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THE IMPACT OF IDEOLOGY ON ABSTRACTION IN THE ESSENCE OF THE PENAL RULE

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Abstract

This study seeks to explain what is meant by the idea of abstraction in the essence of the penal rule, which requires following the philosophical approach that is concerned with researching the essence of the law and the legal rule and determining what this essence should be. This study identifies the importance of abstraction in the essence of this legal and penal rule, which is to establish a legal science that distances the law from exploitation, and to achieve the effectiveness of the law in society and prevent legislative inflation from occurring. This study identifies one of the most important non-legal issues attached to the penal rule, which is the ideology that is a means for those holding power to harness the law and the penal rule to achieve private interests.

Keywords: *abstraction, penal rule, functions, power, ideology.*

Introduction

The First Requirement

Definition of Legal Abstraction Philosophically

Philosophers see that abstraction means that the soul extracts an element from the elements of the thing and turns to it alone without others. For example, the act strips the extension of the body from its mass, although these two characteristics are inseparable from the body in the external existence. Which was dealt with in the research, and abstraction is not a real division, but rather it is a mental analysis, and that the difference between abstraction and analysis is represented in the fact that thought in analysis looks at all the characteristics of a thing alike, while in abstraction it only looks at one of the characteristics of that thing. In isolation from other secondary qualities, abstraction is thus an intellectual process consisting of separating an element from its context to analyze it and develop a concept for it. Such a mental process is the comprehension of the ultimate essence of things.

Abstraction also means the separation between what is main and what is secondary (accidental) and (variable). What is common between these types of experience, that is, the level that includes,

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in terms of formation and construction, concepts, principles, rules, laws, and theories.

It is noted from the advanced meanings of abstraction in philosophy that they agree that what is meant by this term is to separate the secondary parts from everything that is holistic and true, and that this agreement indicates the extent of the coherence, stability and originality of this concept, which is also consistent with the linguistic meaning of this concept, which means stripping the word from the factors and verbal excesses.

The advanced philosophical definitions of abstraction with all its subjects share one meaning, which is to isolate the characteristics of the subject from any other subject with the aim of fragmenting its elements and isolating its basic aspects and analyzing it from its many aspects and in its pure form, or it is the separation between what is main and essential and what is attached to it from secondary parts, and by deduction The advanced philosophical meaning of this concept on the law, we can define the legal abstraction as (separating the law from everything that is illegal and accidental or is the removal of illegal impurities from the criminal law) in the context of our research, of which both power and ideology are the most important.

Where abstraction is defined in the field of law as the liberation of the discourse of the legal rule from inclination and passion and not favoring a specific person or targeting it to protect a specific situation, and therefore abstraction is considered a guarantee of deviation and control of the law by the authority that sets it, where abstraction is based in the essence of the penal rule on the need for the legislator to move away When enacting the law on personal motives, whims and immediate inclinations, and that the law be enacted according to objective bases and according to pure legal goals aimed at achieving equality between individuals before the law and impartiality by excluding private individual treatments, which constitutes the most effective protection for the individual from the arbitrariness of power.

The Second Requirement

Importance of Abstraction in the Essence of the Penal Rule

Abstraction exercises great importance in the field of law, as it is one of the basic rules that can be used to establish a legal science that prevents it from becoming a tool to achieve illegal goals, by setting the general controls and determinants that govern it, and abstraction also has a fundamental role in preventing the legislative inflation that usually occurs What happens due to harnessing the criminal law to serve private interests and not laying general foundations for its legislation and according to the needs of society, and abstraction leads to achieving legal effectiveness that comes from the conviction of individuals in the texts of the abstract law in its truth and essence, and this is what we will explain in the following sections:

First Section

The role of abstraction in establishing a pure legal science that prevents the exploitation of the law

Science refers to the systematic and institutional body of knowledge in any field of inquiry that is acquired using scientific methods. Sciences are mainly classified into two broad categories: the natural sciences, and the social sciences.

Natural science is concerned with things and phenomena that occur naturally, while social sciences are the sciences of people or groups of people and are concerned with individual and collective behaviors. They are less precise and specific or more ambiguous than the natural sciences.

