

**"Calling People to do Good Deeds" and
"Commanding Right and Forbidding Wrong"
[Amr Bil Ma'ruf and Nahi 'Anil Munkar] and its
Effect on Institutionalization in the Legal System of
Islamic Republic of Iran
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Abstract

The holy Quran has put "calling people to do good deeds" [or calling people to an act of benevolence] besides and prior to "commanding right and forbidding wrong," [or commanding beneficence and forbidding maleficence]. However in many interpretive and jurisprudential books, no sufficient effort has been made to elaborate the difference features between these two and their results, whose manifestation is observed in indifference attitude of legislative system to determine the limits, terms and qualities of ' call people to do good deeds, despite the emphasize of the Eight Principle of the Constitution. Exploring the mentioned sources, this paper is an attempt to deal with the concept, dimensions and examples of "call people to do good deeds" such as propagation, teaching and advice which both have originally a basic role in cultural policy-making and institutionalization in the country and also due to paving ground for the fulfillment of "commanding right and forbidding wrong" is of great significance. Then, it will clarify the distinctive points between these two hypotheses, so that the way to determine the base and policy will be cemented for the institutions with common functions (such as IRIB and supervising institutions such as Supreme Council of the Cultural Revolution) or specific of one of these two (such as Law Enforcement and Assembly of Experts). Moreover, it will help with the preparation of grounds for the next researches on basic and performance pathological study of these institutions and policy-making on this issue as well.

Keywords: Calling People to do Good Deeds, Commanding Right, Forbidding Wrong, Eight Principle of the Constitution, Institutionalization.

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"Calling People to do Good Deeds" and "Commanding Right and Forbidding Wrong"

30

Introduction

The phrase of "calling people to do good deeds" has been used in the verses of the Quran only for once, but its place beside the "commanding right and forbidding wrong" and commandment of legislator to do it by the Muslim nation¹ shows the significance of this concept.

In the legal system of Islamic Republic of Iran and in the Eight Principle of the Constitution,² calling to do good deeds has been enumerated as a public duty and determining its limits, conditions and quality has been entrusted to the law. This issue makes necessary knowing the dimensions of this duty.

However, in most of the Quranic jurisprudential and interpretive books, no distinction is observed between the term of "calling people to do good deeds" (not necessarily its concept) or "commanding right and forbidding wrong" to express particularly a separate rule to practice the call people to do good deeds.

The basic hypothesis of this paper is that in practice, there are important differences between these two concepts (i.e.) "calling people to do good deeds" and "commanding right and forbidding wrong." Firstly, the one who commands and the one who prohibits someone should have a lofty and eminent position as compared with the simple one who only administrates and prohibits. (Helli, 1414: 157).

Also, commanding right and forbidding wrong is not made by request and wish,³ whereas in call people to do good deeds, this is not the case. Secondly, as it was mentioned, in "enjoining goods, a good deed is left and an unlawful deed occurs," and there then there comes, "enjoining goods and forbidding wrong." Opposite to "calling people to do good deeds," it is not necessary that a good deed to be left and an evil happens before you could call people to do good deeds. (Arasta, 2011).

Of course, in a slight case, it is possible that commanding right and forbidding wrong could be made prior to the occurrence of an action.⁴ (Mousavi Khomeini, 1425: 301) but is it not prevailing. There are other

1. وَلَتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ. (Surah Al-e Imran, 104).

2. In the Islamic Republic of Iran, "call people to do good deeds," and "commanding right and forbidding wrong" is a public and mutual duty towards each other, state towards people and people towards the state and its conditions, limits and quality is determined by the law: وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ

3. People should ask the authorities to do good deeds not as a request but as a must. (Speech by Supreme Leader, Friday Prayer's Sermons, 15 December, 2000).

4. If it is learned from the status of a person or through any other evidence that he/she wants to commit an evil that has not done before that, it is obligatory to forbid him/her.

differences which will be referred to in the following discussions.

It is worth noting that indifference towards the concept of "calling people to do good deeds," is also observed in the referred verse of the Eight Principle, because in this verse, i.e.: *الْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ* (Tawba/ 71), there is not a phrase to call people to do good deeds. At the same time, there exists a more appropriate verse with the content of the Principle, i.e. *وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ*. Though this has been mentioned in the meeting for final review of the Constitution⁵ (General Office for Cultural Affairs and Public Relations, Islamic Consultative Assembly, 1985: 411), but due to some disputes on the agreement of this verse with the public nature of the duty⁶ and some proposals to delete the phrase of "calling people to do good deeds," from the exact text of the Principle, discussion on the change of verse was postponed to another meeting and due to lack of review, it remained intact as it is.

It is worth saying that the public nature was not in conflict with the deleted verse.⁷ Of course, this should be pointed out that in the final meeting of Islamic Consultative Assembly[Parliament], for final review of the Constitution (The 67th meeting), in which the total of Principles of the Constitution were finally approved and signed, two parts of Introduction and Conclusion of the Constitution was confirmed⁸ by the representatives.⁹ In the Conclusion part whose title is "A part of verses

5. Meshkini: Firstly in this verse, there is a call to do good deeds. Secondly, we want the Principle to encompass all classes. So, this verse is better: *وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ* Deputy Speaker: But considering this verse, previously, this verse has been: *وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ*, in particular, the call the people to do good deeds is directly displayed in the verse *وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ*. Writing this verse has priority and no need to discuss about another verse.

6. The source of disputes among jurists on collective or individual impetrative duties is the interpretation of the word "من" in the phrase of: *منكم*. Some consider it as a discriminative word which makes a group of Muslim to do it as a general duty and some consider it as an imperative individual duty.

