Abstract

Crime prevention is considered as the main agenda of the government. Nevertheless, it has usually been overlooked that the victim him/herself can be the contributing factor to the criminal incident. The main problem is in educating the community on the preventive measures that could be taken in order to avoid victimization of individuals. Such suggestions are based on Islamic principles. Hence this paper discusses the preventive measures that can be observed by both individuals and the community to prevent criminal victimization.

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Keywords: Criminal victimization; safe community; community inclusion; society and education
INTRODUCTION

There are several theories of victimization as discussed by the victimologists which generally claim that the victim plays a significant role in his/her victimization. The measures to prevent criminal victimization have long been in existence in Islam. Hence this paper discusses the measures that can be observed by both individuals and the community to prevent criminal victimization based on the rulings of Shari’ah.

Since the measures discussed are primarily derived from Shari’ah principles, this paper is based on doctrinal analysis of verses of the Qur’an and hadith. The obvious limitation of this research is that it is not an empirical research. Due to this limitation it opens an avenue for future research to be done.

This paper is divided into three parts. The first part concentrates on the explanation of the theories of victimization. The second part relates directly with the Islamic approach in preventing criminal victimization. From here, the third part of the paper concludes by submitting that in order to ensure a safe city equal concentration needs to be given to both the physical and spiritual dimensions affecting people living within the city.

THEORIES OF VICTIMIZATION

Victimization is the process of being victimized or becoming a victim. The term victim of crime generally refers to any person, group or entity who has suffered injury or loss due to an illegal activity (Karmen, 2004, p.2).

Though it is not evident whether certain behaviours can lead to the susceptibility to crime this does not deny the fact that victimization is not a random process (Von Hentig, 1941). Victimologists believe that the relative probability of an individual’s becoming victim of a crime can be anticipated. Thus, measures to prevent criminal victimization could be taken if potential victims are alert of potential criminals so that the victims can be more aware of them. (Chockalingam, 2007)
In theory, anybody can become a victim of a crime. Nevertheless, a particular person or members of certain groups are more vulnerable than others. Those who are inexperienced and mentally weak such as less educated and illiterates could be appealing targets for exploitation by offenders through deception and fraud. Those who are physically weak such as the elderly, minors and women are believed to be easy targets for physical attacks and robberies (Chockalingam, 2007).

According to Siegel (2006), there are four most common theories in attempting to explain victimization and its causes namely, the victim precipitation theory, the lifestyle theory, the deviant place theory and the routine activities theory.

First, the victim precipitation theory maintains that some people initiate a particular confrontation that may in the end lead to that person becoming victimized by injury or death. There are two types of precipitation i.e. active or passive. Active precipitation occurs when the victim deliberately acts in a provocative manner, uses abusive words or even attacks first. Passive precipitation on the other hand, occurs when the victim contains a characteristic that unknowingly threatens the aggressor. It can happen due to personal conflicts such as two individuals rival for a love interest, a promotion, or any other desirable interest (Siegel, 2006).

Second, is the lifestyle theory which assumes that those whose lifestyle increases criminal exposure are more likely to become victims of crime. Those who choose high-risk lifestyles that include taking drugs, drinking and participating in criminal activities, their risk level of becoming victims is much higher (Siegel, 2006).

Third, is the deviant place theory which holds that victims do not motivate crime but rather are more likely to become victims due to the fact they live in social areas that contain high-crime rates and therefore have the highest risk of coming into contact with criminals regardless of their lifestyle or behaviour (Siegel, 2006).

The final theory is the routine activities theory which concludes that the presence of three variables increases the probability of the occurrence of crime, i.e. first, available and suitable targets such as unlocked homes
that contain saleable goods. Second, no proper guardian such as police, homeowners and neighbours. Third, is the presence of potential offenders such as addicts and those who are unemployed (Siegel, 2006 p.80).

The most common approach to dealing with crime is the apprehension of offenders and once they are found guilty, punishments are awarded as a mode of retribution. However, the theory of prevention of criminal victimization changes perception from concentrating on the end result to the need to concentrate to the situation before a crime can be committed. It focuses on the preventive methods that could be taken, especially by the victims themselves so as to ensure that they do not become gullible victims. The next part of the paper explores the preventive steps that can be taken to lessen criminal victimization.

PREVENTING CRIMINAL VICTIMIZATION: AN ISLAMIC APPROACH

The Islamic approach to ensure prevention of criminal victimization can be derived from the Shari`ah principles in relation to the need to fulfil responsibilities to Allah and to other humans. The discussion shall be done in consideration of the four theories as submitted by Siegel.

Caring for Oneself

Islam lays great emphasis on the importance of preventing oneself from indulging in treacherous activities which might implicate the security of his own life or that of community and expose others to a further dangerous consequence. Committing an act that may cause the destruction of oneself is prohibited. The verse of the Qur’an confirms that:

Do not make your own hands contribute to (your) destruction.

