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# Ethics verses between legislation and the legalization of deterrence

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**Abstract**--An integrated religion such as Islam set for humanity a wonderful and sublime moral system through its noble verses (legislation and the legalization of deterrence) that guided and directed the person who believes in it to the good of this world and the bliss of the hereafter. The morals verses were a good source of his behavior but the deterrence and codification verses were the impenetrable barriers to his lapses and his crimes. Because the Creator (Y) knows best about the human soul that he designed and created as God says: " And a soul that he created \*So inspired it by its immorality and its piety"<sup>1</sup>. This is what the researcher sought to prove and clarify by reflecting on the verses of the Noble Qur'an in connection with this topic. This is the conclusion of the research which includes an introduction, two topics, and a conclusion. We call upon God, The Highest, the Great, to benefit us from what we read and write in correcting those who deviate from the morals of those noble verses and the sober rules that God commanded; because the morals of the individual went, the nation went with it.

**Keywords**---Morals, legalization of deterrence, integrated religion.

## Introduction

Ethics verses in the Noble Qur'an solve all individual and societal moral problems, put everything in its proper place, and link favor and virtue. A person may be virtuous and doesn't know virtue; Rather, it is a habit that he becomes accustomed to, and possesses, and temperament is established in it for some reason. Therefore, the researcher sees that the concept of morality and deterrence in the Noble Qur'an verses are not limited to mentioning the mental need for them only; rather, the (theoretical and practical) aspects. As each of them complements the other, they have a special role in satisfying the moral need deposited with man, since we do not lack religion, but morals. If anyone can't apply all this,

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<sup>1</sup> Surat Al-Shams, Verses/7-8.

societies and governments will go astray and will not reap its fruits. The situation of the individual and society reaches the state of many nations whose morals have gone. So, the researcher chose the topic (moral verses between legislation and the legalization of deterrence) for the following reasons:

1. The issue of changing morals in all civilizations and nations, including the Islam Nation, is a great danger and a profound evil which is the collapse of the moral system that our true religion called for, and which was decided by common sense even in the infidel nations and pre-Islamic peoples. It has become a real crisis, from which the nation is suffering.
2. A moral crisis is a severe lack of values and morals at the level of states, societies, and individuals which led to devastating results that threaten the higher values and lofty goals in society.
3. Morals with their spiritual values can only be achieved by following those verses (legitimacy and deterrence) that God Almighty urged in his dear book and charted its way for those who wanted to assume the responsibility of codifying them to ensure their implementation.

This research includes an introduction, two chapters, and a conclusion.

The introduction dealt with the reasons for choosing the topic.

The first topic: (Introducing the research terms), it has two requirements:

The first requirement: the researcher studied (ethics, legislation, legalization, and deterrence) linguistically and idiomatically.

The second requirement: the researcher studied the paths of giving priority to moral values in the individual and society.

As for the second topic: the verses of ethics between legislation and the legalization of deterrence.

The first requirement: some verses of morality between legislation and the legalization of deterrence.

The second requirement: the societal adoption of moral values and the deterrence of penal laws.

Then, in the conclusion, the researcher showed the most important results and recommendations that she reached in this research.

### **The first topic: Introducing the research terms**

The first requirement: Definition (ethics, legislation, legalization, deterrence)

#### **1- Defining morals, linguistically and idiomatically**

- **Morals linguistically:** from morality by inclusion: it is "nature, chivalry, and religion"<sup>2</sup>, "moral: creation: morality, and creation: nature"<sup>3</sup>.

- **Morals idiomatically:** Morals have several definitions, including the following:

It was known as: a body firmly rooted in the soul, from which actions come out easily and smoothly, without the need for reflection and deliberation. If the appearance is such beautiful actions that deserve praise from the mind and

<sup>2</sup> Al-Moheit Dictionary, by Majd Al-Din Mohamed bin Yaqoub Al-Fayrouzabadi (died 817 AH), investigation: Al-Resala Foundation, Al-Resala Foundation for Printing, 8th, 1426 AH - 2005 AD, 3/239, material (moral), and see: Lisan Al-Arab, by Mohamed bin Makram bin Mansour (Died 711 AH), Dar Sader, Beirut, 3rd floor, 1405 AH: 10/86, article (moral).

<sup>3</sup> Al-Ain, by Khalil bin Ahmed Al-Farahidi (died 175 AH), investigation: Mahdi Al-Makhzoumi and Ibrahim Al-Samarrai, Dar Al-Hijrah, 2, 1410 AH, 4/151, article (moral).

Sharia view, then it is called good character, and if ugly deeds result from it, then the body that is the source is called moral<sup>4</sup>.

