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TÍTULO: Criterio para reconocer la corrupción y los fundamentos jurisprudenciales de su prevención (La vista del mundo divino, Salah, Disfrutando del bien y prohibiendo lo incorrecto, La prohibición de pequeños pecados introductorios).

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RESUMEN: La prevención de la corrupción es uno de los temas importantes en las sociedades humanas. La jurisprudencia como uno de los factores efectivos en la prevención de las corrupciones tiene elementos importantes. El Islam ha proporcionado ciertos preceptos para la prevención de la corrupción, que si lo practican los individuos en la sociedad, se evitarían muchas corrupciones. Podemos rastrear las raíces de la corrupción en el seguimiento de los deseos carnales, la negación de las órdenes divinas y evitar la justicia. El estudio actual utiliza un método de análisis de contenido para evaluar el tema de la prevención de la corrupción basado en los principios jurisprudenciales islámicos y analiza títulos como la oración, la evitación de asuntos prohibidos, etc., como los factores que pueden reducir la corrupción en la sociedad.

PALABRAS CLAVES: corrupción, fundamentos jurisprudenciales, prevención, Salah, pequeños pecados de Haram.

TITLE: Criterion of recognizing corruption and jurisprudential foundations of its prevention (Divine World View, Salah, Enjoining Good and Forbidding Wrong, Forbiddance of Small Introductory Sins).

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ABSTRACT: Prevention from corruption is one of the important issues in human societies. Jurisprudence as one of the effective factors in prevention from the corruptions has important elements. Islam has provided certain precepts for prevention from corruption which if practiced by individuals in the society, many corruptions would be prevented. We can trace the roots of corruption back into the following of carnal desires, denial of divine orders and avoiding justice. The current study uses content analysis method to assay the issue of prevention of corruption based on Islamic jurisprudential principles and discusses such titles as prayer, avoidance of forbidden affairs, etc., as the factors that can reduce corruption in the society.

KEY WORDS: corruption, jurisprudential foundations, prevention, Salah, small Haram sins.

INTRODUCTION.

Considering the comprehensive meaning of corruption which is diversion from the moderate state and going astray from the right path, it becomes clear that all of the minor and major sins are called corruption. That is because sin is disobedience to the God's command that is manifested in the divine dos and don'ts and it is by the disobedience of the Eminent God's order that the mankind is diverted from the path of guidance.

The term “corruption” is antonymous to “correction” with the latter meaning organizing and correcting. The meanings of such words that, as put by the literary men, are termed opposites can be illuminated by the assistance of one another such as the words day/night the meaning of each of which is recognized according to the meaning of the other.

It has to be noted that the concepts “corruption” and “correction” are two value concepts and they cannot be defined except according to the value foundations of every society. Therefore, declaring the corrections as good and denouncing of the corruptions cannot help recognizing of their examples rather the optimal goals of every society should be taken into consideration and measures be subsequently taken in line with the actualization of those goals.

One of the substantial goals of Islam’s criminal policy is elimination of crime and corruption perpetration opportunities. There are numerous instructions in many of the jurisprudential texts and ĀYĀT and narrations by the immaculate Imams about how to eliminate the actions that set the ground for the perpetration of corruption and crime.

In Islam’s legal system, repelling of depravities is realized obligatory like their removal because the proofs on the necessity of removing depravity that is done with the goal of preventing the crimes and sins from happening include defensive strategies for preventing the actualization of crimes and depravities¹ (Mirza Fattah, Hedayah Al-Taleb Ela Asrar Al-Makaseb, p.34).

Besides the corruption-detering nature of the faith in God and prophetic missions and the judgment day, Islam’s sacred canonical ruler obliges the human beings to certain actions by which they can grow and avoid sins like Salah and enjoinder of good, on the one hand; and he prohibits other actions that work as introduction and ground-setters for the emergence of the opportunities of the perpetration of criminal actions, on the other. For example, the forbiddance of looking at a non-

¹ Qawlahū Bi Anna Daf’a Al-Monkar Ka Raf’ahū Wājeb Aqwal Li Wojūd Al-Manāt Fi Al-Awwal Ayzan Li Anna Al-Zāher Enna Al-Manāt Adam Wojūd Al-Monkar Fi Al-Kharej wa Ellā Fa Al-Adellahū Zāher Fi Al-Raf’e.

mahram man or woman or giving a private audience to a non-mahram man or woman or the issue of women's hijab can be pointed out. These actions have been prohibited by the canonical ruler because they cause more deviations and set the ground for sexual crimes like rape and even murder, battery and so forth. Thus, belief in and practicing these affairs prevent the creation of such crime-inducing situations and eventually crime perpetration.

Based thereon, the present study investigates the criteria of recognizing corruption and jurisprudential foundations of preventing corruption.

Conceptualization of Corruption.

Literally, corruption means wastage and it is antonymous to correction. Some of the lexicographers state that corruption includes the diversion of moderation whether little or very much. This meaning is used for describing the ego and the body as well as the things that are deemed as being prone to divert from the resistance and moderation (Najafi, 1988, p.631).

In defining corruption, Mohaqeq Helli states that "*Al-Fasād Kollo Man Jarrad Al-Selāh Le Akhāfahū Al-Nās*" (Helli, 1993, p.180) meaning that "corrupt is the person who uses weapons to terrify the people". The other jurists, as well, have similar definitions (Najafi, 1988, p.564 and Musavi Khou'ei, 1995, p.318). Corruption has a particular meaning in each of the sciences and used for a special meaning. For instance, in philosophy, corruption is used as an opposite to existence and means diversion of a type in the form of a matter. In the jurisprudential principles, one of the important discussions of this science is "implication on the prevention of corruption" and a question is raised that whether the prevention of an action would cause its wastage or not? In this regard, corruption is deployed against soundness with the latter meaning total and qualified for certain outcomes and corruption means being imperfect and lacking any outcome. Corruption is differently defined based on each of the various aspects of jurisprudence (Hasani, 2010, p.88).

