

# Policy of economic crime prevention in the Holy Quran

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**ABSTRACT:** The failure of criminal law in the phenomenon of delinquency caused thinkers to find ways to prevent such crimes and efforts to apply the criminal prevention policy in this field. But the verses of the Qur'an to the prevention subject with a history of more than fourteen centuries ago over the issue has caused attention to the prevention subject of crime. Careful review of Quran verses tells the fact that one of the areas is the prevention of economic crimes and Quran has made successful strategies for the prevention of economic crimes. Recommending the payment of financial obligations such as Zakat and Khums and trying to establish economic balance between the different strata of society and the elimination of poverty and diminishing the social class gap which is one of the most important factors affecting economic crimes, Increased monitoring of Muslim behavior, hand cutting punishment for robbery and recommendation frequent enough to ensure the implementation of the above penalties to eliminate crime areas and so on ... are from the most important Quran achievements and recommendations in the field of prevention of economic crime.

**Keywords:** *Economic Crims, Criminal prevention policy, Prevention*

## INTRODUCTION

Quran is a book of endless ocean of knowledge and the eternal book of God, and is full of various methods of training for human perfection that tries to explain the message of education and healthy living in different ways. Divine revelation of the Holy Quran and Quran commandments give all people the true happiness, which is God's closeness. That is why the Qur'an orders and directives are applicable in all dimensions of human life, and these commandments guide people. But to understand the facts in the context of the verses which are in the form of parables, hints and tips, we shall use scientific extracting and steps must be taken towards enriching the criminal law by considering dynamic characteristics of the Shiite jurisprudence. Obviously, the frequency of property crimes, and the necessity of dealing with such crimes, and proving inefficiency of dealing with criminal penalties, which is associated with freedom deprivation and intruding on people's privacy in the community, Today is intended to prevent crime so that in this way, we may take steps to restore security in the community. Despite recent advances in this field, Human weakness can not track its progress by itself, so we need to resort to religious teachings and especially the Quran. Criminal Law and Criminology, in Islamic countries, including Iran, which claims to maximize human value as its slogan, needs to get help from various science finding to establish the right in the community. Obviously, according to Iran's Islamic criminal law and the fourth principle of constitution of the Islamic Republic of Iran which must comply with the provisions of the sacred religion of Islam, Criminal Law and Criminology must stand on the basis of reliable verses and traditions as practical ways of living of Prophet mohammad (pbuh) and Imams. The main base is the holy Quran. By referring to the Quran as the main source of divine resource, principles can be found that this paper will be discussed in detail. The Quran, the Book of Revelation which its most important goal is to save human kind from the deviations, is full of commandments that gives guidelines to improve the quality of human life. Criminal law as a branch of public domestic law and the most powerful branch because of the penalty, Should act carefully in the area of people's privacy due to continuous contact with freedom of people. Therefore, the criminal law can be derived from the spirit of the verses of Quran and by considering the appropriate time and place. Obviously, criminal law like any other science, includes some specialized topics that will be discussed briefly in this paper.

### **Chapter One: History and philosophy of Criminology**

History of the Criminal Law is of the oldest laws of Hammurabi which reflects the fact that One of the main concerns of human life is feelings of security and safety. From past until now governments as custodians of order and security in the community, take advantage of any strategy to achieve this noble goal. They have used the approach commonly called a penalty. But over time, criminal law represents the failure and incompetence in dealing with the phenomenon of crime. Because despite dealing with criminal offenders, we see an increase in the criminal statistics and the feeling of insecurity.

So people, tend to give high price for their security though they have a lot of financial problems.

The lack of success of criminal law in dealing with the phenomenon of crime, and the findings of the new community defense has opened the way for Criminology. The term Criminology was first used in 1879 by French Tupinar and a few years later was promoted by Garofalo with a book under the same title.

Lawyers and experts have not reached full consensus so far on the definition and nature of criminology. Someone believe it depends on criminal law and others say that criminal law is related to it. Regardless of the differences of experts ideas, it seems to be "the scientific study of the phenomenon of crime.". Another author believes it includes sciences concerning the criminal investigation, the causes of the emergence, development, process and impact of crime (Ardebili, 2006, 53).