- It was defined as: "A gift by which the soul performs actions easily without thought and deliberation, and the gift is a method that is firmly rooted in the soul and does not go away quickly, and it is of two types, one of which is natural and the other is normal. And by repeating it and rehearsing it, he possesses it until the act comes out of it easily without deliberation"<sup>5</sup>.

It was defined as: "Higher education and optimal behavior"<sup>6</sup>.

We can summarize from this that it is: a body in the soul (good or ugly) that can be consolidated in the soul as it becomes a queen through education (family and community), if the education is sound, the optimal behavior for those qualities appears, and if the education is bad, the opposite appears.

## **2- Defining legislation, linguistically and idiomatically**

- **Legislation linguistically:** From legislates and the Sharia, and its combination: the laws, the Sharia. The Sharia: what God has legislated for the people of the religion matter, and God commanded them to adhere to it"<sup>7</sup>, "And God legislated for them to legislate a law, i.e. an age"<sup>8</sup>, and "show it and make it clear"<sup>9</sup>.

### **- legislation idiomatically**

The term "legislation" is one of the old terms, as far as the human need for what regulates the affairs of his material and moral life. Therefore, it has several definitions, among which I will mention the following:

- It was defined as: "True wisdom, but not in the sense of mere practical rulings, but rather in the sense of knowing what the soul has and what it owes and acting upon it"<sup>10</sup>.
- It was defined as: "God Almighty's speech related to the people as a request, a choice, or a situation"<sup>11</sup>.
- It was also defined as: "It is the issuance of rulings, their establishment and their clarification for people to act upon. It is in the legal origin a pure right of (God Almighty)"<sup>12</sup>.
- It was defined as: "The enactment of practical rulings related to the taxpayers, regulating their lives and their dealings"<sup>13</sup>.
- And the researcher sees that legislation: is the enactment of basic rules and practical rules to organize the individual, community, and international

<sup>4</sup> See: Revival of Religious Sciences, by Abu Hamid Al-Ghazali (died 505 AH), Dar Al-Kitab Al-Arabi, Beirut, (b-i-t): 8/96, and see: Definitions, by Ali bin Mohamed bin Ali Al-Zain Al-Sharif Al-Jarjani (d. 816 AH) investigation: A group of scholars, Dar al-Kutub al-Ilmiyya, Lebanon, 1, 1403 AH - 1983 AD: p. 101.

<sup>5</sup> Kashf al-Dunun, by Mustafa bin Abdullah, known as (Haji Khalifa) (died 1067 AH), House of Revival of Arab Heritage, Beirut, 1/36.

<sup>6</sup> Jurisprudence of morals, Mohamed Sadiq Al-Sadr (1999 AD), Dar Al-Adwaa, Beirut, 2nd Edition, 1/11.

<sup>7</sup> Al-Ain, 1/253, article (legislate).

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<sup>10</sup> Explanation of the purposes in theology, by Saad Al-Din Masoud Al-Taftazani (died 792 AH), Dar al-Maarif al-Nu'maniyyah, Pakistan, 1, 1401 AH - 1981 AD, 2/45.

<sup>11</sup> Encyclopedia of Fiqh, Ministry of Endowments and Islamic Affairs in Kuwait, 2nd edition, 1404 AH, 1/17, and see: The Qur'anic Miracles in Islamic Legislation, by Mohamed Al-Zuhaili, Dar Ibn Kathir, Beirut, 1, 1436 AH, 1/28.

<sup>12</sup> The Qur'anic miracle in Islamic legislation, 1/28.

<sup>13</sup> The legislative and non-legislative year for the advocates of renewal, by Abdul Latif bin Saud Al-Sarami, House of Peace, Riyadh, 1, 1433 AH, p. 22.

life with its various aspects, its manifold methods, and its multiple goals to reach the desired goals of those rules and provisions.

### **3- Defining legalization linguistically and idiomatically**

- **Legalization linguistically:** From codified, and legality: following the news, and acquired us, took, and acquired: the strength and the small mountain, and the legality of everything: its way, its measure, and from it the rationing. And the law: the measure of everything and the method<sup>14</sup>.