7. Some have said, that the register of this verse (*وَلْتَكُنْ مِنْكُمْ أُمَّةٌ*) is that they both are general duties, but as it addresses all Muslims, it is learned that it is obligatory for Muslims to allocate a group to do this important duty. (Montazeri Najafabadi, Hossein Ali, Ibid, 355).

8. The reason that the word "approve" was not used is the lack of its review in the Parliament and consequently the lack of refer to it as a part of the Constitution, though it had been signed by representatives. Moghadam Maraqhe: Separate this introduction from the Constitution, because it has not been put forth in the meeting. Speaker: It has been put forth in the joint meeting but of course it cannot be referred to. (General Office for Cultural Affairs and Public Relations, Islamic Consultative Assembly, 1985: 1876)

9. This part was only read to the representatives but was not signed by them.

"Calling People to do Good Deeds" and "Commanding Right and Forbidding Wrong"

32

and traditions which is the infrastructure of the Constitution," and was read by the Deputy Speaker of the Islamic Consultative Assembly under the title of "A part of the foundations of the Constitution"¹⁰ in the Islamic exact texts,"¹¹ both of the two aforementioned verses are referred to as the foundations for the Eight Principle.

Also the verse, *فَبَشِّرْ عِبَادِ الَّذِينَ يَسْتَمِعُونَ الْقَوْلَ فَيَتَّبِعُونَ أَحْسَنَهُ* (Zumar, 17.18) has also been mentioned as the verse appropriate for the Eight Principle, (General Office for Cultural Affairs and Public Relations, Islamic Consultative Assembly, 1985: 1879) which is in agreement with the concept of 'call people to do good deeds'.

In any condition and with regard to the different opinions on the type of relation of this concept with the concept of "commanding right and forbidding wrong," it is necessary to investigate the semantic and idiomatic concept of it precisely and reviewing the jurisprudential sources, the differences of similarities of these two concepts with each other could be clarified.

In the event of detachment of these two concepts, basically different jurisprudential and legal consequences will be applied on them and then the conditions and quality of their fulfillment will be distinguished from each other. This will bring about the following important results:

A) It will be possible to identify the institutions which are in charge of call the people to do good deeds and they will come under the dominancy of the Eight Principle.

The significance of this subject is to the extent that if up to present, affairs such as guidance, teaching, propagation were being considered as the duties of Ministry of Education, Ministry of Science, Research and Technology, Ministry of Culture and Islamic Guidance, Islamic Propagation Organization, Culture and Islamic Communications Organization and presence of people in that scene as an optional action, since then, people will be dutiful besides the government and the state will have certain obligations to provide grounds for the presence of people.

10. General Office for Cultural Affairs and Public Relations, Islamic Consultative Assembly, (1985: 1877)

11. This part is comprised of verses and traditions providing for various Principles and some Chapters of the Constitution and specifies their bases and directions. Unfortunately, they have been deleted from most of the books of the Constitution. To observe one of the exception cases in which it has published this part without referring to the official who has developed it under the title of "verses and traditions related to the Constitution," please refer to Office of Legal and Parliament Affairs of Presidential Office (2007) and A Set of the Constitution of the Islamic Republic of Iran, Sixth Edition (19-38).

In addition, after identifying the examples of call people to do good deeds which have been recognized in the Eight Principle as the "mutual duty," responses to questions such as 'Is arrival at the scene of teaching the primary duty of people or state?' (Mesbah Yazdi, 2010: 101) will be clarified, because the Eight Principle nullifies any kind of priority in these cases and it is not possible to nullify the responsibility of people on these issues by referring some of the duties related to call people to good deeds such as free education¹² as the obligation of the state.

B) Due to the difference of "objective" and "method of execution" of "calling people to do good deeds" and "commanding right and forbidding wrong" from the viewpoint of jurisprudence and the close link between these two items, the distinction between the organizations in charge of "calling people to do good deeds" and the organizations in charge of "commanding right and forbidding wrong" will lead to different policy making and consequently, different expectations from these organizations.

In the next stage, it will be possible to determine the type of link between these two organizations with each other. Also the type of interaction of people and state with each other in these two scenes will be different which by itself will need the adoption of different cultural and legal measure.

In other words, the secondary hypothesis of this paper is that the distinction between "commanding right and forbidding wrong" will have a very important effect in cultural and legal policy-making and institutionalization. To achieve such a result, there is a need to respond to this question that "what is the distinction between" "calling people to do good deeds" and "commanding right and forbidding wrong?" To achieve the response, first it is necessary to investigate the concept of "calling people to do good deeds" and its examples and then its distinctive features with "commanding right and forbidding wrong" including their conditions and arrangements. For this purpose, various jurisprudential and interpretive books through existing libraries and software were reviewed to be able to reach the root of the issue through topics which have been put forth indirectly via discussions on "calling people to do good deeds," i.e. to put the secondary topics beside each other and reach the main ideas and necessary results.

12. The Third Principle of the Constitution: The government of Islamic Republic of Iran is dutiful to use all its facilities for the following affairs to achieve the objectives mentioned in the Second Principle: To provide free education and physical education for everybody in all levels and to facilitate and to generalize higher education.