In worship-related issues wherein the intention to get to the close vicinity of God is proposed, corruption means invalidation of the actions thus prevention of an action would cause wastage and prevention of its outcomes from coming to existence. In the transactions, corruption means absence of effect and invalidity of the contract but there are discrepancies between the scientists from the various fields. In penal jurisprudence, corruption generally means an illegitimate and non-religious action and refers to the perpetration of sins some of which have been termed crimes (Ibid).

In order to obtain a criterion for corruption recognition, reference should be made to holy Quran and narrations by Immaculate Imams (peace be upon them) and jurisprudents' words and corruption examples should be investigated in them.

Scales of corruption in Holy Quran.

Considering the fact that God ordered the angels to prostrate before the mankind upon his creation and only Satan refrained from doing so and decided out of selfishness and revenge to deviate the mankind (see also Al-A'ARĀF: 16-17; Al-HAJAR: 39; Al-ISRĀ'A: 62&82), it can be concluded that every action that is done by the human beings and results in the actualization of Satan's goals should be viewed as an example of corruption in the society.

A number of the scales of recognizing corruption in Holy Quran have been outlined below:

1) The action that leads to the destruction of human generation.

Amongst the important goals of Satan is firstly the deviation and destruction of the human generation and secondly the wastage of properties and fame and honor and security (*La'en Akhartan Elā Yawm Al-Qiāmah La Ahtanekanna Zorriyyatahū Ellā Qalilan*) (Al-ISRĀ'A: 62). The Arabic term "Honok" in the above ĀYA has two meanings: one is perfect perception and the other is the rope fastened around the animal's neck to drag it one way or another. In the first meaning, Satan says that he would

uproot them by tempting them and, in the second meaning, Satan states that he would lead them astray (Razi, no date, p.367). The second one also means destruction.

The Islamic jurists order that the mankind's honor and fame are of particular reverence like his life. Thus, protection of them against the abuses is necessary whether be it to one's own fame (Najafi Jawaheri, Mohammad Hasan, Jawaher Al-Kalam, v.41, p.365 and Irvani, Hashiah Al-Makaseb, v.1, p.35) or to that of another Muslim (Kashef Al-Qita'a, Ja'afar, Kashf Al-Qita'a, v.4, p.333).

Defending the properties against the intruders and abusers is also permitted (Najafi Jawaheri, Mohammad Hasan, Jawaher Al-Kalam, v.21, p.16) or, as opined by some, defending the properties is obligatory in case of the domination of the suspicion to the protection of life (Helli, Ja'afar Ibn Hasan, Sharaye'e Al-Islam, v.1, pp.232-233).

2) The action that leads to the promotion of depravities and vices:

“Lā Tattabe'ū Khotowāt Al-Shaytān wa Man Yattabe'e Khotowāt Al-Shaytān Fa Ennahū Ya'amoro Bi Al-Fahshā'a wa Al-Monkar” (Al-Noor: 21 and see also Al-BAQARAH: 168). Satan's vivid enmity is in that he orders the mankind to perpetrate and promote corruption and depravities and, of course, it does not reach the level of coercion. Amongst the examples of this corruption, illegitimate occupation of the others' properties and financial corruption in various forms of usury, selling underweight, stealing and robbing of properties, tyrannical possessing of the orphans' properties and various kinds of complicated embezzlements and renting can be pointed out.

3) The action that leads to blasphemy and ingratitude.

Amongst the goals of Satan, prevention of the human beings' expressing of their thankfulness to the divine blessings can be pointed out. Satan states it before God that he would deviate His servants in such a way that most of them would not express gratitude to God (*Lā Tajedo Aktharahom Shākerin*) (Al-A'ARĀF: 17).

As for the idea that how did Satan figure out that the majority of the human beings would not be expressing their thankfulness to God, two issues can be proposed: one is that he guessed such a thing and it came true (see also SABA'A: 20), and the other one is, that the ego has a lot of faculties and only one of them, i.e. the intellect, invites the ego to the worship and obedience of God and the rest of these nineteen faculties are inclined towards physical and carnal pleasures, especially because these faculties are more perfect and more domineering in the beginning of creation than the intellect which is in utmost weakness in the early onset of its creation (Razi, no date, p.216). So, the faculties that make the mankind avoid worshipping the God are stronger in terms of vigor and more in terms of number in the beginning of the creation. It is clear that Satan has made such a claim based on his knowledge of these properties. It is said by some that Satan has heard about this from the angels (Kashani, 1957, p.12) or that he has observed such a trait in the human beings in the protected slate (Erami Alavi, 2005, p.229).

4) The action that leads to the weakening of the beliefs:

In practical terms, Satan weakens the beliefs so as to be able to more easily invite the mankind to his satanic intentions. The human being who has weakened in his faith readily falls into his trap and acts in correspondence to his instructions; he might even exercise polytheism and ask help in doing so from the other weak persons like him and order them to accumulate wealth and practice secularism.

5) The action that leads to the lasciviousness.

One of the other solutions of Satan for dragging the human beings into corruption is voluptuousness (*Afara'ayta Man Ettakhaza Elāhahū Hawāho*) (Al-JĀTHIAH: 23). The person exercising lasciviousness knows that s/he has a God to worship but s/he worships his or her sensualities instead of the praised God. The most important way of Satan's infiltration is promotion of lasciviousness because he is not capable of tempting the human beings unless he builds a base inside them and this

base is nothing more than the human beings' worshipping of the carnal wishes and sensualities (Makarem Shirazi, 1984, pp.265-266).

Criteria of Corruption from the Perspective of the Jurisprudents.