#### **legalization idiomatically:**

The term legalization is one of the new terms that have appeared in use in recent times and with several definitions, including the following:

- It was defined as: "The formulation of rulings in the form of legal articles arranged in numbered, similar to modern laws of civil, criminal, administrative ... etc. to be an easy and specific reference which can be easily adhered to by judges, lawyers, and citizens deal based on".<sup>15</sup>
- It was defined as: "the formulation of transaction provisions and other contracts and theories that pave them, comprehensive to their framework, in the form of legal articles, easy to refer to".<sup>16</sup>

The researcher concludes from all of this: that legalization is setting the basic rules and practical provisions for any subject in the form of a law that is an easy, specific reference, that judges can abide by easily, and lawyers return to it and deal with citizens based on it after awareness and education about it. It takes place in the shadow of the modern state (Parliament, the People's Assembly, the House of Representatives, etc.) which is responsible for issuing and following up on its implementation, provided that it is based all of this on the sources and principles of Sharia. Legalization in this sense would contribute to extricating our Islamic countries from the stage of duality that separates jurisprudence and the prevailing man-made laws. It also contributes to unifying the legal culture that enables us to contribute to global progress in legal sciences and legislative systems.

### **4- Defining deterrence linguistically and idiomatically**

**Deterrence linguistically:** "he was deterred from something"<sup>17</sup>.

**Deterrence Idiomatically:**

The term is widely used in various fields and with several definitions, including the following:

- Defined as: "lawful measures to ward off expected evils"<sup>18</sup>.
- It was defined as: "The pain that the convict suffers as a result of committing the crime. Or it is the direct effect of the penalty when a certain person is judged, whether in his body, his freedom, or his money" <sup>19</sup>.

<sup>14</sup> An Introduction to the Study of Islamic Law, Yusuf Al-Qaradawi, Wahba Library, Cairo, (B-T-T), p. 297.

<sup>15</sup> An Introduction to the Study of Islamic Law, Youssef Al-Qaradawi, Wahba Library, Cairo, (without date), p. 297.

<sup>16</sup> Efforts to legalize Islamic jurisprudence, by Wahba Al-Zahli, Al-Resala Foundation, Beirut, p. 26.

<sup>17</sup> Al-Sahah, 3/1218, article (deterrence).

<sup>18</sup> Sunni rules in the secrets of jurisprudence, by Ahmed bin Idris bin Abdul Rahman Al-Sunhaji Al-Qarafi (died 1285 AH), Dar Al-Salaam for Printing and Publishing, Cairo, 1/213.

<sup>19</sup> The Science of Punishment, by Mahmoud Najib Hosni (died 2004 AD), Dar Al-Nahda Al-Arabiya, Cairo, 1, 1973, p. 96.

The researcher concludes from this: that the divine deterrence in the morals' verses included both definitions, and this is what the researcher will show through the requirements of the second topic.

### **The second requirement: the paths to prevailing moral values in the individual and society**

One of the most important purposes of the prophets' mission and the revelation of heavenly laws: is the supremacy of moral values which preserve rights among people and necessitate the integration of man and society. The system of these values was completed by the seal of the prophets, Mohamed (τ) when it was narrated that he said: (I came to achieve this end, the positive morals)<sup>20</sup>. To achieve this, it has three tracks that must be integrated to achieve it. The researcher mentions it as follows:

#### **1. The Path of the Spiritual Aspect (Refinement of Souls)**

The spiritual aspect has a great impact on giving priority to moral values in society, and it is through seeking to stir up the desires of good that exist in man against the desires of evil that are in him, as their presence is natural in the human soul and so it was formed, but the choice and the will of the human being are the ones that determine the predominance of one of them, and this is what is shown to us in the Holy Qur'an verses. The Almighty said: "We have guided him to the way, either the thankful or the ungrateful"<sup>21</sup>. And God said: "Then the Day of Resurrection came. A day when a person will remember what he has strived for. And Hell was manifested to those who saw it. But he who has transgressed. He preferred the worldly life. Hell is the shelter. As for the one who fears the station of his Lord and forbids the soul from desires. For heaven is the shelter"<sup>22</sup>. And God also said: " and the soul and what he created \* so inspire it in its immorality and piety to it \* it has succeeded who purifies it \* and it has failed who pollute it"<sup>23</sup>. So are many verses that refer to two things, **the first** of which is that "in man is an innate internal rebirth of morals which goes along with all his stages. Weak in the face of his desires and whims and he leaves to these desires the matter of formulating his destiny. **The second:** is an external resurrection which is the presence of the prophets, the righteous, the truthful, and the pious, as they have a great role in strengthening and strengthening the impulses of goodness, and weakening the impulses of evil within the human being by setting a good example (the ideal) in translating the teachings of the great mission in practice and its reflection on the refinement of the human soul, and preparing it for commitment. moral values, and reforming behavior, as God Almighty said in this regard: "Indeed, you had a good example in the Messenger of God for those who hoped for

<sup>20</sup> Bihar Al-Anwar, by Mohamed Baqir bin Mohamed Taqi Al-Majlisi (died 1111 AH), investigation: Ibrahim Al-Mianji and Mohamed Al-Bahboudi, House of Revival of Arab Heritage, Beirut, 2, 1403 AH - 1983 AD, 16/210, chapter (Makarim morals, biography, and sunnah ...), No. Hadith (2), which is correct.