"Calling People to do Good Deeds" and "Commanding Right and Forbidding Wrong"

34

So far, no book or paper has been writing under the title of "calling people to do good deeds" and "there are some materials only about its examples such as" *النصيحة لائمة المسلمين* [Advices to Imams of the Muslims] and that has no reference to "calling people to do good deeds." It should be noticed primarily that no writing was found dealing with determining the conditions and order of call people to do good deeds. Thus, it can be claimed that this paper is unprecedented from the viewpoint of indicators of "calling people to do good deeds" and also on determining the conditions and introducing the institutions in charge of it.

1. The Concept of Calling People to do Good Deeds

Concerning the concept of calling people to do good deeds, some viewpoints may be put forth:

1.1. The equality of "calling people to do good deeds" and "commanding right and forbidding wrong: This viewpoint can be observed in some of the Quranic interpretation. For example: God has pointed out beneficence and evil as good and wrong (Tabatabaei, 1994, vol. 3: 578) and also in *يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ* as an interpretive reference and expanded explanation after a brief explanation to highlight the position of "commanding right and forbidding wrong." (Hosseini Jorjani, 1404: 104).

1.2. Generality of "calling people to do good deeds" as compared with "commanding right and forbidding wrong." As in some of the interpretive and jurisprudential books, "calling people to do good deeds" has been considered as "call people to the religion." (Najafi Kashif ul Ghita, 1423: 105), or "beneficence" has a general concept and meaning any kind of good deeds from the viewpoint of intellect and religious laws including "commanding right and forbidding wrong" (Ardabili, no date: 321, Asadi Fazel Kazemi, no date: 372).

Also "beneficence" has been called a phenomenon including "commanding right and forbidding wrong" (Qutbuddin Ravandi, 1405: 360). In other words and opposite to the first viewpoint, the verse

"*وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ...*" shows a general and specific absolute relation between these two concepts. "Commanding right and forbidding wrong" is the vivid example of this call. Each kind of "commanding right and forbidding wrong" is a type of call and not vice versa. (Yazdi, 1415: 295).

1.3. The specific meaning of "calling people to do good deeds" and its different from "commanding right and forbidding wrong:"

Some have considered this issue as the guidance and teaching the religious commandments¹³ (Mousavi Qazvini, 1424: 548) or have enumerated it as examples of warning, i.e. to terrify the believer towards a religious or secular damage (Mousavi Qazvini, 1424: 269). Using the verses before and after *وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ*, some scholars have introduced the main example of "calling people to do good deeds" as the call people to the unity of the Muslims.¹⁴ (Motahari, no date: 218).

Based on the latter viewpoint, adding other examples such as propagation, we can show the difference between "calling people to do good deeds" and "commanding right and forbidding wrong" and in addition to confusion of discussions with each other; it will be possible to specify the position of "calling people to do good deeds" and plan to fulfill it. For example, the difference between "propagation" with that of "commanding right and forbidding wrong" has been expressed in this way: Propagation (publicizing) is the stage of making something known and convey it properly. So, that is the stage of knowing but "commanding right and forbidding wrong" is related to the stage of implementation and practice.

The duty of each Muslim from the viewpoint of propagation is that he/she should find this sense that he/she is conveyor of the message of Islam. But the duty of each Muslim towards "commanding right and forbidding wrong" is that he/she should have this sense that he/she is the administrator and a part of Administrative Branch and should fulfill it in the society practically and make it objective. (Motahari, no date: 323).

Taking into consideration what was pointed out is that "calling people to do good deeds" is an introduction to "commanding right and forbidding wrong." The nature of "commanding right and forbidding wrong" is different from teaching and guidance and advising and it is such that it is associated with practice and fulfillment of a good deed and uprooting the evil. For this very reason, this stage is done after the three-fold stages of teaching, guidance and advice and before doing these stages, resorting to "commanding right and forbidding wrong" is inappropriate and is not in agreement with the regulations of Islam. (Amid Zanjani, 1421: 230).

13. من وجوب ارشاد و تعليم الاحكام الثابت بعمومات الكتاب و السنه ، فمن الكتاب قوله عز من قائل: و لا تكن منكم امه يدعون الى الخير.

14. The Quran says, "Avoid separation." Then it says, *"وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ"*. It seems here, by "good," it means mostly the very unity. That is to say, among you, there must be a population inviting the Muslims to unity and fight against separation and disputes among Muslims.

"Calling People to do Good Deeds" and "Commanding Right and Forbidding Wrong"

Thus, cases such as teaching an ignorant which has been put forth in some of the books (Mesbah Yazdi, 2010: 94) under the title of "commanding right and forbidding wrong" can be accepted merely as one of its preliminary stages and within the framework of call people to do good deeds.¹⁵ In this paper, the third view has been accepted which might be applied on each one specifically.

2. Examples of "Calling People to do Good Deeds"

After knowing the concept of "calling people to do good deeds" and its difference from "commanding right and forbidding wrong," with a view towards the jurisprudential sources, it is specified that this concept has a vast application in jurisprudence and by itself has various examples. Moreover, despite their basic similarity, their application will be different and ranging from individual advice to advice by the Islamic ruler in its specific sense. Thus, it is necessary to review the examples and those decrees to be noticed which might apply on each case specifically.

2.1. Guidance (Propagation and Teaching)

Usually in the jurisprudential books, the phrase of "orienting the ignorant and punishing the heedless" is used jointly. (Ansari Dezfuli, 1415: 13). The titles of call, propagation and teaching have been used instead of guidance in the words of jurists. (A team of researchers, 1426: 357). For example, they have considered propagation directed at ignorant person and punishing the heedless person as a general obligation for anyone who is capable to do it. (Hosseini Shirazi, 1428: 281).