In penal jurisprudence, corruption means an illegitimate and non-religious action and refers to any perpetration of sins some of which have been termed crime (Shahrudi, 1987, p.228). The jurists and jurisprudents' ideas are different in this regard. As an example, the notions of some jurisprudents and jurists have been offered below:

A) In Islam's penal code, crime refers to the set of sins for which earthly punishments including Hadd, Qisās, Ta'azir and payment of blood-money (atonement) have been considered. But, sin includes the crimes as well as actions for which otherworldly chastisements have been predicted. The intensity of fighting the sins and crimes and the type of reaction to them depend on the corruption latent in these actions. In some of the sins, corruption features an individual dimension and is related to the relationship between the human beings and their God, but in the other aspect, corruption features a social dimension and is related to the relationship between the human beings in the society (Na'eini, 1997, p.64).

B) For the sins for which a consensus has been reached, worldly punishment should be applied. In this regard, his highness Imam Khomeini (may Allah consecrate the honorable soil of his tomb) writes: "*Kollo Man Taraka Wājeban Aw Ertakeba Harāman Fa Li Al-Imam (Alayhe Al-Salam) wa Nā'ebahū Ta'azirahū Bi Sharte An Yakūna Min Al-Kabā'er*" meaning "if a person perpetrates a forbidden and haram action other than the ones for which the canonical ruler has specified Hadd punishment while knowing its forbiddance, s/he should be subjected to Ta'azir punishment". Of course, Imam Khomeini (may Allah consecrate the honorable soil of his tomb) means the set of the haram actions the forbiddance of which has been generally agreed. Thus, according to the

decrees by the majority of the jurists, Ta'azir punishments are not exclusively unique to the cases mentioned in the texts and narrations rather the ruler can subject to Ta'azir punishment anyone who perpetrates a forbidden action.

C) Worldly Punishment solely incorporates the deadly sins (major sins). Some of the jurists do not realize all sins as deserving Ta'azir punishment and know Ta'azir as being bound to the deadliness of the sin. So, Ta'azir punishment is definitely enforced for the dead sins (Mousavi Khomeini, 1995, p. 226).

In Shiite jurisprudence, the canonical verdicts have been laid on the foundation of the real advantages and disadvantages meaning that the obligations follow their concomitant advantages and the harams follow their concomitant disadvantages. When the necessity of an issue is ruled, there is surely a sort of advantages latent in its accessories or when a verdict is issued forbidding a thing, there is surely a disadvantage latent in its accessories or in its own self. These advantages and disadvantages are indeed the criteria and causes of the verdicts and the verdicts revolve about them (Horr Ameli, 1988, pp.247-248).

In regard of the verdict's advantages and disadvantages, several points should be made:

A) The advantage and disadvantage might be found in a typical verdict such as "*Akl Māle Qair*" or "*Qatle Nafs Mohtramah*" which are typical disadvantages.

B) In some of the cases, the advantage or disadvantage of the verdict does not belong to its accessories rather other issues beyond the ruled action are the causes of the legislation; in other words, the advantage and disadvantage existent in the verdicts are not concurrent with the existence of disadvantage or advantage in the subjects themselves rather the external reasons can influence the legislation; for instance, the canonical ruler's ordering of the filthiness of the Kafirs (infidels) can be pointed out (Mousavi Khomeini, 1995, p.236).

C) In the obligation-related verdicts such as the necessity and prohibition, disadvantages and advantages pertain to the verdicts' accessories (the voluntary actions of the obliged individuals) but the advantages and disadvantages lie in the forging of these verdicts in the situational verdicts and not in their accessories (Shahrudi, 1987, p.278).

Roots of Corruption.

1. Following the Carnal Wishes.

The eminent God orders in this regard that “*Wa Lau Ettabe’a Al-Haq Ahwā’ahom La Fasadat Al-Smāvāt wa Al-Arz wa Man Fihenna Bal Ataynāhom Bi Zikreهم Fahom An Zikreهم Mo’arezūn*”² meaning “and if the justice follows their carnal wishes, the skies and the earth and all the individuals in them will be corrupted! but, we have presented them with Holy Quran that reminds them [of honor and dignity]; but, they turn their faces away from [what] reminds [them]”. Afterwards, God orders that “most of the individuals are at odds with the justice and the right thing for the reason that they find it opposite to their carnal wishes and sensualities so it becomes clear that they want the right or justice to be following their carnal wishes not that they follow the justice and the right thing and this is not possible at all”.

If justice becomes the follower of their carnal wishes and sensualities, i.e. to extravagantly and uselessly canonize the canon, it cannot be otherwise unless it firstly change the entire components of the world from what they should be and replace the current causes and means by other causes and tools and turn the regular interrelationships of the components into extravagant and useless relations - disrupted and contradictory relations- so that they can be in accordance to the wishes of one of the human beings and it is clear that such a change would be equal to the corruption of the whole world; wastage of the earth and sky’s work and the creatures in them as well as the downfall of the current

² MO’MENŪN: 71

strategies. That is because the current system is continuous in the entire world and its strategies and it is not so that the world and the mankind can have their own separate and independent systems.

If the justice followed their carnal wishes, the skies and the earth and all the individuals therein would become corrupted and wasted because their carnal wishes do not go beyond their wants and the appetites of their egos without them taking an ultimate goal into consideration for the appetites of their egos and without them observing the rights of the individuals in their minor and great worlds; if the rights are not observed, the skies and the earth would be wholly corrupted and the same would happen to the individuals who are in the skies and the earth (minor world) and the individuals in the great world would be all corrupted and wasted and the skies and the earth of the great world would be also inflicted with depravities and vices because the ultimate goal of the great world's skies and the earth has become corrupted. The ultimate goal includes the corrections and advantages of those in the skies and earth (Gonabadi, 2001, p.220).

2. Disagreement with the God's Command.

The eminent God orders that "*Zahara Al-Fasād Fi Al-Barr wa Al-Bahr Be Mā Kasabat Aydi Al-Nās Le Yoziqahom Ba'az Al-Lazi Amelū La Allahom Yarje 'ūn*" meaning "the corruption has become vivid on the land and in the sea for the things people have done"³.