Scientific study of crime requires that criminologists pay attention to the causes of crime, wrongdoer personality, and even impact of someone who was in crime on crime, in addition to examining the crime. So today, the main discussion in criminology is factors causing crime and trying to deal with them in order to fulfill the prevention of crime. For this purpose, criminology is forced to use the findings of other sciences; Some experts believe in such ideas that " criminology is the intersection that uses the humanities and social sciences "( Najafi Tavana, 2010). Concerning the mental attitude of Criminology, the Qur'an states that everyone is responsible to his/her own actions as far as he/she understands , Reinforces the fact that the same attitude to all people is injustice regardless of the physical, mental and social position. (individual penalty theory). Opinions expressed in Criminology is raised different views about the causes of crime in the community; Deterministic vision of criminology believes in fate and destiny While the Qur'an denies the claim, with an emphasis on human freedom and the verse "no compulsion in religion" approves the voluntary behavior of human. Another task of Criminology is to examine the victims role in the process of crime and factors causing crime. The main goal of Criminology is to find the causes of crime (crime and deviance).

Today, delinquency prevention is one of the main topics of Criminology and governments affected by the same issues are trying to use pathological

### **Chapter Two: The position of crime prevention or punishment in the Quran**

Criminal law proved ineffectiveness in preventing delinquency and made governments to consider the use of non-punitive approaches. However, for various reasons, the governments could not stop abruptly the criminal law and punishment. So governments are forced to develop some criminal or non-criminal strategies to deal with crime, that is called criminal policy. According to Marty DImas, criminal policy is called to all criminal and non-criminal methods against criminal phenomenon (including crime and deviance). (DImas, 1997)

Meanwhile, governments are now trying to have low-cost, more effective criminal policy to prevent the crimes; Although criminal policy may be closed or open depending on the type of governance system, freedoms and rights of citizens. Democratic countries which respect the human rights, shall not take away the freedom of the citizens under the pretext of establishing order in society except in limited cases. Therefore, they reach their goals using the criminal policies in different ways, most notably non-criminal policies. But authoritarian states and dictator government leaders and officials focus most attention on themselves and try to survive by any means. In this countries, they reach their goals by using closed criminal policy, which is increasing the list of crimes and decreasing the freedoms of citizens. In this regard, Islam which claims to respect the freedom of citizens, is dealing with citizens by choosing open criminal policy and is not taking away their freedoms except in limited cases.

Contemplating in several verses of the Holy Quran indicates the fact that although many verses of the Holy Quran, hadith narrations emphasize on serious response to perpetrators of crimes including definite rights of people, But represent penitence to get rid of heavy burden of punishments such as stoning, execution and revenge. The Quran accepts various types of criminal policy including religious, judicial and participatory criminal policy.

The main trait of religious criminal policy is to consider the law of God. The idea that Iranian lawmakers mention it in principle 4 of the constitution of the Islamic Republic of Iran. Because Islamic law is flexible at any time

and place. In participatory criminal policy in Quran, the role of public participation in the resolution of dispute is important which is the essence of Problem Solving Council. Judicial criminal policy has considered Criminology after enumerating a number of crimes in the context of the Quran verses.

Prevention as one of the most important subjects in the academic field of criminology has also been mentioned in the Quran. The significance of delinquency prevention in Criminology and the inability to identify the real causes of crime because of the complexity of human nature, have made this as well as the science of criminal law to follow the Quran principles.

Crime statistics indicate failure of criminology as a young branch of science dealing with the phenomenon of delinquency. In terms of the richness of the Quran commandments regarding criminology, scientific exploration in the Quran can give us effective prevention principles such as education and training, improving the economy, having a healthy environment, fostering a thrift culture, and the spirit of altruism in order to manage and reduce crime and delinquency statistics, and ultimately creating a safer community.