Concerning the bases of the obligation of guidance and teaching the religious decrees, in addition to the intellect-based reasons, there is a reference to the obligation of "calling people to do good deed" in the verse of "وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ" (Mousavi Qazvini, 1424: 269). As for the difference of guiding the ignorant and "commanding right and forbidding wrong," it has been stated, "guidance occurs when a person is unaware of a decree or the subject or both of them," just opposite to "commanding right and forbidding wrong" in which the person is aware of the decree and the subject. (A team of researchers, 1426: 357).

In other words, when an individual does an unlawful action against the

15. In this book, it has been reiterated that some of the jurists believe that educating the ignorant and to invite to do what is good is not commanding right and forbidding wrong, because if someone is unaware of an obligation and does not perform it, teaching this obligation to him/her is not "commanding right and forbidding wrong" but "commanding right and forbidding wrong" is to remind an obligation which someone used to do it and had left it.

religious laws intentionally, his/her action will be an evil and wrong which is in need of "commanding right and forbidding wrong" (Mostafavi, 1421: 36). Of course, some of the jurists have considered it unlawful if as a result of announcing the case, he/she will be bothered or afflicted with distress and constriction.

In important issues such as life, reputation and dignity of the Muslims and their assets, according to some jurists, there is an exception and it is obligatory to guide the ignorant in these cases. (Hosseini Shirazi, 1428: 468).

Some of the jurists have enumerated some foods and drinks as part of exceptions which in the event of being unclean, they consider informing them to the ignorant as an obligation. (A team of researchers, 1426: 357-358). Also if the perpetrator is aware of allowable status of an unlawful actions or the permissibility of leaving an obligation, then "commanding right and forbidding wrong" will cease to be valid and it is true in the event when the person has an excuse for doing an obligation, but for punishing the heedless and guiding the ignorant, it is necessary to apply punishment and guidance. (Movahedi Lankerani, no date: 230).

As it was mentioned on propagation, it is synonym to communication and means call the people (Ignorant, defector or guilty) towards the religion main or secondary teachings by scholars through soft words and good argument. (Meshkini, no date: 125). According to the late Ayatollah Meshkini, the addressee of the verse of "وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ" is all people, but since propagation in the present time is need of establishment of seminaries, and the public is unable to do this job, so the verse in fact addresses the ruler of the Muslim. (Meshkini, no date: 125).

2.2. Enjoin upon One Another [Making a will]

One of the Quranic concepts similar to "calling the people to do good deeds" is making a will towards truth and patience which has been referred to in the Quran. This concept has not been directly mentioned in the Eighth Principle. However, it seems necessary to have a short reference to its relation with the concepts of "calling people to do good deeds" and "commanding right and forbidding wrong." As for the concept of making a will which means making a will to each other (Qorshi, 1412: 224), it is possible to present some interpretations from the jurisprudential sources.

Some scholars have enumerated making a will towards the truth equal

"Calling People to do Good Deeds" and "Commanding Right and Forbidding Wrong"

38

to "commanding right and forbidding wrong."¹⁶ (Sarvi Mazandarani, 2003: 213), as sometimes, the phrase of making a will towards doing well and forbidding wrong: التواصي بالمعروف و التناهي عن المنكر. (Bahrani, 1426: 44). Some also have considered it as the sum of "commanding right and forbidding wrong" and "calling people to do good deeds" (Taraihi, 1416: 356) or propagation.¹⁷ (Hosseini Shirazi, 1428: 282). Considering the lofty position of "commanding right and forbidding wrong," it seems that the concept of making a will is a part of examples of "calling people to do good deeds."

2.3. Warning

Some of the jurisprudential books, have defined warning as terrifying the believer for a religious or secular damage and have considered its performance obligatory with reference to the obligatory position of call to a beneficence. (Mousavi Qazvini, 1424: 270). One of the examples of warning is the prohibition of a religious student to study before a person with a corrupted idea or prohibition of ordinary people to have link with individuals who might cause misleading in the religion. These evils occur through expressing the beliefs of the corrupted person; even in form of divulging his/her secrets might happen. (Mousavi Qazvini, 1424: 270).

2.4. Advice

In the Shi'ah traditional books, there are various traditions (Hadith) about the obligation of advice.¹⁸ And following that, there is a chapter under this title and unlawfulness of leaving it.¹⁹ As sometimes, this obligatory duty²⁰ has been mentioned besides 'call people to do good deeds' and 'enjoining to good and forbidding wrong', (Sarvi Mazandarani, 2003: 360), and sometimes, advice and admonition have been defined synonym to 'commanding right and forbidding wrong' and guidance, (Mahmoud Abdulrahman, no date: 421), so with regard to the significance of the

16. امر كل واحد الآخر بالحق من العقد و العمل و الصبر على اخذه و مشقه تحمله او على مصائب الدنيا و نوابها او عن المعصية و التقم فيهما.

17. و اذا اجتمعت شرائط التبليغ والامر بالمعروف و النهي عن المنكر في اكثر ممن هو في دائرته فهو مكلف بذلك ايضا و في القرآن الحكيم: "و تواصوا بالحق و تواصوا بالصبر."

18. See: Koleini, Abu Jafar Mohammad ibn Yaqub, (1407 A.H.), Al-Kafi (T-Al Eslamiyah), 4th Edition, Tehran, Dar al Kotub al Eslamiyah, volume 2, p. 208

19. See: Hur Ameli, Mohammad ibn Hassan (1409 A.H.), Vasael a Shiah, Moasesat Al al Bayt Aleyhe Salam, Qom, volume 16, p. 381.