The expression "*Be Mā Kasabat Aydi Al-Nās*" means that the people's actions are the causes of this vivid corruption on earth, i.e. due to the polytheism they exercise and the sins they perpetrate. It was proved in the interpretation of the ĀYA "*Wa Lau Anna Ahl Al-Qorā Amenū Wa Ettaqū La Fatahnā Alayhem Barakāt Min Al-Samā'a Wa Al-Arz*"⁴ as well as in the discussions on prophetic mission in the second volume of this book that there is a relationship between the people's actions and the events

³ RŪM: 41

⁴ "And, if the people of the city believe and avoid, we will open to them blessings from the sky and the earth", SŪRAH A'ARĀF, ĀYA 96

of the world with each of them being influenced by the other's advantages and disadvantages (translation of Tafsir Al-Mizan, v.16, p.293).

This honorable ĀYA implies the sins' earthly burden and shouldering of the burden of some but not all of them as well as the sins' otherworldly chastisement and burden about which the aforesaid ĀYA is somewhat unclear. So, this that some have stated that "God makes the people shoulder the corporeal burden and postpone its otherworldly burden's shouldering to the announcement of the judgment day" (Lahiji, 1994, p.562) is an unjustified interpretation.

3. Evasion of Justice.

His Highness Imam Ali (PBUH) realizes justice as meaning fairness in part of his utterances and orders that "*Al-Adl Al-Insāf*" (NAHJ AL-BALAQHA, 1995, motto 232, p.399). Fairness means moderation, i.e. an action is envisaged as just when there are no extremes. The Arabic infinitive "Insaf" [fairness] means establishing justice and serving justice and doing good, getting things moderate, holding the middle way of a thing and exercising modesty (Amid, 1982, v.1, p.249).

Injustice and tyranny are the most important causes of corruptions the same way that the healthiness and soundness of the society is owed to justice. Thus, the root of the corruptions should be sought in injustice and tyranny practiced by the society members or the society itself.

Based on ĀYA 7 of SŪRAH HASHR, it can be understood that the sound economic flow and everyone's enjoyment of the divine gifts and wealth are the most important objectives of economic justice and economic policies and plans of Islam because the enforcement of the special regulations like "Anfāl" [tributes] and "Fi'e" is done with the intention of preventing the accumulation and circulation wealth amongst a part of the society members that are called affluent and wealthy persons. So, the sound economic circulation that is based on justice is the flow that prevents any sort of corruption in the human individuals' enjoyment. Therefore, any limitation or disruption or defection

in wealth circulation amongst the human masses means corruption and should be counteracted (Ansari, 1955, p.351).

Based thereon, the fight against the economic depravities has been placed atop of the agenda of the Islamic society's managers and prophets (BAQARAH, ĀYĀT 188, 278 and 279; ĀL-e-IMRĀN, ĀYA 130; NISĀ'A, ĀYA 29, AN'ĀM, ĀYA 152 and other ĀYĀT).

In Islam, any sort of selling underweight or overcharging (ISRĀ'A, ĀYA 35 and SHO'ARĀ'A, ĀYĀT 177 and 181-183), usurping of the properties and occupation beyond the circle of ownership and agreement (BAQARAH, ĀYA 188 and NISĀ'A, ĀYA 29), usury (Al-e-Imran, ĀYA 130) and others of the like are fought with as economic corruptions because these economic behaviors are the most important barriers to the general public's enjoyment of the divine gifts and alignment with the perfection path.

In all of these cases, the root of corruption can be sought in evading justice; the individuals evading justice are also skillful law-violators because the law that is based on intellectual, logical and canonical principles allows the individuals in every situation to be able to benefit from their lives in a natural manner but the individuals breaking the law want to monopolistically take possession of all the wealth through changing their illegal changing of their positions in the society and deprive the others of their natural rights (Helli, 1993, p.287).

Of course, by wealth accumulation here, a sort of accumulation of riches is intended that prevents the economic soundness and healthy circulation of the wealth outside the realm of justice and prodigality and lavishness and things like that. Thus, if wealth is accumulated for such an intention as the increase in the society's public wealth and national riches and economic expansion and growth for the entire society and the whole people, it is deemed positive and within the format of sound justice and economy (Ansari, 1955, p.357).

4. Disobedience of the God's Orders Like Salah.

Although worshipping is an integral part of all religions but the best prayer and the most beautiful worshipping is Salah that is stated in Islam; Salah is the most perfect way of worshipping the eminent God (Bavandi, 2009, p.112). Salah causes fostering of the ethical virtues and spiritual and psychological perfection of the human beings and praying individuals find themselves before God without any means and intermediation (Miri Jahromi, 2009, pp.56-57).

Amongst the other studied effects, the human need for extoling a being superior to him can be pointed and praising of God meets this need. The need for strengthening hope in the society, corroborating volition and reducing psychological pressure and stress has also been explored (Shahabi, 2009, p.87).

The Criterion of a Corruption-Free Society from the Perspective of Islam.

Based on the credible texts, the Islamic jurists and experts have discussed the Islamic punishments and many of the Islamic instructions as means of protecting and guarding the goals and the five expediencies or the "five necessities" hence the actualization of the corruption-free society.

In order to actualize a corruption-free society from the perspective of Islam, dangers and risks that threaten the achievement of those Islamic expediencies and goals should be examined.

In this regard, Misbah Yazdi states that these risks usually pertain to four issues:

- A) Some of the dangers and risks threaten the life of the individuals. If individuals live in such a way that they are always found afraid of losing their lives and await the occurrence of a danger, this life would be valueless. Therefore, securing of the individuals' life has been set as one of the goals of the social life.
- B) Some of the dangers also cause the compromise of the financial security. Every person needs certain properties for administrating his or her social life and preparing food, clothing, housing and necessary needs of the financial life; but certain dangers cause threatening of a halal property

acquired by the individuals through pain and effort. It sometimes happens that a thief climbs up the wall and steals a person's property and it is also the case that some individuals usurp the other individuals' rights. From the perspective of Islam, usurping of the properties is also considered as a sort of robbery; failure in paying the personal right of an individual, falling short of paying Khums and Zakat, use of the properties belonging to the public treasury house (bayt al-mal) for personal purposes or for usages other than specified, receiving bribe in the offices and other cases of the like are indeed examples of stealing that is followed by financial insecurity.

