Religiosity in Islam as a Protective Mechanism against Criminal Temptation

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The goal of this paper is to examine the extent to which religiosity, within the Islamic context, can be viewed as an effective mechanism against criminal temptation. To accomplish this, we will a) review the theories and literature concerning the religion-crime relationship, b) discuss the meaning of the religiosity concept in order to highlight essential features of religiosity in Islam that make it a valuable force in crime control within a Muslim society, and c) present a thorough discussion of certain elements of Islamic ideology that constrain criminal behavior.

Theoretical Antecedence

The relation of religion to other social phenomena has received a great deal of attention from social scientists. Given the variations of the ideological and philosophical backgrounds underlying most schools of social thought, there is no single view of the impact of religion. For example, Ibn Khaldūn ([d. 1406] 1981) views religion, through its effect on social cohesion and cooperation, as a primary factor in the rise and fall of societies. Marx (Tucker 1978), in his analysis of capitalism, recognizes the importance of religion as a control mechanism and considers it an effective instrument utilized by the bourgeois class to maintain its dominance over the proletariat. On the contrary, Weber (1958) views the entire capitalist system as a by-product of Protestantism.

But it is perhaps the functional theorists who highlight the importance of religion on the creation and maintenance of social order. They consider religion to be the basis and source of social values and norms by which people are united and their behavior and activities are regulated (Durkheim 1951). However, due to the increasingly secular nature of modern

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societies, some social scientists assume that religion "would gradually diminish in importance or else become less capable of influencing public life" (Wuthnow 1988). According to Wuthnow (1988), "much of the research on religion was informed by the assumption that secularization was an inevitable trend." Recently, that assumption has been challenged (Douglas 1983; Stark et al. 1985).

Within the criminological tradition, however, it has been the social control theorists who considered religion in their analysis of crime prevention. Social control theorists asked why and how people conform to the rules of society. That is, what are the mechanisms that constrain people from committing delinquent behavior? (Krohn 1991). The two Durkheiman concepts of social integration and social regulation are taken by social control theorists as a theoretical frame of reference to deal with these questions. Durkheim, in his classic *Suicide*, investigated the social conditions preventing people from committing suicide. To him, suicide is a function of weak social integration and social regulation. As society succeeds in integrating individuals into its social institutions (i.e., religions and family) and providing them with cultural norms that regulate their behavior, their "insatiable desires" are controlled and the proper means to achieve these desires are defined. The result is that suicide rates, as well as other forms of delinquent behavior, decline. The concept of social integration and social regulations are not mutually exclusive in the Durkheiman sense. On the one hand, social integration is enhanced by rules of conduct that make social institutions more of a presence in peoples' consciousness. On the other hand, social regulation may be effective, provided that there is a high degree of social integration. That is, people would have to feel attached to a group in order to follow voluntarily its norms and rules (Krohn 1991).

Social control theorists have used these two concepts in their examination of crime control. There are, however, variations regarding their analytical treatment of one or both concepts. For example, social disorganization theorists highlight the importance of social institutions in integrating and regulating individuals. Focussing their analysis on the community level, they see the overall social disorganization of a community as a function of the ineffectiveness of specific institutions. Lander (1954) and Maccoby et al. (1958) provide strong evidence to substantiate the assumptions of social disorganization theory.

The social bond is another branch of social control theory that seeks to explain what makes people refrain from engaging in criminal behavior. The main features of the theory were specified by Nye (1958) and Hirschi (1969). For Nye (1958), delinquency results from the absence of control, which itself comes from the socialization process through which individuals learn to distinguish right from wrong. Behavior, in this perspective, is controlled indirectly by one's affectional ties to significant others

(i.e., parents, friends) and directly by punishment. Hirschi (1969) views social bonds, by which he means the ties that attach people to the conventional social order, as the factor underlying the conformity of juveniles to the social order. Social bonds consist of four interrelated elements: attachment, commitment, involvement, and belief. The more effective ties people maintain with others (attachments), and the higher their desire to follow conformist behavior (commitments), they will spend more time in conventional activities (involvement) and strengthen their attitude towards conformity (beliefs).