<sup>21</sup> Surat Al-Insan, verse 3.

<sup>22</sup> Surat Al-Naza'at, verses 34-41.

<sup>23</sup> Surat Al-Shams, verses 7-10.

God and the Last Day, and God remembered"<sup>24</sup>. The spiritual aspect shows us the degree of interaction of the individual with the culture of Islam, the spiritual and emotional mixing with it, and the extent of belief in his health and loyalty to it. And "human life only takes the right course if it interacts with the spiritual side so that religion, values, and morals have a prominent place in his life"<sup>25</sup>. Then all this will be reflected in his society, so it will be a strong, sophisticated, civilized society with his presence and the presence of his likes.

## **2. The Intellectual Aspect Path (Conscience and Will)**

The intellectual side and the master of conscience have no value for his command and prohibition if it is not supported by a will that implements his command and prohibition. It varies with different nations and cultures, ages, and times, and it may sometimes make mistakes in its command and prohibition, and it directs the parts of the soul (feeling, sensations, lust, mind, and will). It is the guiding path, the seeing eye, and the penetrating insight, but the point of the matter is that a person must light the way before his conscience by expanding his mind and perceptions, strengthening his thoughts and ideas, scrutinizing and discerning what is right. The conscience of every human being is affected by the degree of his intellect and knowledge. And he forbids him from what he was commanding him because his mind knew of facts that he was ignorant of. Rather, if he reached a great degree of sophistication of the mind, his conscience would follow his reason more than his subordination to the traditions of his people, and if he was the sustenance of the leadership means, he could change what he denounced from the customs of his people<sup>26</sup>. There is no doubt that the establishment of morals and adherence to moral values does not prevent it from being affected by the social condition of the nation, its customs, the degree of its advancement, and its adherence to the teachings of the Sharia with awareness, culture, openness, and renewal in reading those teachings in every age and time, and not closing and relying on the inheritance of grandparents and fathers. A person who grows up in a family that accepts other actions and disapproves of others, he follows them in all of that and their upbringing is established, then he goes out to public life exchanging giving with people, collecting their opinions on good and evil, imitating them in that, keeping pace with what they like and what they hate. He commands his conscience to do what they do. In that case, his family grew up, whether good or bad and his strength of will in different situations. Therefore, we find that building a living conscience that distinguishes between good and evil, and what is permissible and what is forbidden, falls on the shoulders of the family and proper education based on what God Almighty has drawn for that education through his noble verses which sought to educate the individual on a vigilant conscience. God Almighty's observance of him, and seeking his consent, and avoiding his wrath, even if human control is absent and the individual revolts against man-made laws, and he preoccupies himself with the forbidden and corruption in the land and is directed with the waves of a perverted society and deviant groups, various parties, Masonic agendas, whims, and the urgent desires of the soul; the

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<sup>24</sup> Ethics in the Qur'an, by Abd al-Ala al-Sabzwari (died 1993 AD), Dar al-Kitab al-Arabi, Beirut, 1, 1432 AH - 2011 AD, p. 16.

<sup>25</sup> Theology, by Jaafar Muhammad Al-Subhani, investigation: Hassan Mohamed Makki Al-Amili, Islamic House of Printing, Beirut, 1, 1409 AH - 1989 AD, p. 5.

<sup>26</sup> The Book of Ethics, by Ahmed Amin (died 1954 AD), Hendawi Foundation, Cairo, 1, 2012, p. 15.

movement of his living conscience which was established by the family in his upbringing, prevents him from all that and deters him. And his will emerged in that choice<sup>27</sup>.

### **3. Divine Aspect Path**

The connection of man to God and the deepening of his belief in him and his existence, that he is the source of absolute goodness does not emanate from evil, and that the verses of morality are commands of God and their followers pave the way for a good afterlife and a paradise as wide as the heavens and the earth. The works were issued from him mixed with a force that makes it stronger and more beneficial to him and his society, and an instinct that has a deeper impact and steadfastness in the face of temptations, needs, and others. This is in contrast to if he is an atheist and does not believe in a book, a law, or an account, neither in life nor after it, so he does not see the battle of instincts and desires and their conflict in his being a deterrent from breaking the limits and laws and ignoring all values; However, an element with a weak influence is called human instinct, which quickly recedes in the face of the flood of desires and whims<sup>28</sup> because "if it weren't for religion, morals would have manifested as if they were like economic exchanges, and their goal would be to win worldly success. Because the goal is on the side of the non-value, rather it is the religious belief that leaves a sense of responsibility in the human spirit<sup>29</sup>.

