

# CRIMINOLOGY

## QUESTION :- 1

Write a detailed note on Islamic perspective of crime.

## ANSWER

### ① INTRODUCTION

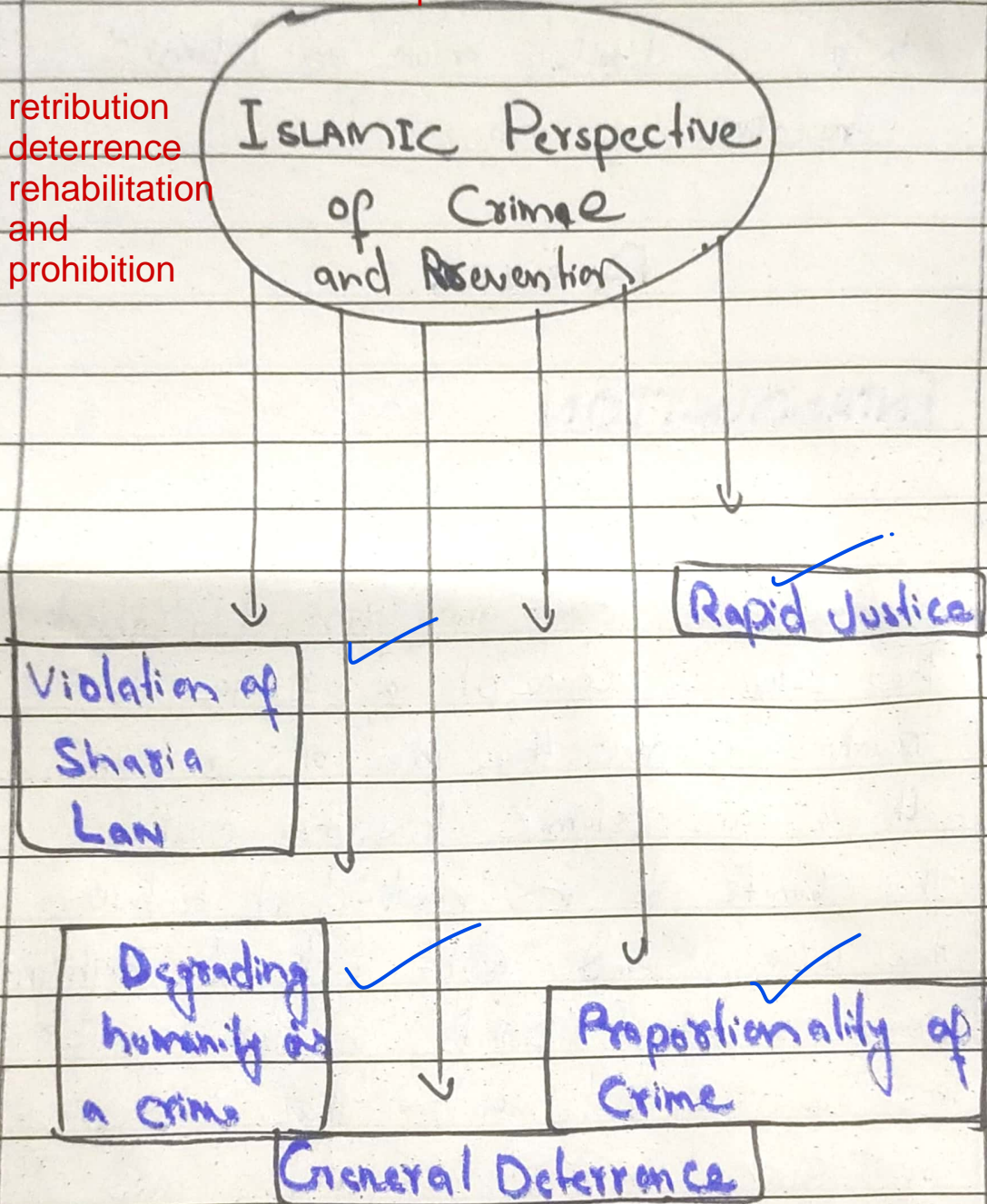
Shariah is a distinguished between the wrong and right in Arabic. The Islamic concept of crime is revolves around the idea of Shariah. It is an Islamic law that creates the limits for an individual between the wrong and right acts. It highlights some important points for the equilibrium in a society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



① Islamic Perspective of Crime - An overview through Flow-chart.

there are four reasons of punishment for crime in islaam

retribution  
deterrence  
rehabilitation  
and  
prohibition



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'waddi.

### ④ Some theories debunking the concept of Crime in Islam

4.1- Al-Mawwardi's concept of Crime

According to Al-Mawwardi, 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-Khalidun'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 Law

#### 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 remembering -the order of Vicegerent (Executive Head). Lastly, the philosophy to cure crimes in a ~~the~~ Islamic society is replete with concept of serving justice.

give a detailed para of types of crimes and ans is too short for 20 marks content is acceptable but incomplete  
7/20