In the remaining perspectives of social control, (i.e., self-concept theory, self-derogation theory, and the deterrence perspective), the unit of analysis of the control mechanism shifts from the social or aggregate to the psychological or individual level. For example, self-concept theorists see the prosocial self-concept as a mechanism that constrains an individual from engaging in delinquent behavior (Reckless 1961; 1973). The self-derogation theory, which follows the symbolic interaction assumption, predicts that an individual will behave in a manner in which a negative attitude (the result of nonconformist behavior) is minimized, while a positive attitude, which results from conformitive behavior, is maximized (Kaplan 1980). The deterrence perspective, which is based on utilitarian assumptions, considers individuals to be rational actors who strive to maximize the benefits of their action and minimize the costs of their behavior. To deter people from committing crimes, therefore, they advocate the use of severe punishment as an effective instrument to control crime. If the cost of the punishment outweighs the potential benefit of the criminal act, people eventually will be deterred from engaging in criminal behavior (Beccaria 1764; Tittle 1969; Waldo and Chiricos 1972).

The impact of religion on crime has been the subject of many empirical research undertakings since the days of Durkheim. On the whole, these studies have been guided by the assumption that religious institutions determine social conformity to great degree. As Burkett et al. (1987) state, "most researchers are motivated by sincere and specific interest in the identification of causal processes linking religion as a source of conventional social control to deviant involvement." Despite the variations in techniques (i.e., bivariate vs. multivariate) employed to investigate the religion–crime relationship, and the ways in which the concepts of religion (i.e., religiosity scale, religious commitment, church attendance, church membership, participation in religious activities, availability of religious places, Catholicism, and Islam) and crime (i.e., self-reported vs. officially reported criminal behavior, general vs. specific crime rates, serious vs. minor delinquency, recidivists vs. nonrecidivists) are measured, the empirical evidence of many studies found that, generally speaking, religion has an inverse influence on criminal behavior. Moreover, this is true regardless of the religion in question (i.e., Pretzel 1973; Burkett and

White 1974; Higgins and Albercht 1977; Stark et al. 1982; Burkett et al. 1984; Stack et al. 1983; Martin 1984; Pettersson 1991; Welch et al. 1991; CFCP 1992; al Sa'īd 1412/1992; al Ṣanī' 1993).

Even though religiosity is found to influence criminal behavior regardless of the religion in question, it can be argued that the inverse relationship between religiosity in Islam and criminal temptation should be stronger and more pronounced than in other social and cultural contexts. This contention is based on the unique nature of the concept of religiosity in Islam. Islam is not only a religion: it is a comprehensive set of social, economic, and political doctrines that are to govern and regulate all aspects of human life. To clarify this issue as well as the distinctive effect of religiosity in Islam on criminal behavior, we now turn our attention to defining the concept of religiosity in Islam.

The Concept of Religiosity in Islam

As noted above, social scientists have paid considerable attention to religiosity in their analyses of social issues. However, little consensus exists on how the concept should be defined and employed. In part, this is due to the fact that social scientists do not agree on "what kind of phenomena can be called religion." (Blotch 1985). More importantly, however, humanity's religions differ greatly in their emphasis on various values and behaviors as well as on the extent of their reach (Garth 1979; Bloch 1985). Given these considerations, a clear definition of this concept as it applies to Islam has to be developed before a discussion of its relation to criminality is undertaken. As religiosity in Islam is a multidimensional concept covering a wide range of beliefs and practices and is based on the assumption that a person's ideals and conduct are intertwined, its general meaning can be subsumed under two interrelated dimensions:

1. The belief (or covert) dimension, which represents an individual's full and sincere belief in God as the Creator of the universe and as the only One worthy of worship, and one's belief in His angels, books, messengers, the Day of Judgment and the hereafter, and in fate.