20. Imam Khomeini ® has considered some of these traditions as being weak and believes that such kinds of phrases do not signify a religious obligation and represent only the rights of the believers upon each other. Mousavi Khomeini, Syed Ruholah, (1415 A.H.), Al-Makasib al Moharamah (Lel Imm Al Khomeini), First Edition, Tehran, The Institute for Compilation and Publication of Imam Khomeini's Works, volume 1, p. 439.

subject of the advice of rulers and necessity of its relation with the Eighth Principle, it seems there is a greater need to do further study on this issue.

2.4.1. The Meaning of Advice

Advice in Persian has root in purity from any impurity and means an action or a word by which the will of beneficence is intended for the addressee. (Majlesi, 1404: 142). In Persian, this word means benevolence.

2.4.2. Types of Advices and their Concepts

With regard to the existing interpretations in the traditions, it is possible to divided advice in social dimension²¹ into three types:

2.4.2.1. Advice to the Muslim Brother (People towards People)

This type of advice which in the traditions is interpreted as the believer's advice and creatures' advice²² (Koleini, 1407: 208), has been defined as orienting an individual to the religious and secular benefits, teaching to an ignorant and punishing an unaware person. (Majlesi, 1404: 142) and on this basis, this can be considered as a type of call people to do good deeds.

It is worth saying that the literal commonality of call to do good deeds (The Persian translation of advice) with the call to beneficence has caused some scholars to consider the advice as equal to inviting people to do good deeds and they have interpreted all traditions in which there is a reference to advice as inviting to beneficence. (Arasta, 2011).

From this perspective, it demands further contemplation, because beneficence in call to do well is a general word, has various examples, and provides for an action to which an individual is invited. But requesting good in advice, provides for the motivation of the one who advices. Thus, considering them as an equal thing is in need of reasons, because as a rule, each word has specific meaning and legislator is seeking a specific intention in using it. Of course, as it was stated, due to similarity in function and results, advice can be considered as one of the types of calling towards benevolence.

2.4.2.2. Advising the Public Muslims (State towards the People)

Amir al Mu'minin (a.s.) in the Sermon No. 34 of Nahj-al-Balaqa, has

21. In traditions, there has been references to the necessity of advice (benevolence) of people for the God too which some of the jurists consider them mutually.

نصيحه الله لخلقه بدعائه الى ما هو خير لهمم في الدنيا و الاخر او نصيحتهم لانفسهم بالتزام مرضات الله تالي و نصيحتهم لله و هي راجعه الى نصيحتهم لانفسهم و هي الايمان بالله و نفى الشريك و ترك الالحاد في ذاته و صفاته و تنزيهه عن النقايس و الاقيام بطاعته و الاجتناب عن معصيته و الحب له و البغض فيه و موالات من اطاه و معادت من عصاء و الاعتراف بنعمته و الشكر عليها. (سرورى مازندراني ٢٠٠٣: ٣٥٢).

22. عَنْ أَبِي عَبْدِ اللَّهِ عَلَيْهِ السَّلَامُ قَالَ: يَجِبُ لِلْمُؤْمِنِ عَلَى الْمُؤْمِنِ النَّصِيحَةُ لَهُ فِي الْمَشْهَدِ وَالْمَغِيبِ وَقَالَ رَسُولُ اللَّهِ (ص): إِنَّ أَعْظَمَ النَّاسِ مَنْزِلَةً عِنْدَ اللَّهِ يَوْمَ الْقِيَامَةِ أَهْلُهُمْ فِي أَرْضِهِ بِالنَّصِيحَةِ لِخَلْقِهِ.

stated that one of the people's rights which should be undertaken by the ruler is advising them.²³ (Seyed Razzi, 1414: 44). Considering the meaning of advice in this position, it seems that it intends the same benevolence which is made within the framework of guiding an individual towards religious and secular benefits, teaching an ignorant person, punishing an unaware person and as likes.

2.4.2.3. Advice of the Imams of the Muslims (People towards the Rulers)

In some traditions, this title has been reiterated including a tradition from the holy prophet (a.s.) in which he says, "Religion is an advice." Then Hazrat explains that it is the advice towards God, his messenger, books and Imams of the Muslims and towards all Muslims. In another tradition, he says that there are three things to which no Muslim betrays to them and one of them is the advice of the Imams of Muslims. (Majlesi, 1404: 230).

In this part, effort was made to find out the examples of call people to do good deeds (benevolence), though, there might exist other examples, but what is important is the agreement of these examples with the conditions, which will be presented in the following lines.

3. Conditions of Calling to Good Deeds (Benevolent Actions)

With regard to the examples of call people to do good deeds and to prove the obligations for each of them, it is possible to find conditions in the jurisprudential books which is necessary to be present in all of them. Perhaps, it can be said that all of them are in the opposite point of conditions for 'commanding right and forbidding wrong'. These conditions will be put forth in the next lines.

3.1. Perpetrator's Failure and Error (Unintentionally)

Allameh Majlesi believes that if the subject of advice is belonging to the religious affairs, it is necessary to adopt the method of "commanding right and forbidding wrong" (Majlesi, 1404: 142). At the same time, as it was pointed out, he has considered the subject of advice in general as the religious and secular affairs and it is not clear what his intention is by religious affairs, which distinguishes these two canonical obligations? The words of Sheikh Ansari can help us to know this issue.

