his return to honorable life from social perspective and not violating criminal, social, and moral-religious norms.

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INTRODUCTION

Almighty Allah says:

Let there arise out of you a band of people inviting to all that is good, enjoining what is good, and forbidding what is wrong: They are the ones to attain felicity.

Monitoring and questioning (enjoining good and forbidding wrong) are of familiar concepts of Islamic culture that have been introduced in order to avoid individual and social distortions. Monitoring in an Islamic community arising from community's responsibility toward one another. General duty of enjoining good and forbidding wrong and advice to each other, is a kind of control to ensure public health. It is sufficient to say this great duty is superior criterion of Islamic Ummah on other nations. As its abandonment has been one of the elements of fall and decay of some of the previous nations. The famous Prophet's sentence has stated the issue of enjoining good and forbidding wrong in other words, where he said:

All you Muslims are regarded as the others' guards and pastors and you are responsible towards your own.

However, in today's complex world, the issue of crime and criminals and how to deal with them has turned into a complicated issue. With the advent of criminology, biological, psychological and social factors of crime are considered as causes. Since common preventive models, especially social prevention that triggers the origins

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of crime, will and motive and is going to prevent from forming criminal thoughts and its conversion into criminal act, religion as an effective element in tackling and preventing crimes has got a great concern in preventive criminology. Therefore, social justice, discipline and order, in their actual concept, are set in a community with belief in God and the judgment-day. One of the most important religious duties which plays a significant role in controlling people in dangerous and criminal situations and is effective for reformation of convict and prevention from crime repetition is enjoying good and forbidding wrong.

Rationale:

Protecting live, property and personal honor is considered as legitimate defense, also each Muslim's role in determining the destiny of the community, and his commitment in acceptance of social responsibilities require that to be watchful and careful about all things which occur around him. The issue of protecting community from delinquency and reforming and training offenders has not been neglected in Islam. And most measures which today are legislated and conducted in western countries, entitled security and training measures, complementary and subsequent punishments, have a practical record at the outset of Islam. According to Islam, punishing offenders is not only in contradiction with reforming offenders and their rehabilitation and preventing from reoffending but also is emphasized by religious law.

Comparative study of security and training measures in Koran, tradition (Sunnah) and jurists' (Faqihs') fatwa shows that there are useful utilities in Islamic sources namely enjoining good and forbidding wrong, rejection of corruption, reformation and rehabilitation and so on which sometimes have been presented in the form of jurisprudence and statute laws.

Along with criminal justice new solutions should be sought for the prevention of crime. One of the most important preventive crime patterns is socialization of good deeds and adoption of public control which in order to achieve this purpose, practical measures of enjoining good and forbidding wrong should be taken by sociological and psychological methods to be worked.

In Islam generally any kind of limitations and restrictions and a fortiori, any kind of punishment is not permitted before committing an action and is contrary to sharia and it is known as a principle, entitled enjoining good and forbidding wrong, which has been prescribed and introduced as the duty of religious ruler for preventing from evil and a security measure before occurrence of crime as a preventive action. The main reason by which the immediate order of legislator can be used is verse 104 of Sura Aal-Imran *Let their arise out of you a band of people inviting to all that is good, enjoining what is good, and forbidding what is wrong: They are the ones to attain felicity.* This article focusing on the issue of enjoining good and forbidding wrong as a preventive factor from occurrence of any delinquency in the community, is seeking to elaborate its preventive role and explain its creation and emergence.

Main research question:

- What is the effect of propagating the obligation of enjoining good and forbidding wrong as a promoter and inhibiting factor on reducing crimes?

Secondary research questions:

1. What is the necessity of implementing enjoining good and forbidding wrong in the community?
2. What is the status of enjoining good and forbidding wrong in the Koran and Ja'fari jurisprudence?
3. What is the status of enjoining good and forbidding wrong in statutory or positive law?

Research hypotheses:

Enjoining good and forbidding wrong has a direct effect on reducing crimes in the society.

Proper implementation of this duty brings about cultural, religious, and social security.

Topic of enjoining good and forbidding wrong has been mentioned in details in the Koran and Islamic jurisprudence (Fiqh), and it is among duties that are mentioned in Ancillaries of the Faith after Prayer and Fasting, and Khums and etc. and in the case of importance is mentioned equivalent to Jihad and Zakat and etc.

1. In Constitution, calling to enjoining good and forbidding wrong is a public duty and it is a responsibility of people towards other people, towards the government, and of the government towards people. Its conditions, limits, and quality are determined by law.