2. The conduct (or overt) dimension, which emphasizes the degree to which the belief dimension of religiosity is reflected throughout the believer's daily behavior and actions via the full obedience and compliance to God's commands and the avoidance of those acts and behavior forbidden by God.

Islam, as both a doctrine and law, is seen to "dominate and permeate every minute of the Moslem's life." (Groves et al. 1987). An individual's

religiosity ought to be reflected in all of his/her normal daily activities, for these are scaled and regulated by the limits of acceptable behavior. Accordingly, every action (verbal, nonverbal, or intended) is grouped into one of five classes: commended, recommended, legally indifferent, reprobated, or forbidden (Bakri 1979; Aref 1988). Therefore, worship in Islam includes all of these aspects of beliefs and practices equally. It is not confined to the mere belief in God, the regular performance of five daily prayers, giving zakat, fasting during the month of Ramadan, or conducting war against oppression, but extends its realm to arenas of interactions and relations within and outside the family circle (i.e., enjoining good and refraining from evil, education, frequent recitation of the Qur'an, telling the truth, fulfilling trusts, being kind to parents and relatives, keeping promises, doing good deeds, avoiding evil, treating neighbors, orphans, the poor, and wayfarers properly and taking care of their possessions). Worship is also maintained by avoiding behavior deemed forbidden (i.e., eating pork, drinking alcohol, taking interest in monetary dealings, out-of-wedlock sexual relations, telling lies, and engaging in magic, envy, and dishonesty). In addition, the Qur'an and hadith contain rules and guidance for personal and interpersonal conduct in many aspects of life (i.e., marriage, divorce, manner of speech, general posture towards others, and manners of walking, working, eating, and sleeping) (Al-Katan, 1980; al Ṣanī' 1993).

Given this wide range, Muslim social scientists who seek to measure religiosity have found it necessary to construct a comprehensive scale to capture religiosity dimensions. A framework of some sixty or more items is employed to represent an individual's overall religiosity (al Ṭā'ī 1985; al Ṣanī' 1993). Having defined the concept and delineated its unique features within an Islamic context, the question now becomes "What is it about religiosity in Islam that makes it a protective mechanism against criminal temptation?" In response, it can be stated that such religiosity puts considerable constraints on criminal temptation. The processes and mechanisms by which religiosity influences criminality are: a) the Islamic perception of law; b) the Islamic perception of crime; c) the Islamic perception of punishment; d) Islamic rituals and social cohesion; and e) other Islamic protective measures.

The Islamic Perception of Law. The utilitarian, positivistic, and radical assumptions underlying most modern laws may have overlooked the impact of how people viewed the nature and the source of law on criminality—divine or human law—and the power and capability of those making the law to enforce it (Mursī 1413/1993). On the contrary, Islamic law seeks to moralize legal action and formalities by placing them in the context of religion and morality (Ares 1988), with the result that law is perceived by its adherents to be divine in nature and not made by a particular group

of people. This religious perception of the law increases the law's importance and credibility as well as the degree of its objectivity and respectability, factors that make adherence to it and its applicability, in some states, rationally grounded (Dirāz 1969; Bakri 1979; Aref 1988). For instance, al Qurṭubī (1967) indicates that when the "Law of Equality" was prescribed by God, during the early days of Islam, Muslims had no difficulty in accepting it, for it was God's law. In this regard, Mursī (1413/1993) argues that there is no force in the social defence arena stronger than the actor's solid belief that the reward and the punishment for a given conduct is related, first of all, to God.

In a more general sense, there can be no separation between law and religion in Islam, as pointed out by Gibb (1949). Law is the external concept of religion. From this follows an important characteristic of Islamic law: the spirit by which its judgments are made. In framing its definitions, therefore, the ethical aspect is paramount, and no legal judgment can be in conflict with it. This is a very important point for, as Aref (1988) puts it, "human behavior is so complex that to control it in a comprehensive way, there must be an integrative synthesis of religion, morality and law."