Concerning the position of conditions of advice, he refers to the error and wrongdoing of a believer brother²⁴ (Ansari Dezfuli, 1415: 73). Based

23. أَيُّهَا النَّاسُ إِنِّي لِي عَلَيْكُمْ حَقًّا وَ لَكُمْ عَلَيَّ حَقٌّ فَأَمَّا حَقُّكُمْ عَلَيَّ فَالْنَّصِيحَةُ لَكُمْ وَ تَوْفِيرُ فَيئَكُمْ عَلَيْكُمْ وَ تَعْلِيمُكُمْ كَيْلَا تَجْهَلُوا وَ تَأْدِيبُكُمْ كَيْمًا تَعْلَمُوا.

24. لا يرفع اليد عن نصيحة اخيه المسلم او رأى منه الزلل و الخطا

on his views, it can be inferred that the position of advice is when the addressee is afflicted with error and wrongdoing and its opposite concept is that if someone made a unlawful act or left a religious obligation, then there is no room left for advice and basically, there comes "commanding right and forbidding wrong." In other words, as it was mentioned on the examples of "calling people to do good deeds," as long as an individual is afflicted with a failure in observing the religious commandments, he/she should be reprimanded through different approaches such as advice and orientation.

But if someone fails in doing religious obligation's, in the event of event of presence of conditions for "commanding right and forbidding wrong," then commanding right and forbidding wrong will be applied.

Paying attention to this standard will prevent form discussion confusion to a great extent. For example, it has been told that if the ruler commits slight mistakes, or commits a slight sin which does not impose any damage to the principles of religion and benefits of Islam and the Muslims and the base of his practice is the Book and Sunnah, it is not obligatory to rebel against him but he should be admonished (Montazeri Najafabadi, 1409: 389). Taking into consideration what was expressed, it should be said that a part of this speech is not very accurate, because if a ruler commits an intentional sin even and slight one, apart from its effect on justice, in case of possibility of repetition and its impact, he should be treated by commanding right and forbidding wrong rule and there will be no room left for advice.

3.2. Lack of Knowledge about the Decree

It was earlier pointed out that guiding an ignorant person, in case of lack of knowledge about a decree is obligatory but if the individual is unaware of the subject, it is not obligatory, unless for the important issues which the legislator does not accept its performance. This is true in the case of other examples of call people to do good deeds.

In addition to the mentioned conditions, it should be said that calling people to do good deeds, does not have one of the main conditions for the necessity of "commanding right and forbidding wrong," i.e. the possibility of repetition (Insist to do a wrong by perpetrator), and also the possibility of any effect. In other words, its obligation is more general. If the one who commands or forbids does not assume that the sin will be repeated, or it will not have any effect on the perpetrator, he/she will have no duty. But if he assumes that the perpetrator will still continue his/her sin and there is a possibility of impact for commanding right and forbidding wrong, but after applying it, the perpetrator will continue the

"Calling People to do Good Deeds" and "Commanding Right and Forbidding Wrong"

42

sin, basically it is not forcible to repeat commanding right and forbidding wrong, because the possibility of effect is near to zero.²⁵

Of course, according to Sheikh Ansari and Allameh Majlesi, it is obligatory for the admonisher to continue his/her advice if the addressees did not accept the advice (Ansari Dezfuli, 1415: 73). This theory can be extended to other examples of "calling people to do good deeds." Reasonably, this standard is acceptable, because firstly, ignorance or error of each believer is resulting from sensual dispositions and a constant issue which definitely will lead to repetition and it should be removed through continuation of advice. Secondly, his call will not move beyond words and its repetition will not have any cost, opposite to "commanding right and forbidding wrong" which in case of any effect, will lead to a practical action.

4. Hierarchy of Call People to do Good Deeds

The hierarchy of calling people to do good deeds, as it has been specified on the case of 'commanding right and forbidding wrong' is not observed in any jurisprudential sources. However, using some of the hints in jurisprudential books and taking model after the method of jurists in determining the hierarchy of commanding right and forbidding wrong, it will be possible to present a primary design on this case.

4.1. Practical Position

In all jurisprudential books which refer to the traditions of infallible Imams (a.s.), the third position of "commanding right and forbidding wrong" is called the position of "YAD" [Physical] rather than practice position. This position includes actions such as a hitting below or above injury, breaking the unlawful instruments, etc.

Shaykh Tusi, in the book of "Nahayah" says that by YAD stage in "commanding right and forbidding wrong," it does not mean to take a practical action against the one who has left a good and does a wrong, but the one who commands to do a good and forbid from a wrong should behave such that to be a practical model for others in particular for those who leave the goods and those afflicted with evils (Tusi, 1400: 299), as the tradition "كونوا دعاه للناس بغير السنتكم" signifies the same idea (Makarem Shirazi, 1425: 42).

With regard to the differences of "commanding right and forbidding wrong" and "calling people to do good deeds," which was pointed out

25. If a person could provide the preliminaries for effect, resorting to lack of effect is not accepted from him, because providing the preliminaries is obligation. (Al-Nuri al Hamedani, 1416).

earlier, and reviewing the referred traditions in which they talk about "commanding right and forbidding wrong," and the various traditions in which the position of "commanding right and forbidding wrong" demands a type of involvement with the perpetrator of sin in form of hitting, injuring or taking the instrument of crime ..., it seems that this favorable action, i.e. acquiring the divine ethics, is a type of "calling people to do good deeds" and it cannot be considered as positions of command and forbiddance.

Thus, it will be acceptable to consider paving the grounds for "commanding right and forbidding wrong" within the framework of publicizing a good and forbidding a wrong as the examples of YAD [Physical] stage of "commanding right and forbidding wrong" (Gholami, 2013: 61).