Prevention is so important from the perspective of the Quran and the Quran emphasizes on prevention. Including preaching (verse 57 of Surah Yunus, Verse 138 of Surah Al Imran and verse 34 of Surah Noor), Healing (verse 57 of Surah Yunus, Verse 69 of Surah Nahl, verse 15 of Surah Muhammad "PBUH", verse 82 of Surah Asra and verse 44 of Surah Fosselat), Mercy (verse 82 of Surah Asra, verse 43 of surah Ahzab and the holy verse in the name of God the compassionate the merciful), guidance (verse 57 of Surah Yunus, Verse 201 of Surah Baqara, verse 10 of Surah Balad, verse 8 of Surah Shams, verse 1 of Surah Furqan, verse 104 of Surah Yusuf, verse 4 of Surah Al-Imran, Verse 6 of Surah Naml, verse 48 of Surah Maedeh, verse 89 of Surah Nahl, verses 34 -42 of Surah Asra), the oppressors notoriety (verse 7 of Surah Al Imran and verse 61 of Surah Al-Baqara), reward promise and warning in the hereafter (verse 25 of Surah Baqara, verse 138 of Surah Nisaa, Verse 7 of Surah Shura)

Thus, despite efforts of Quran to enforce the punishments, we can see the prevention options in many cases. Before expressing examples of prevention, general explanation is given about why and what shall be prevented. Prevention means causing not to happen (Dekhoda, 1998) and in criminology means the use of various techniques in order to prevent crime and to stop crime. The importance of prevention is so that it's mentioned in provision 5 of principle 156 of the Islamic law as one of the functions of the judiciary prevention and in provision 8 of principle 4 of the Police Act approval 1379 as one of the duties of a police officer as court executive bailiff. From the historical aspect, thinkers like Bkarya and Bentham, despite the emphasis on punishment, have told about issues such as the need to introduce legislation to people as a kind of preventive strategies. (Pradl, 2002). The main purpose of Criminology is to find the crime incentives. Modern studies have shown that crime perpetrators are victims rather than factors of a crime. Because "offenders prior criminal act, are normal people but non-ideal conditions can make them fall into the terrible crime situation and mainly because of lacking knowlege and by accident." (Najafi Tavana, 2010)

We encounter with the different types of prevention by studying criminology sources. For example, "crime prevention by the threat of criminal offenders on the one hand and threat enforcement through the punishment for those who have violated the criminal prohibition on the other hand, are general and specific prevention of crime, respectively." (Najafi Abrand Abadi, 2004).

In recent years, the failure of criminal prevention has caused criminologists to go through another type of prevention as non-criminal in many fields such as situation and social prevention. (Najafi Abrand Abadi, 2004).

In another form of prevention as social prevention, positivists believe in determining the causes of crime (personal and social) and correcting them to stop crime perpetrators. (Safari, 2001).

Criminologists divide social prevention into growing-based (prevention of delinquency sustainability) and community-based (actions to eliminate the causes of crime) that should reduce crime by removing criminal opportunities in every possible way. (Reshadati, 2008);

After explaining definition and kinds of prevention in the science of criminology, we explain the importance and role of prevention in the Quran. Prevention is so important that it can be seen in the context of the Quran. The Quran has focused on prevention in the phrase "Surely praying keeps human from sins and evil" and elsewhere as a series of verses that take away muslims from misleading. Crime prevention is the best way to stop crime in society, so this issue is very important in criminal policy. Crime prevention in prevention bill is defined as " anticipation, identification and assessment of the risk of crime and take necessary actions to eliminate or reduce crime." Despite the bill's attention to the issues of prevention, modern man can not provide guidelines for the prevention of crime in terms of logical constraints.

So he is forced in this way to review verses of the Holy Quran that is an unlimited science and is going to improve the quality of human life. Obviously, the prevention program must provide solutions for all phases and aspects of the offense to achieve real and effective prevention.

The Quran considers all of these things and the fact that criminal offenders, try to choose a safer and profitable victims to facilitate crime for them and in all stages of criminal, they attempt to obtain more benefits and remain immune from the dangers of crime.

So in prevention program, Quran is focused on the proper upbringing of children, dealing decisively with criminals, trying to eliminate the criminal opportunity which is today as one of the most important theories in the science of criminology and also using the threat of punitive action. In many cases, the threat of punishment may be more effective than punitive action. Quran guidelines are covering all aspects of prevention;

The Quran, in corrective prevention emphasizes on correct education of children, by actions such as to control their children's friends, the environment, children familiarization with the spirit of praying and effect of preventive aspects of praying on human moral improvement through promises of reward in the hereafter for righteous people and promises of harsh punishment for criminals and those who do not obey the commandments of God.