The Islamic Perception of Crime. One distinguishing feature of Islamic ideology concerning crime is its view that crime is a violation of God's law and thus is directed against God before the immediate victim (Bakri 1979; al Saʿīd 1412/1992; al Ṣanīʿ 1993). Crime in general is seen as the action of nonbelievers (al Samālūṭī 1990) or of those with weak faith, which makes them vulnerable to criminal temptations (Qadrī 1985). Religiosity is seen as the source of conformity and, as a result, a protection against criminal behavior. Islam prohibits all minor and major offenses, mischief, unlawful deeds, aggression, and sins. It warns societies that ignore these prohibitions and allow them to spread among the people that they will suffer decline (Al-Katan 1980). It seems clear that a religiously oriented person would abstain from criminal activity and would consider it below his/her dignity to commit any criminal act (Qutb 1980).

The Islamic Perception of Punishment. Through our discussion of the effect of religiosity in Islam on criminality, it is clear that Islam emphasizes indirect protective measures rather than direct punishment. But, most importantly, the concept of punishment has a unique feature: a religious dimension that allows one's avoidance of punishment to increase one's conformity to the Islamic social order. In this case, punishment is considered to be of two types: divine and worldly. Divine punishment is what awaits each individual who failed to live in accordance with the Shariʿah but managed to escape punishment during his/her lifetime. This divine punishment is viewed as severe and eternal,

for those who are guilty of violating the law of God and sought to escape the Day of Judgment.

Worldly punishment, on the other hand, is applied by the state to those who violate social rules and morality. Such punishment can be divided into two subcategories: fixed and discretionary. Fixed punishments are those defined as such in the Qur'an and the hadith. They are referred to as the crimes against the five necessities (i.e., the preservation of religion, life, intellect, offspring, and property) that Islam, through its religious commands and prohibitions, seeks to protect in order to realize its main objectives. The main sources of Islam have specified both the crime and the punishment, based on the individual's degree of guilt, intent, relevant circumstances, and the weapons used. Crimes of this sort include homicide, highway robbery, adultery, theft, fornication, and personal injury. The death penalty and other physical punishment measures are specified for these crimes. Discretionary punishments allow the judge sufficient leeway in the determination of punishment, for the exact punishments have not been specified in the Islamic sources. One example is drug trafficking, which carries the death penalty in Saudi Arabia. Saudi jurists passed this law on the grounds that it would serve as a deterrent to protect society from this crime and its negative effects.

The "worldly" punishment, although designated as such, is given religious substance. Punishment is applied publicly. In addition, it fulfills a specific function (i.e., preventing the criminal from committing future crimes) and a general function (i.e., preventing people, including the criminal, from committing crimes) (Krohn 1991). Islam considers punishment as a way to purify criminals of their sins so that they will not be punished in the hereafter. If their repentance is sincere, they will be empowered to resist future criminal temptations. Social scientists such as Tittle (1969) found that the certainty and severity of punishment lowered crime rates in the United States. The fact that divine punishment is seen as certain and severe (eternal punishment) allows religiosity in Islam to function as a major protective mechanism against criminal involvement.

Islamic Rituals and Social Cohesion. Sociologists have long acknowledged the significance of social cohesion in constraining criminal behavior (Durkheim 1951; Reppetto 1974; Genevie et al. 1987; al Khalifah 1413/1993). Social cohesion, as viewed by Durkheim, is a precondition for the effectiveness of social regulation. In other words, people have to feel attached to a collectivity in order to observe its rules willingly. Although collectivity, generally speaking, is seen to be a function of religion, in Islam its relationship with religion may be more pronounced:

> Islamic rituals embrace the feeling of community which it is
> thought modern societies have lost and that crime, among other

social problems, has replaced. In an important sense, the Islamic communities possess a moral climate that should result in a lower level of crime and/or delinquency. (Stark et. al 1982)

Most forms of worship in Islam, aside from their religious functions (i.e., attachment to God and the enhancement of morality), are performed in public (Al-Katan 1980). This helps to develop an environment of communal piety. For example, Muslims are encouraged to pray the five daily prayers in public and together. Clearly, such a practice has more than a purely religious funciton: it is a mechanism to bring people together and enhance their social bonds. It is also a tool that makes "religious influences permeate the culture and the social interactions of people in question" (Stark et al. 1982). Another example is giving alms, representing one fortieth of one's possessions for an entire year, to the needy. This helps to preserve a sense of community. In addition to easing economic hardship, it shrinks the gap between the "haves" and the "have-nots" and thus curbs any tendency towards conflict between the two groups.