C) Some of the dangers also threaten individuals' honors. Although no such a thing as the honor of the close female relatives exists in some of the cultures and communities, the human beings are intrinsically cautious about their female relatives and unless they are made assured and confident in this regard, they are in constant worries about the abuses to their female relatives' dignity and honor and cannot enjoy a relaxed life.

D) Some of the dangers and risk also target the human beings' fame and prestige. Every person in the society has his or her own fame and prestige the threatening of which would obsess the individual's mind and make him or her ignorant of the God's remembrance.

From the perspective of Islam, a society can be recounted as ideal that it has in the first place four types of security governing it in such a way that the poverty can be eradicated from the society, the individuals' properties are respected and every person can achieve his or her own financial rights, the human life is not exposed to any danger, his or her female relatives are not subjected to abuse and his or her social prestige is venerated. After actualization of these cases, the turn comes for the final goal based on which the human beings endeavor in line with worshipping of God and step forward for winning the God's satisfaction and getting to the close vicinity of him.

The result is that the society should be assessed based on the aforementioned touchstones in order to investigate its being corrupt or righteous. In case that the aforementioned scales are implemented in the society very carefully and precisely, the society would be virtuous and favorable and in case that one of the foresaid four types of security is found missing from the society, it would be defective and corruption-oriented (Mesbah Yazdi, Mohammad Taghi, 1934, corrections, roots and barriers, authored by Ghasem Shaban Nia, pp.45-46).

Jurisprudential Foundations of Corruption Prevention.

The followings are the most important factors of corruption prevention as stated in holy Quran, Sunnah and jurisprudential texts:

1) Divine world view:

In the beginning, it seems that there is no relationship that can be posited and discussed between the divine world view and its principles, including monotheism, prophetic mission and resurrection with prevention of corruption but the deterring role of the faith in God and His prophet and messenger (may Allah bestow him and his sacred progeny the best of His regards) and the judgment day in preventing corruption is undeniable.

The believer person who realizes God as the creator of the world and the human beings and as an omniscient being aware of all the affairs and finds the world as the presence locus of God (SŪRAH BAQARAH, ĀYA 255; SŪRAH TAQĀBON, ĀYA 4 and SŪRAH MOJĀDILAH, ĀYA 7) would continuously consider Him as being present and observing his actions and behaviors and avoids perpetration of sins and crimes.

On the other hand, belief in prophetic mission, i.e. belief in the fact that His Highness Mohammad (May Allah bestow him and his sacred progeny the best of His regards) is the last of the prophets and the link between God and the creature and entrusted with the revelation and that Holy Quran

introduces his actions, behaviors and commands as the role-models and patterns to be followed by the believers (SŪRAH NAJM, ĀYĀT 3&4; SŪRAH AHZĀB, ĀYA 21 and SŪRAH HASHR, ĀYA 7) is undoubtedly an important factor preventing Muslims from crime perpetration.

Faith in the judgment day, i.e. belief in the idea that the judgment day is the day on which the good and the bad of the deeds and behaviors are calculated and everyone would get the reward or the punishment of the good or the evil s/he has done in the world (SŪRAH ZELZELEH, ĀYĀT 7&8; SŪRAH Al-e-Imran, ĀYA 25; SŪRAH BAQARAH, ĀYA 286, SŪRAH TĀRIQ, ĀYĀT 8&9), can play a great role in preventing crime.

2) Fulfilling Salah:

Fulfilment of Salah includes correct performing of it and adducing of its rights and pillars and conditions not just completing its apparent form rather the veracity of the Salah that is embodied in its perfect fulfilment lies in paying attention to the eminent God and exercising real humbleness before Him and feeling the need for Him (Rashid Reza, Mohammad, Tafsir Al-Minār, Beirut, Dar Al-Fikr, 1947, p.108).

There are ĀYĀT in holy Quran expressing that Salah can eradicate corruption from the society and its absence sets the ground for spreading of corruption therein.

Now, some examples of Salah's attributes are mentioned:

1- Salah prevents corruption and depravity:

“Etlo Mā Ūhia Elayka Min Al-Kitāb Wa Aqem Al-Salah Enna Al-Salah Tanhā An Al-Fahshā'a wa Al-Monkar wa Lazekr Allah Akbar Wa Allah Ya'alamo Mā Tasna'ūn” meaning “read the things revealed to you from this book and fulfill Salah for it prevents from filthy actions and unpleasant deeds and, verily, the mentioning of God is greater and God knows what you are doing”⁵. This

⁵ Ankabūt:45.

honorable ĀYA explicitly speaks of the effect of Salah on the avoidance of depravities and vices in the society.

2- Salah cleans the filths and uncleanness.

“Wa Aqem Al-Salah Tarafay Al-Nahār wa Zolfan Min Al-Lail Enna Al-Hasanāt Yozhebn Al-Sayye’āt Zāleka Zekri Li Al-Zākerin wa Esber Fa Enna Allah Lā Yozi’e Ajr Al-Mohsenin” meaning “fulfill Salah on both sides of the day and early night because the good virtues and deeds clean the depravities (and their outcomes); this is a reminder for those who mention [God’s names] and be patient for God would not waste the reward of right-doers”⁶.

The above ĀYA like another part of holy Quran’s ĀYĀT expresses the effect of good deeds (fulfilling of Salah) in the form of eliminating the adverse effects of the wrongdoings; the good deeds that stem from divine motivation soften the human spirit, clean the effects of the sins and transform the darkness of the transgressions to the lightness of the good deeds⁷.