One of the practical solutions of the Quran delinquency prevention is an emphasis on the holy essence of God, the supervision of the people actions in verses such as "God is the overseer of all people" (verse 33 of Surah Nisa) "Allah has power over all "" nothing is hidden from Allah "( verse 5 of Surah Al-Imran), "God is everywhere." (verse 4 of Surah Hadid) and so on .

Obviously, if we consider that human behavior is controlled by others, most people will not go after crime and sin. This is discussed by criminologists as the basis of the situation preventing and has made them to develop ways to control the behavior with devices such as CCTV cameras, thief capture and ... . Quran has emphasized on the resurrection concept that all people will be judged by God's divine justice and the fact that earthly life is merely the true measure of a person's talents and it will determine his/her real position in the hereafter.

Obviously, if people know that their actions will be prosecuted and punished harshly, then they would less go after crime and sin. Quran as a crucial book that aims to promote human ethics and human values, makes preparations for a healthy society with full awareness of the causes of delinquency and emphasizes on poverty reduction as one of the predisposing factors for delinquency and suggests restraining from greed and establishing institutions as endowment foundation, charity and so on.

These solutions not only eliminate the causes of poverty and then crime but also help human perfection and altruism which has a very important role in the crime prevention instead of selfishness and hedonism and profit-seeking. Other verses of the Quran has mentioned the issue of prevention with an emphasis on restraining from revenge as mischievousness, and the notion of repentance as a means to return to the right path and virtue as a major deterrent.

Quran with an emphasis on praying, announces it as the only factor that keeps people away from evil, mentions fasting as a means of controlling the power of the indomitable human desire and ordering good deeds and avoiding the bad things as a guarantee of social health and philanthropy.

Since the base of position prevention is to support victims through eliminating the criminal opportunities, Quran helps human by explaining the rules and strategies to achieve the following prevention.

The Quran insists on keeping the property in the safe place and cutting the hands of thieves, and the story of Prophet Khezr or the story about repairing the wall belonged to two orphan children which the treasure was hidden under it to eliminate the theft of treasure (Verse 82 of Surah Kahf), dam built by Dhul Gharnein to prevent barbarian invasions (verse 21 of Surah Kahf), are samples of guidelines on the situation prevention in the Quran. Finally, the Quran has specified penalties for certain acts such as adultery, theft, accusing someone of adultery or sodomy and wants to perform punishments in public for the purpose of its social effect.

Also the Quran emphasizes on the importance of prevention referring to the story of criminal and sinful people of the past to learn from them. However, it should be noted that prevention can be effective when penalties have efficient results. As we know, one of the main goals of punishment in all legal systems, is public intimidation (to create fear among other people to prevent crime) and private intimidation (sufficient punishment of offenders) to avoid duplication of crime.

The above discussion suggests the need to consider the preventable issues. Prevention can be seen in most parts of the Quran verses.

The prohibition of drinking alcohol because of alcoholic dementia, prohibition of adultery due to causing family instability, the necessity of fasting as a means to restrain from sin, prohibition of sodomy because its prevalence may cause family instability and diminish tendency to marry as one of the ways to prevent crime,

dealing with rebellious and seditious people to protect public security, being forbidden to eat pork because it may cause irreparable harm, avoiding second look at the passers- because it makes the way for an illicit relationship that will lead to family instability, Prophet Yosef prayer to change the location of the palace to prison to get away from illicit relations with Zoleykha, Prohibition of gathering boys and girls together, not to leave home by parents for congregational prayer because of potential gathering of boys and girls at home, Phrases such as "attitude toward deniers" and "attitude toward wicked people" ... show the importance of prevention.

Apart from the above examples and many other examples in the Quran to avoid sin, we try to explain instances of financial crime prevention.