#### **The second topic: Ethics verses of legislation and the legalization of deterrence**

##### **Approach:**

History records to us the fact that the morals of Muslims were the key with which they opened the locks of people's hearts to receive the divine light emanating from the reefs of Makkah Al-Mukarramah, and that those morals, values, and ideals preached by the thought of Islam fell into the hearts, and they were like certain water that cooled them. It descended on the souls, comforting them and elevating them from a world applied by the concepts of dark ignorance. It legalized the appropriate deterrence for its disagreement and made the way clear for those who wanted to escape from various devastations for themselves and their nation. This is what the researcher will explain in this study, and it has two requirements:

##### **The first requirement: Some verses of morality between divine legislation and the legalization of deterrence**

The moral deviation of the individual and societies and their treatment in the light of the Quranic theory. The morals verses were divided into verses that guide the human soul on how to act in life. And what is required of it to do is as in the Almighty's saying: " Say come and recite what your Lord has forbidden you, that you should not associate anything with him And be kind to parents, and do not

<sup>27</sup> The joys of philosophy, Lol Durant (died 1985 AD), translated by: Ahmed Fawad, the General Authority for Amiri Press Affairs, Cairo, p. 478, and see: Al-Subhani's Divinities: p. 9.

<sup>28</sup> Divinities of Sobhani, p. 18.

<sup>29</sup> The joys of philosophy, pg. 478.

kill your children because of poverty, for we provide for you and them, and do not come close to them. And do not kill the soul that God has forbidden, except for the truth, that is what He commanded you to do, that you might understand. And do not approach the orphan's money except with that which is best, until he reaches his maturity, and give fullness to him. And if you say, do justice, even if it was a relative, and by the covenant of God, fulfill that which He commanded you to do. Perhaps you will remember<sup>30</sup>." And the Almighty's saying: "Do not approach fornication, for it is an indecency and an evil way<sup>31</sup>", and many more verses (\*32). And to the legalization verses the appropriate deterrence for those who contravene them to combat that deviation, as the Almighty said: "And for you in retaliation is life, O men of understanding, that you may become righteous"<sup>33</sup>.

The Islamic system legalized the penalties into two parts: "they are **moral penalties** and include two aspects: **the first: the limits** which are the penalties prescribed in the Qur'an and Sunnah; In the sense that the legislator did not allow the Sharia judge to act in the matter of its assessment. Punishments for adultery, slander, theft, drunkenness, etc. are among other immoral acts"<sup>34</sup>. It is a kind of special discipline for those who commit the forbidden crimes and immoralities mentioned in the book as a rebuke and warning to their perpetrator, and deterrence and prevention for those who want to create them, and submit to them so that they do not happen again, and so that immorality does not spread in the country and corruption abounds in the servants, and the system is disrupted because of it <sup>35</sup>. As God Almighty says regarding theft: "And the male and female thief, cut off their hands in recompense for what they have earned, a punishment from God, and God is Mighty, Wise"<sup>36</sup>. God Almighty commanded "to cut off the hand of the thief, male or female, slave or free, Muslim or non-Muslim"<sup>37</sup>. "**The second: Punishments:** They are the punishments whose estimation and determination has been delegated to the consideration of the legal ruler, and he is punished for them as he deems appropriate, such as the punishment for forgery, backbiting, and openly breaking the fast in the month of Ramadan, and the like"<sup>38</sup>. And that the principle of reprimanding is that it is legitimate and permissible in every sin for which there is no legal limit. There is no text specifying a specific punishment in it, and there is no penance for it, and the ruling on reprimand varies according to the circumstances of the offender in terms of his social status, moral status, and in terms of the circumstances surrounding him when committing the crime, his motives for that, and his

<sup>30</sup> Surat Al-An'am, verses 151-152.

<sup>31</sup> Surat Al-Isra, Verse 32.

<sup>32</sup> \*And for more verses about morals, as they reach (1514) verses because the principles of morals in the Holy Qur'an are divided into four sections: 1- Ethical issues related to the Creator. 2- Moral issues related to creation. 3- Ethical issues related to the self. 4- Ethical issues related to the universe and nature. See: Ethics in the Noble Qur'an, by Nasser Makarim Al-Shirazi, Commander of the Faithful (v), Qom, 2, 1426 AH: 1/88.

<sup>33</sup> Surat Al-Baqarah, verse 179

<sup>34</sup> Social theory in the Noble Qur'an, by Zuhair Al-Araji, Anwar Al-Huda, Qom, 1414 AH, p. 54, and see: The interpretation shown on the margins of the Holy Qur'an, by Mohamed Jawad Mughniyeh (died 1400 AH), Dar Al-Kitab Al-Islami Foundation, 2nd edition, 1403 AH - 1983AD: p. 145.