The necessity and importance of the research:

This type of investigations, particularly with due attention to the existing gaps and being new on the one hand, and their role and impact that have briefly in and on the conducting minds towards the understanding of existing records, results, wisdom and intended interests in religious laws, on the other hand, contain a considerable importance and validity; however, its complexity and high sensitivity and therefore the necessity of adopting prudent procedures should not be neglected particularly in the position of deduction and final judgment.

Also this survey has a rather significant validity considering the former totality and mostly its universality, specific reproducibility of its subject in current practices, the need to identify the effects and consequences associated with the principle and common diverse patterns of social system, its causal relationships with other lateral categories, its fluctuations due to the occurrence of changes in society, disparity feeling between religious preferences about this and the dominant criteria on value system of existing custom among believers (especially Islamic society of Iran), and generally the importance of understanding desired objectives of Shari'a and existing customary, verification and exertion of this legal idea as well as the need to explain its individual and social functions and effects.

Research methodology:

The research method used in this study due to the nature of subject is descriptive which is done using the library. The present work is theoretical and fundamental and due to its objective, it is an applied research.

Terms:

Enjoin (Amr)

"Enjoin" means asking others to do something. It has two types, infinitive and gerund, infinitive is a command meaning order, and is used for requesting the creation of an object. Its plural form in Arabic is "Avamer". But the gerund is a verbal command meaning work, event and dignity. Its plural form in Arabic is "Omur". What is mentioned as the title of this obligation is the infinitive meaning order.

Forbid:

"forbid" means to prevent someone from doing something.

Good (ma'ruf)

It refers to a practice that its merit has been specified in religion or wisdom and it is known as good. The term "Good" is a good action which contains superiority.

Wrong (munkar)

Wrong (munkar) is the opposite of good (ma'ruf) and means an action which is not known as the good by Shariah and reason. *Munkar is an act which is not known as the good and interpreted as sinful (Haram) or detestable (Makruh).*

Enjoining good and forbidding wrong:

It means commanding people to do the religious duty or wajib and forbidding people of haram. Enjoining good and forbidding wrong, with observing conditions, is a religious duty.

Crime:

It is not defined in Islamic penal code, but generally any act or its abandonment for which has been determined punishment in law is a crime. Criminal penalties are classified according to the punishment in four categories: crimes deserving qisas, hudud, tazir and diyaa.

Criminology:

A branch of criminal science which analyzes the biological, psychological and social factors and causes of crime by scientific and objective method in order to prevent crimes and reform and treat offenders. Any act that reduces delinquency, violence, insecurity through identifying and solving the causes of these problems by a scientific method is the prevention of crimes.

4-1- Investigating the first research question; What is the effect of implementation of enjoining good and forbidding wrong on reducing crimes in the society?:

Crime is something that exists in all human societies; but it shows itself differently in different societies. There is no society in which "crime" does not exist. Crimes disturb the public order and lead to community reaction and this reaction shows itself more in the form of social punishment, but it should be noted that contrary to the perception of criminal justice scholars, legislators and the general public, penalties are not the remedies to treat pains of the community and can not eliminate crime production causes. So, at first it is better to attempt to remove criminal motives and prevent them indirectly in order to fight with crime; in other words, an ounce of prevention is worth a pound of cure. Here, the prevention prior to treatment becomes significant and preventive entities find a prominent status in the community. One of these entities which comes from muslims' religious beliefs is enjoining good and forbidding wrong.

According to criminology approach using known methods in enjoining good and forbidding wrong has a great importance. Because if a man uses an improper manner may unintentionally be the cause of wrong or munkar extension and provide the ground for creating crime. To avoid this, first of all, one must forbid a definite and clear wrong deed not an ijthadi munkar. Second, the exterior sin or wrongdoing must be prohibited,

because the purpose of enjoining good and forbidding wrong is to purify the community exteriorly, and not entering the private lives of individuals to prove a munkar, since this is a munkar itself. So the attention should be paid to the most important wrongdoings and forbid and fight with them. Among the most important wrongdoings is unemployment as the root of many wrongdoings such as backbiting, defamation, theft, vagrancy, begging, etc. enjoining good and forbidding wrong as a social entity, while it is systematic and based on law can be considered as an instrument and a successful plan against violating any Islamic, social and justice value to both eradicate crime and sin in the society and purify the society image of all these impurities.

If, given the status of contemporary societies, logical and practical strategies can be found for implementing this divine obligation the community will be controlled spontaneously and in a wide range and with lower costs, and errors and diversions will decrease through a comprehensive and general operation. Indeed, Islam orders enjoining good and forbidding wrong to make devout people obliged to assume responsibility for individuals' criminal behavior and not to be silent and prevent the development of any norm violations and distortions, crime and delinquency in their communities.