Other Islamic Protective Measures. It is generally assumed that individuals have potentially insatiable desires, which means that they are vulnerable to criminal temptations. To control these desires, Durkheim (1951) asserted that cultural norms are needed to define limits and the proper means of satisfying them. Without such norms and means, people will behave as they please to satisfy their desires (Krohn 1991).

Islam has accounted for these deviant desires and impulses that demand satisfaction and recognizes that each desire can be satisfied through appropriate and inappropriate means. In short, it can be said that while Islam forbids certain methods of satisfying human desires, it also provides specific means through which they can be satisfied. As we have seen in our conceptualization of religiosity, Islam provides suitable norms to govern such desires and impulses, defines the means by which they can by satisfied (Mursī 1413/1993), and, more importantly, places these norms and means in the context of religion so that their acceptability and effectiveness is enhanced.

In this context, it can be seen that Islam only forbids that which is a religiously inappropriate beahvior to a specific need or desire. For example, an individual's sexual urges can be satisfied in a number of ways (i.e., marriage, adultery, masturbation), but only marriage is considered. It is therefore encouraged, while the other two are forbidden. Another example is the accumulation of wealth, a desire that can be satisfied through hard and honest work, theft, robbery, buying and selling transactions, taking interest, and many other ways. However, Islam deems honest buying and selling transactions and honest hard work to be the appropriate means, and this outlaws the others on the grounds that they

either violate a person's rights (i.e., theft, robbery) or lead to monopoly and the inevitable negative consequences (i.e., taking interest).

Islam assigns very crucial protective roles to the family and its institutions, for it is the first social institution responsible for socializing young people and integrating them into society. By setting and presenting a good Islamic example in their daily behavior and interaction with others, the parents' Islamic ideals, values, and teaching can have a significant impact on the behavior of their children. Through a process of internalizing the fundamental social values, children come to be an integral and effective part of their society. Examples that highlight the family's central importance as the social agent that links young people to society in accordance with Islam can be taken from the commands and recommendations concerning the basis of family formation as well as the regulations that determine the duties, rights, and expectations of the parents and of each other. For instance, males are encouraged to marry to religiously oriented females, and fathers are encouraged to seek religiously oriented men to marry their daughters (Sābiq 1985). The message underlying such recommendations concerns not only the future stability of the family, but also how the children will be raised.

As a further protective measure, Islam makes it obligatory for every one, in accordance to his ability, to "enjoin what is good and forbid what is evil." This is a vital mechanism that makes people reinforce each other's conformist behavior. Moreover, it exerts tremendous psychological pressure on deviants by reminding them frequently and constantly that they should conform to Islamic norms. Such a practice "inculcates in the people love for virtues and abhorrence of vices." Accordingly, it constitutes "a bulwark against most crimes" (Al-Rasheed 1980).

Conclusion

In this paper, we have seen that religiosity, in an Islamic context, serves as a mechanism that shields people from criminal temptation. By placing the concept of law in the realm of religion, seeing a crime as a violation of God's law before seeing it as a violation of a person's rights, being aware of the certainty and severity of punishment in the afterlife, as well as the other mentioned socially protective measures, criminality is kept to minimum among Muslims. It follows that Islam provides a unique social control perspective, one that has accounted for the main parameters underlying the mechanisms of social control: religion, morality, and law. The interdependence of these factors not only gives a rational meaning by which Muslims can evaluate their goals but, more importantly, specifies all moral means at various levels of human life (i.e., economic, political, and personal) through which they can realize their goals.

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