<sup>35</sup> See: Judgments of theft in the light of the Qur'an and Sunnah, by Adel Al-Alawi Al-Mara'shi (died 1411 AH), Satara, Qom, 1, 1424 AH - 2003 AD: p. 12.

<sup>36</sup> Surat Al-Ma'idah, Verse 38.

<sup>37</sup> Rulings of theft in the light of the Qur'an and Sunnah, p. 26.

<sup>38</sup> The Social theory in the Noble Qur'an, p. 54-55, and see: The Optimum in the Interpretation of the Book of God Manzil or (Tafsir Al-Amthal), by Nasser Makarim Al-Shirazi, House of Revival of Arab Heritage, Beirut, 2, 1423 AH - 2002 AD: 11/25.

justifications when hearing his words by the ruler or the judge"<sup>39</sup>. This means that the legitimate government in every society sets deterrent penalties for violations related to taste, violation of the system, or violation of people's rights, especially in these eras and times". " The first condition is that it does not contradict a text or a consensus"<sup>40</sup>.

**Either material penalties:** are the blood money or the money that must be paid because of the felony. It includes two aspects as well, namely: First: the blood money determined by the lawgiver, the blood money and the organs, as God Almighty says: " And it is not for a believer to kill a believer except by mistake, and whoever kills a believer by mistake, he frees a neck, A ransom is delivered to its family unless they give in charity. If it is from a people who are enemies to you, and they believe, then he is a believer. And if there are people between you and a covenant between them, a ransom is delivered to his family and the liberation of a neck, whoever does not find the fasting of two consecutive months is repentance from God, and God is All-Knowing, All-Wise"<sup>41</sup>. And in the members, the Almighty says: "And We wrote for them in it that the soul is for the soul. An eye for an eye, a nose for a nose, an ear for an ear, an age for an age, and wounds are retribution, so whoever gives in charity, it is an atonement for him, and whoever does not judge by what God has sent down, those are the unjust"<sup>42</sup>. "The people of the Torah enjoined the limits, and the people of the Gospel commanded pardoning, and this nation was given retribution, pardon, and blood money. If they wanted, they killed, and if they wanted, they pardoned, and if they wanted, they took the blood money. If they agree to it"<sup>43</sup>. **"Second: blood money whose assessment has been delegated to the government or trusted experts"**<sup>44</sup>, As the Almighty says: "The recompense of those who wage war against God and His Messenger and strive for corruption on earth is that they will be killed, or they will be crucified, or their hands and feet will be cut off from different sides, or they will be exiled from the earth, and that is theirs in the dark"<sup>45</sup>. Since several narrations have clarified this concept, on the authority of Jamil bin Darraj, he said: I asked Abu Abdullah (v) about God's saying (Y): ": "The recompense of those who wage war against God and His Messenger and strive for corruption on earth is that they will be killed, or they will be crucified, or their hands and feet will be cut" To the end of the verse, I said: What do they have from these limits that God named (Y)? He said: ((That is for the Imam, if he wants, he cut off and if he wants, he crucified and if he wants, he banished and if he wanted, he killed. Did I say: Exile to where? He said: negative from insistence to another insistence))<sup>46</sup>.

<sup>39</sup> See: The Kuwaiti Fiqh Encyclopedia, Ministry of Endowments and Islamic Affairs, Dar Al Salasil, Kuwait, 1427 AH: 12/256-287.

<sup>40</sup> In the shadows of Nahj al-Balagha, by Mohamed Jawad Mughniyeh (d. 1400 AH), Star Press, 1, 1427 AH, 4/83.

<sup>41</sup> Surat Al-Nisaa, Verse 92.

<sup>42</sup> Surat Al-Ma'idah, verse 45

<sup>43</sup> Interpretation of Ibn Abi Al-Zamanin, by Mohamed bin Abdullah bin Issa, known as Ibn Abi Zaminin (died 399 AH), investigation: Abu Abdullah Hussein bin Okasha and Muhammad bin Mustafa Al-Kinz, Egypt, Cairo, 1, 1423 AH - 2002 AD, 1/198, See: Al-Tafsir Al-Kabeer or (The Keys to the Unseen), by Fakhr Al-Din Mohamed bin Omar Al-Tamimi Al-Razi (died 606 AH), Dar al-Kutub al-Ilmiyya, Beirut, 1, 1421 AH - 2000 AD: 5/56.

<sup>44</sup> Social theory in the Holy Quran, p. 54.

<sup>45</sup> Surat Al-Ma'idah, Verse 33.