The researcher in order to provide a reasonable response, has investigated in reputable sites including judicial system website and enjoining good and forbidding wrong Staff website entitled "rahebehesht", since there was no detailed and precise statistical data in these websites, presented reasonable statistical data related to "the role of religion in community" (in Ramadan and Muharram), because these statistics have highlighted the role of enjoining good and forbidding wrong, as people in these months meditating and commanding other people to do good and prohibiting them from wrong. In the following is presented the most important statistical data, to justify this change briefly: Abhari behaviorist and professor in an interview with Mehr news agency says in this regard:

With the beginning of Ramadan 25% of social pathologies, delinquencies and crimes decrease among young people. He finds the cause in youth religious beliefs and faith, and emphasizes: faith is the only intrinsic factor among offenders that minimizes the amount of delinquencies, the reduction of these statistics is as follows:

Table 1-4: Crimes Reduction

Types of crimes	Rate reduction
House stealing	25 %
stealing car accessories	6 %
Purse snatching	19 %
Motorcycle stealing	5 %
Pickpocketing	23 %
Car theft	6 %
Shoplifting	7%
Murder	9%
Kidnapping	33%

Also "Every year in the month of Ramadan police and judicial institutions encounter with significant reduction of crime-related cases. State police chief believes Ramadan's spiritual conditions and religious beliefs of people of our country as the main cause of 30% reduction of crimes in this month. Sardar Ahmadi Moghaddam said:

"The police takes the first step for prevention of crimes in this month by enjoining good and forbidding wrong. However, the experience of previous years shows in Ramadan certain and evident crimes less occur. In fact, in this month because of changes in community attitudes and rituals, an atmosphere created that makes a barrier against crimes occurrence and crimes such as murder, armed robbery and kidnapping decrease dramatically."

When religious beliefs and enjoining good and forbidding wrong, especially on behalf of people, affect crime reduction, so it can be considered as a preventive factor. Also by eliminating the main causes of crime such as economic problems, unemployment and poverty, crimes such as robberies, purse snatching, and murders must be prevented and the occurrence of crime statistics decreased over the year.

4-2- Investigating the second research question; what is the necessity of implementing enjoining good and forbidding wrong in the community?:

The importance of enjoining good and forbidding wrong is that it has mentioned as one of the Ancillaries of the Faith, because enjoining good and forbidding wrong is a way which is used by Islamic legal system to ensure proper implementation of laws and regulations to prevent violation of regulations and ensures the general public control. Enforcement of this duty is considered obligatory by legislator. Its being obligatory is consensus and all mujtahids are in agreement about it. Accordingly, growth components in Islam are as follows:

The first stage; teaching and learning

The second stage; calling for right and thought guidance and direction in the field of right and wrong as good and evil

The third step; benevolence and compassion

The forth stage; enjoining good and fribidding wrong

This obligation is among Ancillaries of the Faith of religion and Islam has emphasized on its necessity and its conditions include certain regulations; there are three ways to recognize enjoining good and forbidding wrong:

A) *Human nature:*

Human is not a one-dimensional creature to be dealt with one thing, one job, one place and one point; because his being composed of instincts and elements that each of his instincts draw him into defferent directions.

Faith in God is the best means that can stand in front of human soul outburst and save him from going to extremes. If there is not a belief in God, most people are inclined to evil and corruption, and refuse to obey limits and customs. However, God created men as species that inherently seek spirituality, perfection and beauty and hate ugliness, so whatever is known good and perfect by human nature is named "ma'ruf", and whatever is hated, can be named "munkar".

B) *Reason:*

Since the Islamic beliefs and laws are not such as essential rules of nature which innately guarantee their own recognition and implementation, so always need recognition and enforcement by common sense. Shaykh Tusi, Allameh Helli, the first martyr, the second martyr, Kashif Al-ghata, Sheikh Ansari and finally Imam Khomeini tried to prove its necessity through intellectual exploration. Two of these rational reasons entitled blessing maxim and maintain the system are adequate. Enjoining good and forbidding wrong, is among affairs that help spread the good and reduce evil; therefore, divine blessing demands that people do their duty to ensure that in light of this task , people better placed in the path of growth and prosperity.

- *Maintaining the system:*

Enjoining good and forbidding wrong is the introduction of some rational tasks, therefore it is obligatory. Note that one of the sentences that reason perceives it, is "the necessity of maintaining the system". Hence, as a prelude of a rational duty is obligatory.

C) *Religion:*

Since the purpose of the creation of man, is to achieve ultimate perfection and on the other hand, reason is limited too, then for achieving this goal, the Lord sent prophets as guidances from his side to show the way to people as well as elaborating the obstacles on the way and explaining how to combat these obstacles and reach to God.

