

The Principle of “Promotion of Good and Prevention of Evil” and Privacy Right

Doubtlessly, in no legal system it can be claimed that there is no distinct boundary and limitation of freedom and excreting that is infinite.

There are two recognized common limitations for exerting of freedom right and in international documents of human rights there expressed explicitly. They are: not contrasting with others’ freedom and not disturbing rights of the society.

Meanwhile, in legal systems dependant on religious criteria and moral values, enjoying the right of exercising the freedom is due to not being in contrast with moral and religious values and criteria.

In the Islamic society, no individual of the society, by seizing the privacy right, has the right to commit an action in the public view that is known illegal and a sin in Islam. Or quit or pretend to quit an action that Islam considers performing that an obligation. In the case of performing or committing such actions, the person doing them will face the objection or complaint from other people of the Islamic society either in the verbal or practical and physical objections.

The advanced principle of “promotion of good and prevention of evil” from one side is regarded from the obvious rights of Islamic society and from the other side is regarded a must and obligation which is practiced by observing special conditions and terms is an obligation for all Muslims.

Sometimes, some people of the society by abusing or wrong using of privacy perform some actions or deeds that cause violation and transgression of society privacy. In such cases, everybody has the responsibility to prevent and inform the wrongdoer from his illegal and wrong action by exerting of “promotion of good and prevention of evil” principle for both safeguarding of society sanctuaries and with the aim of supporting the sacredness of privacy.

“Promotion of good and prevention of evil” as a powerful mean for the total observance is in the

Muslim's hands for the continuation of survival of the society moral and religious values. Putting it into practice under determined conditions and terms guarantees Islamic society spiritual safety.

The Great Quran in describing the features of soldiers in the sake of considers them as the agents of “promotion of good and prevention of evil” and the guards of God's borders and said:

التَّائِبُونَ الْعَابِدُونَ الْحَامِدُونَ السَّائِحُونَ الرَّاكِعُونَ السَّاجِدُونَ الْآمِرُونَ بِالْمَعْرُوفِ وَالنَّاهُونَ عَنِ الْمُنْكَرِ وَالْحَافِظُونَ
لِحُدُودِ اللَّهِ ۗ وَيَشِيرَ الْمُؤْمِنِينَ

Those who repent, those who worship Allah and praise (him); those who journey, those who bow, those who prostrate themselves; those who order righteousness and forbid evil, and those who observe the limits of Allah give glad tidings to the believers. (Quran 9:112)

Moreover, the individual duty of Muslims, the organization titled as ‘Dayereye Hasbiyyah’ (Jurisdiction Institute), is responsible to take action in public area for generalizing of this important principle and in accordance with the expansion of the good and prevention of committing unlawful.

Of course, noticing the method of exerting this principle and observing its precise, sensitive and determined terms prevents abusing of it for untimely and unduly transgression and interference in people's privacy and violation of society individuals' legal rights and freedoms.

Due to the public interest including national security, keeping of general rights and safeguarding of the society moral and spiritual safety, it is necessary to set some limitations in people's privacy. But it should be noted that Islam does not permit for unnecessary inspections in Muslims' affairs with the excuse of “promotion of good and prevention of evil” except in cases which there are sufficient reasons or strong opinion for violation of public interests. Even in cases when people commit illegal actions secretly, inspects for discovering and publicizing of them, it is not permitted.

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