<sup>46</sup> The Origins of Al-Kafi, by Mohamed bin Yaqoub bin Ishaq Al-Kulayni (died 329 AH), investigation: Ali Akbar Al-Ghafari, Haidari Press, Tehran, 3rd Edition, 1367 Sh, 7/246, Bab Al-Muharib, No. (4), and it is authentic.

The researcher concludes from all of that: that the verses of morality and the legalization of deterrence in crimes of assault on the human soul and below include retribution or blood money with conditions. And the verses of the ethics of respecting personal property and legalizing its deterrence in cutting, clearing, and the obligation to return the usurped. And the verses of ethics in preserving social order and legalizing its deterrence are punishment or a fine, and these legal rulings aim at deterrence rather than revenge, as deterrence which appears to be a vengeful issue, actually plays a key role in limiting deviations, chastising deviants and violating the limits of God Almighty, and protecting society among them. And make it a pure community with its members, and its families.

**The second requirement: the societal adoption of moral values and the deterrence of penal laws.**

The adoption of the society with all its members and institutions of the moral values contained in the Holy Qur'an and the deterrent laws in it, the correct understanding of them, and the fulfillment of the responsibility entrusted to it led to the transcendence and integrity of that society's morals. And to reform corrupt individuals, and find virtuous traits in them. This is what the researcher will explain in this request, which is as follows:

**1. The role of the family in moral and deterrent education**

One of the most important big problems that have begun to spread in our societies is that the family no longer pays enough attention to the responsibility of education, moral, and deterrent education, and that family no longer undertakes the task of developing values and morals and instilling them in the hearts of their children. Parents became preoccupied with a variety of interests other than parenting. When we see the manifestations of moral laxity in the behavior of generations of children and youth, we must know that this is the result of a defect in the families' interest in them. The percentage of educational interest is no longer commensurate with the magnitude of the current challenges.

The family must set a program to educate its children on morals and values, and bear the responsibility in deterring if they violate them. The Holy Qur'an refers to the family's responsibility in moral upbringing, as God Almighty says: "O you who believe, protect yourselves and your families from a fire whose fuel is people and stones"<sup>47</sup>. Protecting oneself from the Fire by abandoning disobedience and doing acts of obedience, and protecting one's family by making them do that with advice and discipline"<sup>48</sup>. "Protecting the boy by disciplining and educating him, and teaching him good manners"<sup>49</sup>.

**2. The role of institutions in adopting the call to moral values and deterrent education**

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<sup>47</sup> Surat Al-Tahrim, verse 6.

<sup>48</sup> The Spirit of Meanings in the Interpretation of the Great Qur'an and the Seven Mathanis or (The Spirit of Meanings by Al-Alusi), by Mahmoud Al-Alusi Abu Al-Fadl (died 1270 AH), investigated by Ali Abdel-Bari Attia, Dar Al-Kutub Al-Ilmiyya, Beirut, (b-i), 1415 AH, 28/156.

<sup>49</sup> Revival of Religious Sciences, 8/130.

The role of institutions in advocating virtue and displaying moral values, in various fields and levels, requires the existence of groups that think and plan, and produce programs that call for adherence to those values and establish deterrent regulation for those who violate them and make them a psychological characteristic in individuals and societies and possess them and make them a feature of their characteristics and pride in its feats. The Noble Qur'an speaks of the necessity of having groups bearing the burden of preaching moral and deterrent values. God Almighty says: "And let there be among you a nation inviting to the good and enjoining what is right and forbidding what is evil, and these are the successful"<sup>50</sup>. "You are the best nation ever raised for people, you command what is right and forbid what is wrong"<sup>51</sup>. "A nation is a group united by the bond of belief and the unity of thought, but the duty of everyone is not the duty of a particular group, so every Muslim must deter evil with his heart and tongue, and as for doing more than that, it is on the strong, obeyed, knowledgeable, and thus combines the two verses"<sup>52</sup>. "The second sees enjoining goodness as a duty for everyone, and the first sees it as a duty on a particular nation, for the descending ranks are a duty upon all, and the high ranks are the duty of the powerful among the sons of the nation"<sup>53</sup>.