Despite admitting that the author of "Javahir" like most of the jurists has directly considered the "YAD" (Physical) stage including hitting and as likes. Using this quotation from him that the highest and most effective sample of "commanding right and forbidding wrong" is acquiring good ethics, some scholars have tried to give a vast interpretation of the YAD (Physical) stage and included affairs such as writing a paper and a book or establishment of schools in this stage. (Nouri Hamedani, 1416: 250). At the same time, the mentioned examples all have conditions for call people to do good deeds and there is no need to attach them to the physical stage.

Anyway, this viewpoint clearly shows how the lack of distinction between these two will have impact in policy-making, institutionalizing and determining the duties of these two organizations. But, perhaps the best example for elaboration of the practical stage of call people to do good deeds can be found in the story of action taken by Imam Hassan (a.s.) and Imam Husain (a.s.) to teach the decree of ablution before prayers to an ignorant old man. In that event, when these two honorable personalities observed that man is unaware of ablution rituals, instead of giving a lingual call which might displease him, they themselves began to make a correct ablution ritual before his eyes and oriented him indirectly.

Thus, "calling people to do good deeds" should be started by practical stage and great explanation which will possibly have a great effect. The performance of this position is imaginable both by people and the state (ruler and administrators). The practical example of call can be considered in cases in which the state itself becomes a pioneer in saving in consumption of water and electricity and so on and makes his

"Calling People to do Good Deeds" and "Commanding Right and Forbidding Wrong"

consumption optimal, reduces it or totally makes efforts in using his own facilities and human forces. These cases are practical invitations to others to do the same jobs.

4.2. Verbal Position

In addition to what was presented as examples, holding educational classes, organizing exhibitions, sermons, and public propagation ... are also other types of examples to call people to do good deeds. In the pre-agenda speeches of the parliament representatives and speeches by authorities, call people to do good deeds should be made. Perhaps, legislation at Islamic Consultative Assembly (Parliament) and legislating regulations by the state to facilitate the implementation of economic, social and cultural works which are useful and beneficial to the society, awarding prizes, etc. could also be considered as a kind of call people or the elites to do good deeds.

4.3. Heartfelt Position

Jurisprudents such as Allameh Hilli and Author of Javhir believe that the heartfelt position in "commanding right and forbidding wrong" is not merely a heartfelt pain, but as it has been reiterated in some of the traditions, but it means that when a person sees unlawful actions or leaving good deeds, to become sad heartily. This painful and displeasure should be displayed in his/her face and actions. Thus actions such as turning face to another direction, turning back to someone (leaving association) have been enumerated as parts of this position. (Hilli, 1414: 444).

As call to do good deeds is in fact to encourage to do recommended religious acts and leaving disapproved acts, orienting an ignorant person and punishing a heedless individual, opposite to the examples of heartfelt position in commanding right and forbidding wrong (to frown, to turn the face, and to grouch) which have a negative aspect, here the positive aspects have a position such as presence in the meetings aiming at appreciation and celebration,

5. Calling People to do Good Deeds, Policy-Making and Custodian Institutions

In comparison with other secondary of the religion and religious laws, in the traditions, there are exceptional interpretations on the significance of "commanding right and forbidding wrong." Thus, whatever is paving the ground for its fulfillment will have the same degree? Moreover, calling to do good deeds and its examples in the cultural-legal system of Islam has a special position, because it provides conditions for the effectiveness of

"commanding right and forbidding wrong." In other words, when the one who gives the order and forbid someone from doing a wrong considers the "possibility of effect" of it, which is part of its necessary conditions to take place that the ground is in place for the effect.

For instance, the cultural institution in charge of "calling people to do good deeds," besides people have provided the necessary educational and provisional facilities for the addressees to receive the effect. Of course, it can be claimed that if culture of a society develops, then grounds for doing many wrong acts will be removed and basically, there will be no turn left for "commanding right and forbidding wrong."

This issue shows the significance of detachment between "calling people to do good deeds" and "commanding right and forbidding wrong" including observing the prioritization in budgeting, separation of institutions in charge, difference in the method of implementation, etc. Martyr Motahari is among the latter thinkers who have paid attention to this subject implicitly. In a discussion on the necessity of interfere of logic in "enjoining to good and forbidding wrong," he refers to the subject of the possibility of effect and through mentioning a real story shows how a mayor in one of the cities in Philadelphia state, after learning that sermon and ordering people to leave gambling is futile, by adopting cultural measure could remove that evil²⁶ (Motahari, n.d.: 205-206).

He reiterates that we want to treat the disease of vagary and sprawling in the margin of streets, extreme follow of modes and excessive consumption through words, sermon or rebuke, and sarcasm and of course, they may not treated by these instruments. If we find this opportunity in a day to be able to find a solution and involve logic in "commanding right and forbidding wrong," then these problems can be solved well and easily (Motahari, n.d. 206-207).

Basically, these practical measures are placed within the framework of "calling people to do good deeds" and pave the ground for "commanding

26. Some years ago, in one of the small cities in Philadelphia State (USA), women were inflicted with gambling. First the priests, journalists, speakers and professional presenters talked and wrote about the evil of gambling as much as they could, but like casual talks, the walnut glided over the dome and fell down and had no result, until the mayor of the district decided to open one or two artistic clubs or exhibitions and provided necessary hobbies there, hobbies such as displaying the healthy boys, giving award to capable mothers, preparing handicrafts. And each has its specific arrangement and plan and motivated people. After two or three years, the women of that city forgot gambling for every. This is a practical solution and expediency, this means interfering the logic and expediency in fighting against evils. (Collection of Works, volume 20: 205-206)

"Calling People to do Good Deeds" and "Commanding Right and Forbidding Wrong"

46

right and forbidding wrong." Thus, it is necessary to pay attention to this subject in cultural policy-making. In addition, some of the other examples like advice of the Imams of Muslims, due to high sensitivity is need of close attention, so that it would not be confused with "commanding right and forbidding wrong" in policy-making and implementation and necessary arrangement could be provided, such that both people and state could perform their duties as intended by the religious legislator.