(Al-Baqarah: 195)

Therefore in reference to active precipitation, each person has the responsibility to care of themselves and avoid any instigation in whatever form. This is inextricably linked to the responsibility of caring for others as explained below.
Caring for others

All members of the community have rights and duties towards each other. The relationship among the members of society is based on two principles, i.e. first, awareness of the strong bond of brotherhood which links one individual to another and second, the protection of the rights of the individual and the sanctity of his life, honour and property as guaranteed by Shari’ah. Any word, deed or behaviour which threatens these two principles is prohibited in Islam (al-Qardawi, 1988, p.307). The Qur’an mentions:

Verily, the believers are brothers. Then set matters right between your brothers...

(Al-Hujurat: 10)

Application of the concept of caring for others may further be viewed from the following perspectives:

Being aware of what one’s thoughts and speech

Islam aims at establishing its society on the basis of conscience and mutual trust, not on doubts, suspicions, accusations and mistrust. This is mentioned in the verse of the Qur’an as follows:

O believers! Avoid most of suspicions, for in some cases, suspicion is a crime. Do not spy on each other, nor backbite one another.

(Al-Hujurat: 12)

Meddling into other people’s private affairs and spying on their secrets is not permitted. Similarly, backbiting, gossiping and spreading rumours must also be avoided as it will lead to conflict among people, sour their relationship, or increase enmity between them. The Prophet said:

The most evil among Allah’s slaves are those who go about spreading gossip dividing those who love each other and desiring to defame those who are innocent.

(Al-Qardawi, 1988, p.320)
A person perhaps does not realize that his word or treatment towards another person might in the end make him susceptible to criminal victimization. For instance, the way he acts or speaks that provokes another person or incites others to become resentful or envious of him. Thus, Shari'ah prohibits mocking and scoffing at others in order to avoid any consequence in the relationship among the members of the community. The Qur'an says:

O believers! Let not some men among you deride others, who may perhaps be better than they are...

(Al-Hujurat: 11)

These are all teachings in the Qur‘an which aims at educating Muslims at large to think good thoughts and are always careful with what they say. It is to ensure that no chance for animosity to exist. The victim precipitation theory states that some people initiate a particular confrontation that may eventually lead to that person becoming victimized by injury or death. Thus, the above measures have been put in place by Shari‘ah to prevent criminal victimization and to ensure all members of the society live in peace and harmony.

Being mindful of one’s acts

In regard to passive precipitation which occurs when the victim themselves have certain characteristics that unknowingly motivate or threatens the offender such as two individuals competing for a love interest, a promotion or any other desirable interest. In dealing with this issue, the Islamic approach is to ensure that each person is aware and careful with the way their actions affect others. This begins with the need to respect the rights of others. An example can be seen in a hadith of the Prophet which says:

Nobody shall bargain over the bargain of his brother nor will he seek the hand in marriage which his brother sought unless permission is granted to him.

(Fazlul Karim, 1988, p.279)

From the previous discussion on theories of victimization as addressed by Siegel, it can be noticed that among the factors which increase the
chance of falling into criminal victimization is the lifestyle of a person which is unsettled such as going out late at night that is usually associated with young person and the state of being unmarried. In Islam, a great stress has been laid upon living in a married state, as confirmed by the following hadith which says:

*O assembly of young people! Whoever of you has the means to support a wife, he should get married, for this is the best means of keeping the looks cast down and guarding chastity.*

(Muslim, 1987, p.207)

Hence Islam considers the institution of marriage as an important mechanism to help control one’s sexual desires. Such importance is placed to the institution of marriage that if anyone wishes to get married but cannot afford to do so, the necessary financial aid should be provided. (Al-Dhahabi, 1965, p.12). When a person gets married, his life is settled and thus the possibility of being victimized due to going out late at night will be reduced.

Aside from giving importance to the institution of marriage, Islam has also enunciated the need to avoid all things that have been forbidden by Allah. This is because, in disregarding Shari’ah principles a person is considered to have embarked upon a high risk lifestyle that also increases the possibility of a person becoming victim. For instance, consumption of intoxicants, taking drugs and involving in gambling would make the perpetrator an easy target for criminal activity.

*O believers! Wine and gambling, idols and divining arrows are an abomination devised by Satan. Avoid them, so that you may prosper. Indeed Satan seeks to stir up enmity and hatred among you by means of wine and gambling.*

(Al-Maidah: 90-91)

Drinking intoxicants is prohibited not only because it is a sin itself but it is considered as a mother of evil which leads to other evils. A person who is in the state of intoxication is incapable of distinguishing between right and wrong. His actions may lead to acts which disturb the peace and order of the society. Drinking is an evil and results in many harmful effects, the undesirable fact which is recognized by all rational and sensible persons.
the young and the old. It saps the very root of morality, self control and God-consciousness, making man an easy prey to evil (Siddiqi, 1981, p.39).

In the same vein, gambling is prohibited in Islam as it inculcates disputes among the gamblers which finally assume the shape of enmity and hatred towards one another, although they may claim that losing does not trouble them. The loser may seem composed but behind his composure is frustration and anger (Siddiqi, 1981, p.144).