But this ĀYA’s implication to the present study’s issue that is Salah’s prevention of the future corruptions is in such a way that the cleansing of an individual from the past sins can per se pave the way for living a chaste life in future because the feeling of being filthy and dirty can set the ground for more filthiness but if the transgressor feels that s/he has been purified of the sins by a certain cause, s/he would do his best not to become again dirty and this feeling prevents corruption in future.

3- Corrupting of Salah and Corruption of the Society Members.

“Fa Khalafa Min Ba’adehem Khalfon Azā’ū Al-Salah wa Ettabe’ū Al-Shahavāt Fa Sawfa Yalqūna Qayyan”⁸ meaning “after the divine prophets, some people came to corrupt the Salah and followed

⁶ HŪD: 114.

⁷ Makarem Shirazi, Naser et al, (1984), “Tafsir Nemuneh”, 8th ed., Tehran, Dar Al-Kutub Al-Eslamiyyeh, v.2, p.358

⁸ Maryam: 59.

the carnal wishes. This group is chastised and the individuals who repent and have faith and perform good deeds would go to the heavens”.

This honorable ĀYA speaks about the individuals who have corrupted Salah and followed their carnal wishes. Scrutiny in the ĀYA guides the researcher towards the point that corrupting and wasting of Salah leads to following of carnal wishes. It means that this group was comprised of individuals who wasted Salah and resultantly became the followers of the carnal wishes. The other usable point is that the same way that there is a relationship between wasting of Salah and following of the carnal wishes, there is also a relationship between deservingly fulfilling Salah and non-following of the lusts. It means that if a person seeks protecting and safeguarding Salah, s/he would not be inclined towards carnal wishes and this is one of the most important outcomes of Salah. It is worth mentioning based on the Islamic narrations that the corrupting of Salah does not mean deserting Salah rather it is indifference looseness and non-observance of its conditions and features⁹.

Mirza Javad Maleki Tabrizi has the following words about the sin-cleansing effects of Salah on the human behavior: “the idea that Salah should prevent the human beings from perpetration of sins and depravities is the truth that cannot be at all evaded because Holy Quran has vividly proved this feature for Salah. So, the Salah lacking this property and being only an apparent fulfillment of certain deeds and actions would be most likely originating from hypocrisy because the individual fulfilling Salah will be prevented from the corruptions and depravities to the same extent that his or her Salah contains spiritual spirits”¹⁰.

His Highness Imam Reza (PBUH) orders that “*Wa Yakūna Zāleka Fi Zekrehi Li Rabbhi Jalla Wa Azza wa Qiāmehi Bayna Yadayh Zājeran Lahū An Al-Ma’asi Wa Māne’an Lahū Min Anwā’a Al-*

⁹ Tabataba’ei, Mohammad Hossein, (1995), “translation of Tafsir Al-Mizan”, 20 volumes, v.14, 5th ed., society of Qom’s seminary teachers, Qom, Iran, Islamic Publication Office, p.106

¹⁰ Maleki Tabrizi, Mirza Javad, (1997), “Asrar Al-Salah”, tr. Reza Rajabzadeh, Tehran, Payam-e-Azadi, p.35

Fasād” meaning “the human beings will be prevented from sinfulness and corruption for the mere remembering of God and standing before Him”¹¹.

How does Salah prevent the human beings from corruption and depravity?

The late Allameh Tabataba’ei realizes the secret of “Salah’s deterrence” as being the sum of its permanence and popularity and paying of attention to its mysteries and significations and states that “you may ask how Salah prevents from the depravities and corruptions? It can be said in response that this action is naturally not consistent with the dead sins, especially when God’s servants fulfill it five times a day and during all their lives and particularly if it is fulfilled every day in a righteous society and if all the society members fulfill it every day in high qualities and remain persistent in doing so”.

Yes, paying attention to God from the position of a servant of Him in such an environment and by such individuals should not only naturally deter the human beings from all dead sins and any action known heinous by the religious taste such as murdering, abuses too the lives and properties of the orphans, adultery and sodomy but also from their inductions, as well.

Furthermore, such a way of saying prayers to God not only compel the individuals avoid verbosity (which is a sort of psychological depravity) as well as malignancy of the body and the clothing but also try not to be in a place or put on clothes that are usurped for standing towards their God’s house. So, if a person persistently fulfills Salah for a while and be honest in doing so, such perseverance would surely cause the emergence of the habit of avoiding depravities and corruptions in him or her in such a way that it would seem as if the person has hired an agent reminding him or her of not doing wrong and constantly supervising his or her moods and training him or her in such a way that s/he would have such a habit of avoiding sins emerged in him or her and making him or her ornamented

¹¹ Ibn Babaviyeh (Saduq), Mohammad Ibn Ali, (2006), “Elal Al-Sharaye’e”, v.1, Qom, Davari Bookstore, p.215.

with the jewel of the politeness of servitude; definitely, the training by such an agent would not be more effective than Salah's upbringing of an individual and s/he would not surely order him or her to things more than what Salah orders and s/he would not also encourage him to mortification beyond what Salah compels¹².

Ibn Abbas states that there is a guard in Salah that make an individual stay away from God's sins so it becomes clear that if a person is not compelled by Salah to avoid the sins, s/he would have done it reluctantly and indifferently and has not used it for constructing his or her own self and s/he would be accordingly distancing more away from God¹³.

3) Enjoining Good and forbidding wrong:

“A nation should come about from you that invites to the good virtues and encourage the righteous deeds and prevents wrongdoings; it is only such individuals who arrive at felicity and deliverance” (SŪRAH AL-E-Imran, ĀYA 104).

