
The Principles Requiring the Government to Combat Crimes against Morality in Raḍavī's word

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Abstract

Criminal policy for crimes against morality not only does have inherent importance, but also has special place because of its role in determination of the type and extent of sovereignty's support from morality. Furthermore, conflict of privacy and public rights in this area makes it more implicated and at the same time more susceptible.

The main question of this paper is the principles of the Islamic criminal policy in dealing with crimes against morality. In response, with respect to the legal and jurisprudential resources, in particular the famous narrative by Faḍl ibn Shāḍān from Imam Riḍā (as), and the descriptive-analytical method, the paper reveals that this policy is a mixture one in which government and people cooperate. In practical approach, this policy can be illustrated through conception of "Enjoining good and forbidding wrong" and Jurisprudential rule of "Al-Ta'zīr (punishment) for all offenses and forbidden acts". Moreover; other principles like the philosophy of formation and duties of Islamic government, prohibition of pretending to committing offences and forbidden acts and possibility of implementation of Ḥudūd for norm-violation justifies the necessity of interference of government in the field of moral security. The most reliable proof of this article is hadith of Faḍl ibn Shāḍān from Imam Riḍā (as) in which, explains mentioned principles.

Keywords: Crimes against morality, Al-Ta'zīr, Implementation of Ḥudūd, Pretending to committing offences, Enjoining good and forbidding wrong, Islamic Government.

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