The establishment of custodian institutions and determining the framework of their duties is another dimension of legislative policy-making which needs to be noticed. As it was mentioned in the previous materials, affairs such as education, guidance, propagation and advice can be considered as examples of calling to do good deeds. Consequently, the institutions which arrange these affairs can be considered as the institutions which call people to do good deeds, though such a title has not been attributed to these institutions.

On this basis, it can be said that after the approval of the Constitution, both people and governmental institutions, without paying attention necessarily to the concept of calling people to do good deeds in the Eight Principle, have taken action to establish some institutions which either directly have the working group for calling people to do good deeds or prepare ground to do it. Among the governmental institutions, the following names can be mentioned:

Ministry of Culture and Islamic Guidance, Ministry of Science, Research and Technology, Ministry of Health and Medical Education, Ministry of Education, Ministry of Sports and Youth Affairs, organizations such as IRIB, Islamic Propagation Organization, Center to Deal with Mosques Affairs, Headquarters for Holding Friday Prayer, Imam Khomeini® Relief Committee, Iran's Organization for the Mobilization of the Oppressed, etc..

It can be added that people provide grounds for call people to do good deeds by establishing mosques, religious groups, centers for charities, schools, seminaries, etc. Some of the institutions such as IRIB, Iran's Organization for Mobilization of Oppressed or Clergies Institution, have the function of "commanding right and forbidding wrong" too. Other institutions can also take action to enjoin good and forbid wrong by educating the method of performing commanding and forbidding which are examples of benevolence, invite people to it and pave the ground to perform it. Amid these, sometimes there is confusion between these two functions, at least from the viewpoint of naming or shifting the

responsibility to the related organizations which can have their own specific effects.

It is interesting to notice that some of the punctilious scholars have criticized the shift of duty of "commanding right and forbidding wrong" to other institutions under other names²⁷ (Hosseini Tehrani, 1421: 254-256). It is worth stating that naming Patrols of Law Enforcement Forces under the name of "Guidance Patrol" who fight against lack of observing Islamic code of dress means that the perpetrators are unaware of the religious decree and it is supposed only to be guided by the agents of Law Enforcement Forces.

However, it might be possible that due to the weakness of cultural institutions, the performance of this duty to have been shifted to Law Enforcement Forces and this issue originally is a matter for discussion. However, we know that the duty of these patrols move beyond lingual guidance and lead to practical commanding right and forbidding wrong.

In addition to what was said, from the viewpoint of institutionalization, the broadness of the examples of benevolence and their concerned custodian organizations, it is necessary to consider certain institutions for coordinating these actions with more cultural color and to have very negative or positive effects in the society. Despite the necessity which was mentioned, so far no trans-partisan organization has been established to call people to do good deeds. But it seems that the founder of the Revolution, in the very early years after Revolution, by learning the significance of this subject, has taken action to establish an institution to focus on the main part of cultural and educational issues.

That institution was the Headquarters for Cultural Revolution which later on was changed into "Supreme Council for Cultural Revolution." Also in the Principle One Hundred and Eleven of the Constitution has provided ground for establishing an institution under the title of Expert Assembly to advice the ruler and reviewing each of these institutions is need of another time. It is worth noting that the origin of performing both of these two duties by one institution is acceptable but due to the fact that the nature of "commanding right and forbidding wrong" is imperative and the "calling people to do good deeds" is not like that and its addressee is different, so it should be considered carefully.

27. Commanding right and forbidding wrong [al-amr bi-l-ma'rūf wa-n-nahy 'ani-l-munkar] is one of the terminologies of Islam and should not be surpassed. The word also should not be changed. The issue of applying the terminologies is a very important issue. Many original terms which has been mentioned in the Quran and Tradition has been prevailing among us, has been faded gradually and replaced with other terms and following that, their implications and term have been annihilated.

Conclusion

The duty of "calling people to do good deeds" has a concept and function different from "commanding right and forbidding wrong." This item paves the ground for the fulfillment of "commanding right and forbidding wrong" and fulfills many of its objectives through a milder method and within the cultural frameworks. Thus, it does not have a significant position than "commanding right and forbidding wrong" in the survival of the Islamic system. In other words, though in both "calling people to do good deeds" and "commanding right and forbidding wrong," there is a combat against an evil, but the type of treatment with the perpetrator of the evil, depending on whether or not he/she is unaware or unaware of the case, will be different.

This point should be considered in determining the duties of the administrators, people or state, dividing these duties and coordinating among them for the purpose of achieving synergy on this issue. Given the direct words of the Eight Principle of the Constitution on the necessity of determining the limits, conditions and quality of calling to do good deeds in the ordinary rules, in this paper, firstly, efforts were made to clarify the distinction between these two duties from three perspectives including the concept (examples), hierarchy and conditions despite the lack of direct wording in jurisprudential sources and secondly, introducing the institutions in charge of this task and elaborating the effect of these distinctions on their functions, the grounds to be paved for policy-making with an aim to institutionalize the call people to do good deeds in the legal system of Islamic Republic of Iran and to establish coordination among the organizations.

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