Obstacles of the way are ugliness and evil "munkers"; humans infected with evil can not move, they should remove this infection from themselves. Factors that cause the speed and movement are "good and values" and Islam as the most comprehensive and complete religion has thoroughly explained "good" and "wrong" in two major sources including Koran and immaculate leaders' tradition.

3-4- *Investigating the third research question: what is the status of enjoining good and forbidding wrong in Koran and Ja'fari jurisprudence?:*

Islam that has commanded the community to do good and expedience, and prohibited from every vice and evil, has considered a noble dignity for enjoining good and forbidding wrong. Topic of enjoining good and forbidding wrong has been set after jihad in Islamic jurisprudence (Fiqh) books, even some Jurists (Faqihs), such as Shahid in his book, Lo'meh, a book about Jihad, has devoted a chapter to it.

Enjoining good and forbidding wrong in verses:

There are several verses in Koran on the subject of enjoining good and forbidding wrong, as follows:

And let there be [arising] from you a nation inviting to [all that is] good, enjoining what is right and forbidding what is wrong, and those will be the successful.

You are the best nation produced [as an example] for mankind. You enjoin what is right and forbid what is wrong and believe in Allah. If only the People of the Scripture had believed, it would have been better for them. Among them are believers, but most of them are defiantly disobedient.

[And they are] those who, if We give them authority in the land, establish prayer and give zakah and enjoin what is right and forbid what is wrong. And to Allah belongs the outcome of [all] matters.

Enjoining good and forbidding wrong in Hadith:

In Wasa'il al-Shi'a has narrated from Samen Al-Hojaj that:

"Surely, however, enjoin the right and forbid wrong, and if not, devils will be dominant on you and your ancestors' prayers will not be answered."

From the Prophet Muhammad has been quoted that:

"God is an enemy to a weak religious believer for whom there is no religion. He was asked who is a weak religious believer for whom there is no religion? Answered: someone who does not forbid the wrong."

The Prophet Muhammad said: "How will you be when your women become corrupted and your youth become unfaithful to you and you do not enjoin right nor forbid wrong. Then he was asked will be such a thing? He said it will be worse; when enjoin wrong and forbid right. They asked then it will happen? Said: it will be worse than it while recognize the good as bad and the bad as good."

Investigating the forth research question; What is the status of enjoining good and forbidding wrong in statutory or positive law?:

After the revolution, Experts of the Leadership elected by the people did not ignore this issue and, Article VIII of the Constitution devoted to these two obligations as one of the main duties of the Islamic system in adoption of the Constitution. This article states:

In Islamic Republic of Iran, calling for enjoining good and forbidding wrong is a public duty, and is a responsibility of people towards other people, towards the government, and of the government towards people. Its conditions, limits, and quality are determined by law. Legislative highlighted enjoining good and forbidding wrong as one of the justified causes of crime, in the position of approval common law with regard to jurisprudence and above principle in order to ensure proper implementation of the rules and regulations of the first codified Penal Code after the Revolution; i.e. punishment law approved of 1361 (third paragraph of Article 31 of that law).

Article 31 of the above mentioned law is as follows,

Actions for which has been prescribed punishment, in the following cases are not considered as crime:

1. if an act commitment is commanded by a legal commander and is not unlawful.
2. if an act commitment is highly necessary for law enforcement.
3. If an act committed as enjoining good or forbidding wrong.

But in Islamic Penal Code approved in 1370 on stating justified causes of crimes, enjoining good and forbidding wrong was not listed as one of these causes.

Conclusion:

Enjoining good and forbidding wrong are considered as two great divine duties which are among the most important duties of Muslims. Enjoining good means a factor that includes guidance, invitation, and advice is always the greatest factor of development and consolidation of divine and Islamic religion and leads to religion survival and development of the reformation of community. This obligation is the greatest deterrent factor of diversions and impurities and its abandonment or default in observing them causes loss of faith and fall of nations and the destruction of people and will run afoul of the Lord's severe penalties.

In fact, enjoining good and forbidding wrong as a social cover protect the community, because if enjoining good and forbidding wrong do not conducted, various factors which are the enemy of social unity will destroy the community and collapse it.

On the other hand, along with criminal justice, one of the main preventive patterns of crime, is socialization of good deeds and adoption of public control which in order to achieve this purpose, practical measures of enjoining good and forbidding wrong should be taken by sociological and psychological methods to be worked.

In Islam generally any kind of limitations and restrictions and a fortiori, any kind of punishment is not permitted before committing an action and is contrary to sharia and it is known as a principle, entitled enjoining good and forbidding wrong, which has been prescribed and introduced as the duty of religious ruler for preventing from evil and a security measure before occurrence of crime as a preventive action. The main reason by which the immediate order of legislator can be used is verse 104 of Sura Aal-Imran.

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