

CRIMINOLOGY

QUESTION :- 1

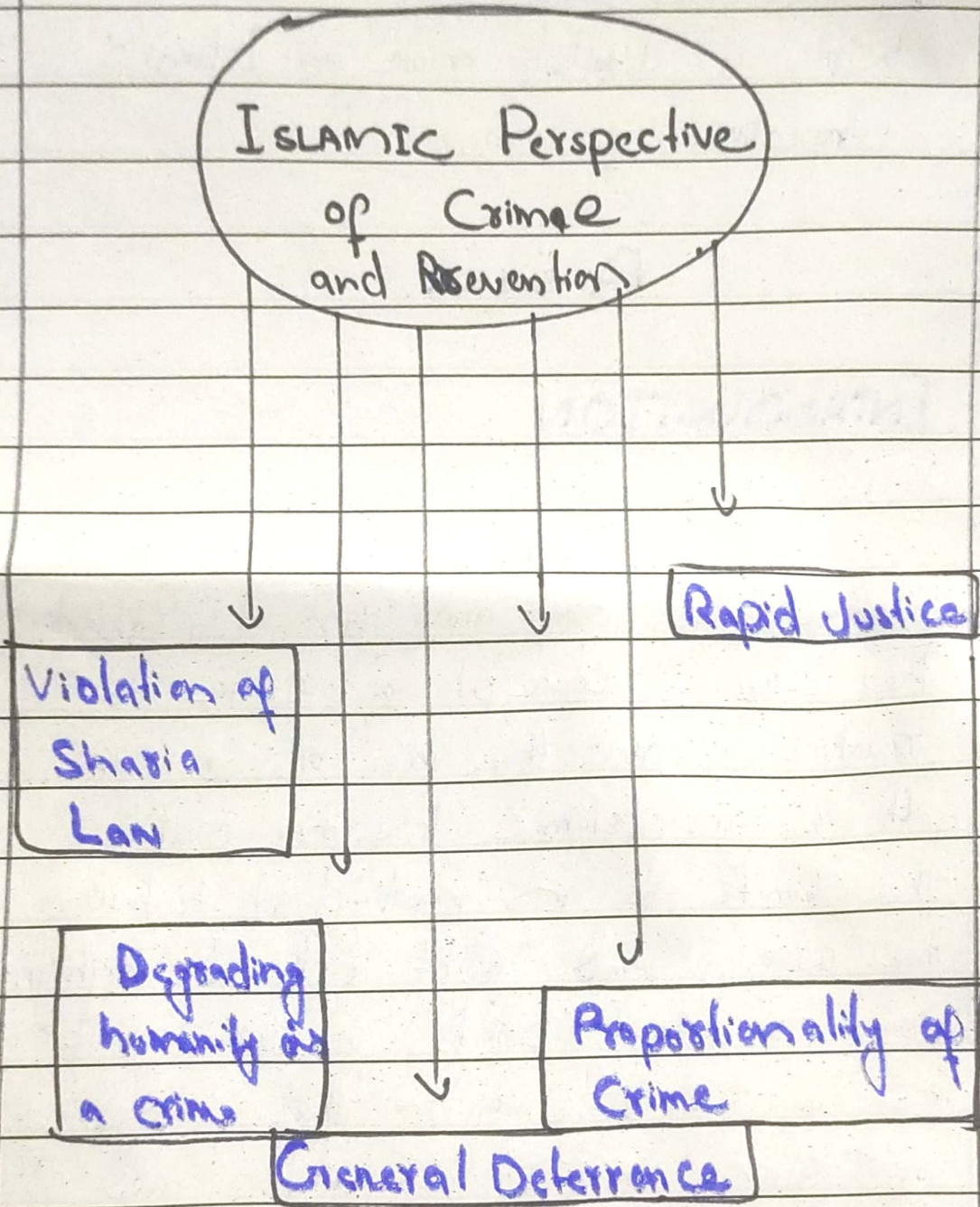
Write a detailed note on Islamic perspective of crime.

ANSWER

① INTRODUCTION

Shariah is a distinguished between the wrong and right in Arabic. The Islamic concept of crime is revolves around the idea of Shariah. It is an Islamic law that creates the limits for an individual between the wrong and right acts. It highlights some important points for the equilibrium in a society and the breaching of such norms or points are considered as a crime in an Islamic society. The remedy or punishment in Islamic law is Punishment by general deterrence and proportionality of law with crime.

② Islamic Perspective of Crime -
An overview through Flow-chart.



As per the flow-chart the violation of Sharia law is crime and punishment is given by the

concept of general deterrence
by following the concept of
proportionality.

Understanding - the Islamic concept of Crime.

31- Violation of Shariah Law - a crime
in Islam

As said earlier, the Shariah
is basically a law that has banded
men to work under the norms. For
example, avoidance from burglary,
Larceny, ~~Marriage before~~ Sex before marriage.
The violation is known as crime.

32- Devaluing human rights - concept
of crime in Islamic society

Moreover, the human
rights are valued under Shariah, as
Allah says in Quran All humans are
equal, devaluing men is crime.

33- Corruption in work - an other concept of crime in Islamic society.

Similarly, corruption is a crime in Islam, those who do not perform their work sincerely will be asked in the day of judgement in Ma'wardi's

④ Some theories debunking the concept of Crime in Islam

4.1- Al-Mawardi's concept of Crime

According to Al-Mawardi, crime is not following the order of Allah and His messenger. After them, the authority is His vicegerent and disobeying the Executive orders is also crime.

4.2- Ibn-e-Khaldun's concept of Crime

According to him, the socio-economic disparities are crime. Just because the economic

inequalities leads to the creation of multiple evils in a society.

43- Al-Ghazali's concept of Crime.

As per the concept of Al-Ghazali, crime is rendering the decree of the Creator and His messenger. Therefore, the executive must obey the orders of His lord in a state.

5 Methods to prevent crime in a state per Islamic Laws

5.1- General Deterrence

The concept of General deterrence revolves around the thought of punishing a convict before everyone and philosophy behind it is to ensure the reduction in crimes.

5.2- Punishment with proportionality of crime

Moreover, the punish

-ment is proportional to crime. For example, Eye for an eye, blood for blood.

53- Serving rapid justice

Including this, the Islamic concept to cure crimes also focuses on the idea of serving rapid justice. By doing that the criminals are incarcerated.

⑥ CONCLUSION

To cut it short, the Islamic concept of crime is violation of Shari'ah, the order of Almighty Allah, the decree of His Messenger and recognizing the order of Vicegerent (Executive Head). Lastly, the philosophy to cure crimes in a Islamic society is replete with concept of serving justice.