Among the other focus of the Quran on prevention, it can be mentioned angels supervising of human actions (verse 17 of surah qaf) Taqiyya (Expressing or doing anything contrary to the belief of the heart) (verse 28 of Surah Al-Imran), body witness to sin (verse 24 of Surah Noor), accuracy in financial issues (verse 282 of Surah Al-Baqara), having witnesses in borrowing and lending to prevent denial of the debtor, the promise of eating fire in the hereafter for those who take orphans property illegally. (Qeraati, 2008).

Obviously, the prevention can not be achieved easily, but all the powers of government should try to achieve it.

### ***chapter III: Prevention of economic crimes in the Quran***

One area in which the Holy Quran gives important strategies for the prevention is economic crimes. Because of fast accountability and more profitable of economic crimes than other ones, it is more considered among verses of the Quran rather than the other crimes.

So we explain here the economic crime prevention from the perspective of Quran. One of the ways that can help us realize the concept of prevention is education. Major emphasis of the Quran on the concept of upbringing the children by parents is for this reason. From the Quran perspective, proper upbringing of children eliminates most corruptions and helps to have a safe and healthy community.

The Quran declares the necessity of public punishments and fear of the consequences of action (verse 2 and 9 of Surah Noor) and focuses on intimidating effect of punishment in public that will prevent the next crimes.

Some of verses in the Quran have mentioned prevention through the imposition of penalties which eliminates the next crimes. Here comes strategies of the Quran for the prevention, For instance, cutting the thief's hand will stop next robberies. Financial obligations, including the obligation to pay the Khums (20 percent of the savings in one year in which the person doesn't consume it for his/her life needs), Zakat (Zakat is obligatory on certain properties when they meet the quorum requirement) and other financial obligations to reduce the social class gap and eliminate poverty as an important predisposing factor for criminal offenses.

Another aspect of prevention in the Quran is the subject of the resurrection. Resurrection as the recurrence and from the perspective of Holy Quran is the day that will reveal all the secrets, causes human to think about the consequences of his/her actions. And this could be preventive factor for some people.

While the belief in no resurrection, amplifies the desire to sin in man (verse 93 of Surah Nahl, verse 16 of Surah Luqman, verse 22 of Surah Ensan, verse 160 of Surah Anaam, Verse 7 of Surah Zalzal, verse 49 of surah Tobah, verse 54 of Surah Aankabout, verses 19 and 25 of Surah Alhaqah, verse 10 of Surah Ensheqaq, verse 72 of Surah Asra, verse 78 of Surah Qesas, verses 39 and 41 of surah Rahman, verse 12 of Surah Rome).

Performance monitoring of citizens, Fear of the consequences of bad actions, Contemplation of the punishment of old people in the past because of their bad actions, Zakat (Zakat is obligatory on certain properties when they meet the quorum requirement), dowry, alimony, Khums (20 percent of the savings in one year in which the person doesn't consume it for his/her life needs), tax, act of charity, Prohibition of amassing wealth and hoarding, Financial return of orphan and ward property, and emphasis on cutting hand of thief are from Holy Quran solutions for dealing with economic crimes. Quran solutions that are the position prevention, has emerged as the prevention of economic crimes.

Today, effective steps have been taken with monitoring and the increasing competition between the government and the public.

### **CONCLUSION**

The judicial statistics reflect the fact that a very high number of offenders assigned to people sentenced to prison, financial and economic crimes. High crime statistics in the area of economic crimes on the one hand and the lack of success in preventing these crimes on the other hand caused thinkers turn to the issue of prevention. Quran study illustrates the fact that prevention is better than the cure and can help our communities to be safer and better. So criminologists follow the guidelines provided in the Holy Quran, Like identifying poverty as one of the

most important factors of delinquency and recommendations to eliminate economic poverty, With financial obligations such as the payment of Khums and Zakat; advice to financial help of the poor, Efforts to eliminate the causes of robbery by heavy penalties such as cutting thief's hand, identifying poverty as the source of sexual corruptions, Advice to pay alimony and dowry to the wife by the husband, and increasing surveillance of muslims in different formats and so on, which are among the strategies that the Quran is strongly recommend them to prevent economic crimes.

Therefore, we conclude following the teachings of the Quran and making efforts to eliminate economic crimes, Will help to have economic prosperity and security in communities. We wish the crime statistics to be close to zero.

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