The thing that is understood from this verdict is that the term “Ommah” [nation] encompasses a group and population that knows enjoining of good and preventing of depravities as their duty and realize it as a sort of “obligation reaching sufficiency upon fulfilled by even a single person” whereas ĀYA 110 of SŪRAH AL-E-Imran takes enjoining of good and preventing of depravity as an all-inclusive obligation and holy Quran orders that “you are the best of all nations ever appointed for inviting the people to God because you enjoin to the good and prevent from the bad”.

This way, it is perceived from the entire ĀYĀT and narrations on enjoining of good and preventing of vice and the purport of the Act 8 of Islamic Republic of Iran's constitution that the actualization of enjoining good and forbidding wrong in the Islamic society serves the crime prevention and is qualified for two individual and public dimensions.

¹² tabataba'ei, mohammad hossein, (1984), “tafsir al-mizan”, v.16, tr. mohammad baqer mousavi, islamic promotion office, p.199.

¹³ translation of majma'a al-bayan, v.19, p.65.

4) Forbiddance of Small Introductory Sins.

One of the general jurisprudential verdicts and regulations is the forbiddance of small introductory sins. The introductory haram sometimes causes perpetration of prohibited actions and sometimes sets the ground for haram actions. In the first of these two cases, the introductory nature hence the prohibition of it is well-evident. In the second case, the late Molla Ahmad Naraqī believes in two assumptions: the first is that an individual may perform the introductory sin with the intention of perpetrating a haram action and this assumption also speaks of a forbidden action and the late Naraqī has practiced a negating denial in reaching the forbiddance of this assumption. The second is that the actualization of a haram action is not intended in which case the introduction cannot be considered as also haram (journal of Ahl Al-Bayt (Alayhem Al-Salam) Jurisprudence (in Persian) (v.35, p.130). Amongst the proofs indicating the forbiddance of the introductory haram action, an intellectual piece of evidence can be presented that states that the world's intellects rule that individuals should not at all give their physical and mental force and/or transactional commodities to the others if it is envisaged that they would sustain social, sexual, cultural and economic losses otherwise the intellects independently scorn such persons as accomplices of the actualization of actions against social expediencies and general public's interests and, on the other hand, due to the intellectual axiom "*Kollamā Hakama Behi Al-Aql Hakama Behi Al-Shar'e*", such individuals are also canonically accomplices of sins and corruptions and haram actions hence deserving punishment and rebuke. So, by justifying the forbiddance in some sorts of the introductory haram actions, the opportunities of corruption perpetration can be reduced.

CONCLUSIONS.

Corruption includes social depravities and disasters and deprivation of the blessings. Corruption is a complicated and multidimensional phenomenon and it has diverse forms, factors and functions in various grounds.

Corruption is a phenomenon ranging from a small action against the law to the improper performance of a political and economic system in national level. Resultantly, the definition of corruption embraces vast concepts of “misuse of general public’s power” and “ethical depravity” to the specific legal definitions of corruption in such concepts as “bribery that is done by a government’s employee” or “exchange of tangible resources”.

In holy Quran, the ĀYĀT that express corruption has more dealt with the elucidation of some of the examples of corruption and none of the ĀYĀT seeks restricting the meaning of corruption. In other words, these ĀYĀT try expressing the cases and examples of corruption and do not intend to interpret its concept. On the other hand, from the perspective of Islam, the collection of Islam’s canonical programs serves the correction of the ethics and supplying of the corporeal and otherworldly felicity to the human beings and it is by adherence to these programs and dos and don’ts that the human beings and the society of the mankind can reach a moderate state and any sort of disagreement to these declared plans would mean diversion of the moderation and going astray from the right path hence it can be generally termed corruption.

In the present study, one of the factors reducing corruption in the society was introduced as divine world view. Since theology and monotheism are not solely subjective and theoretical issues rather ways and methods incorporating the material and spiritual lives of the human beings and accompanied by certain practical effects. Due to the same reason, the believer individual who knows God as the creator of the whole world and the human beings as well as the omniscient being aware of everything

(Sūrah Baqarah, Āya 255; Sūrah Taqābon, Āya 4 And Sūrah Mojādilah, Āya 7) would always find Him present and supervising his actions and behaviors and avoids perpetrating sins and crimes.

The issue “Salah fulfillment” can be posited as the most important factor reducing corruption in the society. In Islam, Salah is one of the most important worshipping deeds introduced as a means of communication with God and remembering God, a pillar of religion, the instrument of the believers’ ascension and preventer of the individuals from depravities and corruptions. As ordered by the late Saheb Jawaher “*Wa Yakūna Zāleka Fi Zekrehi Li Rabbehi Jalla Wa Azza wa Qiāmehi Bayna Yadayh Zājeran Lahū An Al-Ma’asi Wa Māne’an Lahū Min Anwā’a Al-Fasād*” meaning that “the person performing Salah would be filled with a feeling of sins’ deterrence as soon as s/he remembers God in his Salah and finds oneself before God” (Jawaher Al-Kalam Fi Thawbehi Al-Jadid, v.4, p.8).

One of the other methods of preventing corruption from the perspective of Islam is recommending and encouraging to the performance of good and pleasant virtues and deeds and preventing the people from perpetrating sins and crimes; this is recounted as “enjoining good and forbidding wrong”. ĀYĀT that express the verdicts on the good and pleasant deeds meanwhile deterring from performing against the divine orders are the followings: Sūrah Nahl, Āya 90; Sūrah Haj, Āya 41; And, Sūrah A’arāf, Āya 157. Scrutiny in the aforementioned ĀYĀT is well indicative of the effect of the binary title “enjoining of good and preventing depravity” in deterring the crime occurrence.

One of the other indicators of preventing corruption in jurisprudence is the forbiddance of introductory haram actions. Imamiyyeh Jurisprudents put fort the topics related to haram introductory actions in the discussions on principles and in the course of debating about the “obligatory introductions” and, separating its various forms and kinds, express their own notions. So, the opportunities of corruption perpetration can be reduced in the society via justifying the forbiddance in some kinds of haram introductory actions.