### **3. The pressing social role of public opinion**

There must be a public opinion in the direction of goodness and righteousness, as it encourages everyone to follow the path of morals and values, reprimands them, and keeps them away from the path of perversion, corruption, and bad morals. Although some individuals were not convinced of it, in response to the pressures of public opinion, the moral, and deterrent environment must be through the presence of this public opinion that pressures everyone. This is confirmed by the Noble Qur'an, as God Almighty says: "And they advised each other for truth and patience"<sup>54</sup>. When we see someone driving his car opposite the road, all people on that road must warn him of his mistake and deter him by various means, warning him of his mistake and their rejection of their silence on that behavior, so he understands their silence their acceptance and acceptance of that behavior which helps spread that behavior. This is what should be in various areas and bad situations. God Almighty says: "They did not refrain from what is evil, so they did it. Evil is what they were doing"<sup>55</sup>. "That is, they did not forbid each other"<sup>56</sup>. Forbidding a bad, ugly act must be a general practice for the members of society, that each one of them confronts the other to prevent the other from committing a mistake. If there is no public opinion in society that denounces and condemns deviation and corruption; Society will move towards moral misery, worldly misery, and otherworldly torment.

### **4. Criminal laws and procedures to deter corruption and deviation**

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<sup>50</sup> Surat Al Umran, verse 104.

<sup>51</sup> Surat Al Umran, verse 110.

<sup>52</sup> In the Shadows of Monotheism, by Jaafar Muhammad Al-Subhani, Education and Islamic Research Affairs, Qom, (B-i), 1412 AH, p. 155.

<sup>53</sup> Heresy, its concept, limit and effects, by Jaafar Muhammad Al-Subhani, Etimad, Qom, 1, 1416 AH, p. 111.

<sup>54</sup> Surat Al-Asr, from verse 3.

<sup>55</sup> Surat Al-Ma'idah, Verse 79.

<sup>56</sup> Majma' al-Bayan, by Abu Ali al-Fadl ibn al-Hassan al-Tabarsi (died 548 AH), investigation: a committee of scholars and investigators, Al-Alamy Foundation for Publications, Beirut, 1, 1415 AH - 1995 AD, 3/397.

The verses of morality and deterrence alone are not enough, as there must be a deterrent force for the evil that is in the soul, as there are two types of responsibility: legal responsibility, and moral responsibility. Morality was responsible before God and before his conscience, and moral responsibility is a broader circle of legal responsibility. Because the law does not command or forbid unless it can punish those who violate its command and prohibition with the penalties that it stipulates. As for morals, their authority is broader because the one who undertakes the reward and punishment is God and the conscience, and both of them supervise the visible and inward actions.

We in our Islamic societies suffer from weakness and a vacuum in the field of legalization. We have wonderful moral values, authentic customs, and norms that have been recognized by the Islamic religion for decades, and we have means of preaching and guidance, but there are no deterrent laws besides them that control violating behaviors, and through them enhance the status and confidence in those verses. Honorable people, and with an emphasis on enjoining good and forbidding evil, and calling for good and righteousness, deterrent punishments must be put in place so that the means of creating an ethical environment in society are integrated. Examples in people's lives include the traffic system, and issues that are related to the environment or the general taste in society. We may hear sermons, guidance, reminders, verses, and conversations about them, but we do not have sufficient deterrent laws!!

We see the manifestations of discipline in several societies. Everyone who travels to Western countries sees the state of great discipline in people, in traffic, cleanliness, adherence to order, and ... etc. We see how those societies transformed important aspects of ethical behavior in social interaction, and turned them into strict laws and regulations in force, such as laws deterring domestic violence, criminalizing racial and sectarian discrimination and incitement to hatred, and assaulting individuals' freedoms and privacy on social media and the Internet, and many others. One of the most important reasons for that discipline that we find in those societies is the existence of effective laws and deterrent punishments that are applied to everyone without exception.

## **Conclusion**

Praise be to Allah, the One, the Eternal, who neither begets nor is begotten, and there is none like him. Praise be to God, who has enabled me to reach the conclusion of the research, by His grace and generosity, to put before you the following results and recommendations:

1. Commitment to values and morals is a duty and a serious challenge to our society in the era of globalization and massive social transformations.
2. Moral commitment is not a secondary luxury and superfluous luxury, but rather a necessity for the security, cohesion, and progress of society.
3. It is the family that lays the foundation stone for moral commitment in the hearts of children. Attention should be paid to family education.
4. The morals verses remain ink on paper in their legislation unless they are adhered to and the deterrent laws and regulations are legalized in a way that deters those who tamper with the moral security of society.

5. So, for morality to take its toll in society, an individual, family and institutional moral environment must be established.
6. The existence of institutions, mosques, Husseiniyas, associations, and civil society organizations that adopt the dissemination of values, call for good morals, and confront vices and corruption, constitutes a cornerstone in creating an ethical environment.
7. The moral and deterrent obligation must be transformed into public opinion in society, in exchange for a state of indifference and a lack of a sense of moral responsibility.

We ask God, Glory be to Him, to make us and you among the reverent preachers and to help us to abide by noble morals and deterrents, and praise be to God, Lord of the Worlds.

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