

What is the Islamic perspective on crime and punishment? Explain your answer with the help of proper examples

Introduction

Islam is a religion which ensures welfare of the society.

Islam promotes peace, justice and security. Islam is very strict towards criminals to ensure peace and justice. However, Islam guides humanity in all aspects of life and give different solutions to establish a just society. Islam gives rigid punishments for certain crimes.

Sources of Islamic perspective

There are two main sources to get knowledge of crime and punishment.

Primary source is Quran and Sunnah. However, Secondary source is Ijma, Ijtihad etc.

Concept of Islam

In Quran, Allah SWT mentions most of the crimes but there are limited numbers of prescribed punishments. Here are some transgressions regarding which Islam teaches.

- a- Transgression against life (Murder).
- b- Transgression against property (theft).
- c- Transgression against reason (narcotics).
- d- Transgression against lineage (adulteration).
- e- Transgression against religion (apostasy).
- f- Transgression against all these traits (High way robbery).

There are three types of punishments in Islam.

1- Prescribed punishments (Hadd Law)

There are certain punishments which are predetermined in Islam and these are considered as right of Allah.

- a) These punishments can not be increased or decreased by any authority.

- b) These punishments can not be waived off by any authority when once highlighted in front of governance.
- c) These punishments must be followed as they are right of Allah

The prescribed punishments in Islam includes

a. ~~Murder~~ Theft

Theft is taking and possessing someone else's property without their permission. Islam order to cut the hand of the thief.

b. Highway robbery

This is stopping someone's way and threaten them and looted them. It can include various crimes at one. The punishment is cutting of one hand and one foot. This known as 'Haraaba'. The action is mentioned in 'Surah - Al Maida' (33-34).

c. Adulteration

It include fornication and adul-

try. The punishments vary for this according to the type. Quran orders **80 strips** for sexual relations. If someone accused other for fornication and if it proved as false accuse. So, the person who accused other will be punished by **80 strips**. But, if married person involved in fornication ~~the~~ he/she must ^{be} stoning to death.

d- Drinking or gambling

Islam strictly prohibits such action as they take ~~Islam~~ ^{Feel} muslim out of fold of Islam. Islam is conscious about reputation and rational thinking of individuals. Allah mentions, **Satan wants to spread enmity and hatred among you by gambling and wine and to prevent you from remembrance of Allah and prayer.** Moreover, punishment for this is prescribed by sunnah and such person must give punishment of **40 strips**.

2- Retribution

Islam opens the door for retribution as Allah says. O people of faith, Allah has prescribed retribution for you in case of murder.

Islam favors 'Qisas' and 'Diyat'.

However, Islam mentions two conditions for this. Firstly, the punishment will apply on those who committed crime intentionally. Secondly, punishment will not be liable to those who unintentionally committed the action.

Islam also emphasizes on forgiveness.

As, Islam always opens its doors for repentance so its followers must also forgive each other. The family of victim or victim can receive money or any retribution. Moreover, they can forgive for reward in hereafter.

Allah mentions, 'to forgive it is close to pity'. Meanwhile, Islam mentions 100 camels for a murder for one who committed crime intentionally but now

is guilty.

3- Disciplinary punishments (Tazeer)

These punishments are the duties of institutions of society which ensures peace and justice.

The authority decides punishment for criminals but they must allow retribution as well. The laws must be based on teachings of Islam.

For instance, it is required new laws and punishments for contemporary crime which are committed by tool of digital and social media.

Wisdom of Islam behind these

a- Firstly, to ensure justice in society that everyone is equal in front of law. People develop faith in justice of Islam.

b- Secondly to restrict others from committing crime. The prescribed punishments restrict criminals that if

they do any such action they will face the punishment. Quran mentions, a group of believers must witness the punishment.

- c- Thirdly, retribution motivates them to change way of life. Islam welcomes whenever they want repentance and feel guilty of action. Quran notes: 'There is life for you in retribution...'

Conclusion:

Islam is a religion of peace and restrict to inflict harm others. Islam already prescribed punishments for murder, thief, robbery, adulteration and drinking. Moreover, Islam welcomes repentance and encourage towards peace and left the path of crime. Islam ensures justice and security in all means.