BIBLIOGRAPHIC REFERENCES.

1. Holy Quran.
2. Nahj Al-Balaqa.
3. Ibn Babaviyeh (Saduq), Mohammad Ibn Ali, (2006), “Elal Al-Sharaye’e”, v.1, Qom, Davari Bookstore, p.215.
4. Erami Alavi, Mohammad Amin Ibn Abdullah, (2005), “interpretation of Hadaeq Al-Ruh Wa Al-Rayhan fi Ravabi Olum Al-Quran”, 2nd ed., researched by Mahdi Hashem Ibn Mohammad Ali Mahdi, Beirut, Dar Tawq Al-Najah.
5. Ansari, Mortaza Ibn Mohammad Amin, (1955), “Al-Makaseb”, Tabriz, Ittila’at.
6. Irvani Najafi, Mirza Ali, Annotations of Al Makasib, vol. 1, Tehran, Kia, 2005.
7. Bavandi, Fahimeh, (2009), “investigation of the inclination to and avoidance of Salah by the adolescents”, Qom, 18th national conference on Salah.
8. Bistouni, Mohammad (2011). Translation of Majma' al-Bayan, Vol 19. Qom: Bayan-e Javan; Mashhad: Astan-e Qods-e Razavi, Publication Cooperation.
9. Horr Ameli, Mohammad Ibn Hasan, (1988), “Wasa’el Al-Shi’ah”, 12 volumes, v.1, 1st ed., revised by Al-e-Bayt (Alayhem Al-Salam) Institute, Al-e-Bayt (Alayhem Al-Salam) Institute, pp.247-248.
10. Hasani, Mohammad, (2010), “an exploration about the corruption from the perspective of jurisprudence”, the seasonal journal of women’s book, (18): 88.
11. Helli, Jafar Ibn Hassan, Sharye Al Islam fi Hale Masael Al Halal va Al Haram, vol. 1, Esteghlal Press, Tehran, 1989.
12. Helli, Hasan Ibn Yusuf, (1993), “Tazkirah Al-Foqaha”, Qom, Al-e-Bayt (Alayhem Al-Salam) Institute.
13. Razi, Fakhr Al-Din, (no date), “Mafatih Al-Qayb (Tafsir-e-Kabir)”, v.23, Cairo, anonymous.

14. Rashid Reza, Mohammad, (1947), "Tafsir Al-Minar", Beirut, Dar Al-Fikr, p.108.
15. Shahrudi, Sayed Mahmoud Ibn Ali Hosseini, (1987), "Kitab Al-Haj", v.2, 2nd ed., Qom, Ansarian.
16. Shahabi, Arash, (2009), "the role of Salah in the individual and social life", Qom, 18th national conference on Salah.
17. Tabatabaei, Mohammad Hossein, Translation of Tafsir al-Mizan, 20 Vols., Qom Seminary Teaching Society, Office of Islamic Publications - Iran - Qom, 5, 1995.
18. Amid, Hasan, (1982), "Amid Dictionary", Tehran, Amir Kabir.
19. Kashani, Molla Fath Allah, (1957), "Tafsir Minhaj Al-Sadeqin Fi Elzam Al-Mokhalefin", 3rd ed., Tehran, Mohammad Hasan Elmiyyeh Bookstore.
20. Kashif Al Ghita, Jafar, Kashf Al Ghita, vol. 4, Bustane Kitab, 2003.
21. Gonabadi, Sultan Mohammad, (2001), "Bayan Al-Sa'adeh Fi Maqamat Al-Ebadeh", v.10, tr. Mohammad Aqa Reza Khani and Dr. Heshmatollah Riazi, Tehran, Nashr Serr Al-Asrar.
22. Lahiji, (1994), "Lahiji interpretation", v.3, Dad.
23. Misbah Yazdi, Mohammad Taghi, (1934), "corrections, roots and barriers", 3rd ed., authored by Qasem Shabannia, spring, Imam Khomeini (May Allah consecrate the honorable soil of his tomb) Instructional and Research Institute.
24. Makarem Shirazi, Nasser et al., Tafsir-e Nemooneh, Vols. 2, 4, 8, and 21, Eighth Edition, Tehran, Dar al-Kutb al-Islamiyah, 1984.
25. Maleki Tabrizi, Mirza Javad, (1997), "Asrar Al-Salah", tr. Reza Rajabzadeh, Tehran, Payam-e-Azadi, p.35.
26. A group of authors, "Islamic Jurisprudential Encyclopedia", journal of Ahl Al-Bayt (Alayhem Al-Salam) Jurisprudence (in Persian), 56 volumes, 1st ed., Qom, Iran, Islamic jurisprudential encyclopedia on the religion of Ahl Al-Bayt (Alayhem Al-Salam).

27. Musavi Khomeini, Sayed Ruhollah, (1995), “Tahrir Al-Wasilejh”, v.1, Qom, Dar al-Elm.
28. Musavi Khou’ei, Sayed Abu Al-Qasem, (1995), “Sirat Al-Najah”, v.1, Qom, Bargozideh Publication, p.318.
29. Mirza Fattah, Hedayah Al Talib ela Asrar Al Makasib, Qom, Aayatollah Marashi Najafi Library, 1987.
30. Miri Jahromi, Mahbubeh, (2009), “fostering of ethics and honesty in the light of Salah”, Qom, 18th national conference on Salah.
31. Na’eini, Mohammad Hossein, (1997), “Fawa’ed Al-Usul”, Qom, society of Qom’s seminary teachers.
32. Najafi, Mohammad Hassan, Jawahir Al Kalam fi Thawbah Al Jadid, vol. 4, Institute of Islamic Jurisprudence, Qom, First Edition, 2001.
33. Najafi, Mohammad Hasan, (1987), “Jawaher Al-Kalam”, vs.42&1, 3rd ed., Tehran, Dar Al-Kutub Al-Eslamiyyeh, p.631.

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