**Caring for the community and living spaces**

It is essential that in every housing project and safe city planning, be parallel with the development of spiritual aspect of human being. Islamic safe city planning must conform to the *Shari'ah* by ensuring living areas have ample space for religious and community based activities. Venues that encourage vice should be banned. In safe city planning, the mosque has a central role.

In terms of preventing victimization, the existence of a mosque at the centre point of the city could deter potential criminals from attacking persons within the close radius of the mosque. When the mosque is active, the fact Muslims are responsible to their brothers is hoped to act as a deterrence to criminal acts.

Aside from the above, the neighbourhood also plays an important role in preventing criminal victimization. Duties towards neighbours are emphasized in Islam. A person must be caring and kind to his neighbour. The Prophet said:

*Do you know what the duties of a neighbour are? Help him if he seeks your help, give him loan if he is in urgency, give him relief if he is needy, nurse him if he falls ill, follows his bier if he dies, cheer him if he meets any good, sympathize with him if any calamity befalls him...*

*(Fazlul Karim, p:253)*

Thus each and every member of the community is advised to become a responsible neighbour to ensure that criminal victimization in the area is
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Prevented. Neighbours should act as guardian toward each other especially in watching their neighbourhood area and protect it from any trespasser especially during the absence of a particular homeowner.

Aside from valuing neighbourly relations, the Shari’ah is also concerned about the safety of every member of the community particularly those who are vulnerable. Measures have been taken to prevent minors, mentally retarded persons, handicapped persons, women, the elderly and those who are weak in general from criminal victimization through the concept of guardianship.

In the case of minors including the orphans and mentally retarded persons, the guardian is responsible for the care of their person and property. The guardian must provide them with basic necessities such as food, shelter and education so that they are safe and protected from being victimized due to their incapacity. This is stated in the verse of the Qur’an which says:

*Do not give (hand over) to those who are weak of judgment the property with which Allah has (entrusted you) for their support, but let them their sustenance and clothe them with its proceeds (from the wealth which you used for trading) and speak to them with words of kindness.*

*(An-Nisa’: 5)*

Aside from that, a woman is not allowed to travel alone unless accompanied by her guardian or mahram who can ensure her safety during the travel. This ruling is essential to protect women who are lesser in physical strength from becoming the victim of sexual assault or robbery. A hadith says:

*A woman should not travel alone except with a mahram.*

*(Muslim, 1987, p.172)*

1. The guardianship of a minor for the management and preservation of his property devolves on (1) his or her father (2) the father’s executor (3) the paternal grandfather (4) his executor (5) the executors of such executors (6) the ruling power or his representative i.e. a judge. Ultimately it rests upon the judge to appoint a guardian for an infant’s property when there is no near guardian.

2. Mahram means a person who is in a degree of consanguinity, affinity or fosterage precluding marriage.

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This is not to demean the rights of women. It is only meant as precautionary measure aimed at ensuring that women are protected at all times and do not allow themselves to be victimized easily.

Elderly persons also need to be given special attention. Due to their physical limitations, elderly persons are vulnerable to crime. In Islam, it is the responsibility of children to look after their parents when they are old. They should be kind to them, respect them and take the best care of them when they attain old age as commanded by the Qur’an in the following verse:

*Your Lord has enjoined you to worship none but Him and to show kindness to your parents. If either or both of them attain old age while they are with you, do not say to them a word of contempt (using rude words) not even the word “Ugh”, nor repel them, but speak to them words of honour (with gentleness).*

(Al-Isra’:23)

If this ruling is observed obediently by all children with old age parents, the chance of them becoming a prey of criminal act would be minimized.

Another most important measure in preventing criminal victimization is the concept of proper guardian for the whole society known as hisbah. The hisbah promotes the campaign of *amr ma’ruf and nahy munkar* (to enjoin good and forbid evil) in the society through the officer in charge known as *muhtasib* who is appointed by the authority concerned (Ibn Taymiyyah, 1992). The concept of hisbah is based on the verse of the Qur’an which says:

*Let there be among you a community of people who shall call to all that is good, enjoin what is right and forbid evil.*

(Ali-Imran: 104)

The presence of *muhtasib* would ensure the prevention of criminal victimization and thus community in general will live in peace and harmony.
RESEARCH FINDINGS AND CONCLUSION

The research shows that in order to ensure a safe city, concentration cannot only be given to the physical environment. It is important for us to know how victims can play a role in protecting themselves from being targeted. Islam has long been concerned about this issue and provides a unique approach in the prevention of criminal victimization. This can be derived from the rulings of the Qur’an and hadith of the Prophet.

Prevention of criminal victimization in Islam is primarily based on the concept of avoiding thoughts, speeches, actions, situations and even places that could make a person an easy target for criminal acts. Islam also promotes the concept of a caring community whereby each person is to look out for the benefit of others. Although individual privacy is deeply valued, the individual is also responsible to his family, neighbours and the society as a whole.

Prevention of criminal victimization can be a reality if the government ensures that the community is empowered with substantial knowledge of the Shari’ah and the conscious practice of Muslims as a whole. The government could also play an active role in adopting these principles as a matter of policy.

REFERENCES