The purpose of all sciences is to establish scientific knowledge, which refers to a general set of laws and theories that work to clarify important phenomena or behaviors that are obtained using scientific methods, and these laws and theories are what explain natural or social phenomena, and sometimes this knowledge is incomplete or distant. This is clear from the extent to which reality is appropriate or not. These laws and theories are reached through (logic) and (evidence) and not through beliefs or creed, as the latter is not considered science and cannot establish the establishment of sciences, because sciences Rather, it relies on objective facts alone, away from prejudice or fanaticism, personal emotions, and subjective aspects. Science relies on these facts alone to reach its laws and theories, so it should not be tainted by any special opinions.

This is that abstraction in any subject is intended to do two things, the first is to extract the main elements of this subject, and the second is to focus on these elements only and neglect all other details, and where it begins to study any natural or unnatural system, the first thing that must be done is to build a model or a constant for this system and that the process of building this model or constant depends mainly on abstraction, by means of which the phenomenon that is being studied is reduced to a specific number of factors that govern it, because the simplest phenomena contain an infinite number of details in addition to their complex interaction. With an infinite number of other phenomena, and since it was impossible to understand these phenomena in this way, it was necessary to resort to abstraction, but the abstractions that have been reached keep the possibility of establishing a final science of absolute health something that is not possible in an absolute way, as these abstractions will remain relative To some extent, this is because it will still be possible to come up with more accurate abstractions than the previous ones, and this is the main reason that all sciences are subject to change and addition constantly, and thus reaching completely abstract and absolute health laws requires total knowledge and this is not possible except for the total and absolute divine power.

Abstraction is also one of the rules that are used to set concepts and resolve conflict between them, and this is one of the basic conditions for the establishment of science. As this method is one of the solutions to the conflict between concepts, especially in the social sciences, which often suffer from conceptual problems, for which the subject of law, politics and power is the most prominent.

As the establishment of a science of law that distances it from exploitation and distortion can only be done by establishing basic rules, constants and controls that govern it, and this is certainly not done by being guided by ideals or using a jurisprudential skill that improves the flipping and analysis of texts, but rather by stripping the law of all illegal topics that stick to it Focusing on its content and social essence, finding general constants and determinants that govern it, and then abstracting the rules of criminalization and punishment in their essence and content, so that the law simulates the social reality and expresses the basic values that govern it and not about and not about the illegal subjects that pertain to it by expressing desires The impulses of power and its various ideologies are what establishes the establishment of a criminal legal science, and the authority must not ignore the reality of matters and the truth of the law and create a virtual world for it that has nothing to do with the truth because it leads to the failure of the law to play its basic role in organizing life in society and thus the ineligibility of describing it as the law .

The relationship between law and politics, and the issue of power and ideology in particular, was one of the most prominent reasons that prevented the development of a theory of law and the consideration of law as a science in that it is not a relative of other systems, but is independent in that it is a science that has its rules and controls on which it is based, as the majority does not consider these two The two tracks are completely separate from one another, as the objective authority of law is often adhered to justify political claims of a personal nature in principle, and that was the reason for the lack of a theory of law and fighting it by all means.

Whereas understanding the nature of the law and analyzing its structure is naturally only accomplished by adopting a (realistic-rational) theory that refrains from issuing evaluative judgments about the law. Giving preference to any political interest supported by ideological doctrines that allow it to justify or criticize this or that social system, which is completely opposed to what the traditional criminal law is at the present time, which is always characterized by a doctrinal character, as each science has a prominent tendency to identify its material while Power and ideology hide the true criminal law, whether by transforming its form to defend it and ensure its preservation or by distorting it for the purpose of confronting it, destroying it and replacing it with another, as all ideologies emanate from the will of power and not from knowledge, as their existence is linked to special interests other than the real interest, whatever their importance or value, and since knowledge works To tear the veils that surround power and ideology with legal facts. Thus, the formation of integrated legal knowledge only restricts the forces that work to destroy the social system, control it, or replace it with another that it thinks according to its personal view is better.

As the authority, through its various ideologies, does not only seek to establish its ideologies, but also seeks to succeed in gaining the approval of those it governs. Where the thought of the members of the society enters into a framework of superficiality and sanctification of all the texts and laws that the authority places and issues that are taken as sacred, and then there is no room for discussing, amending or developing them in line with the requirements of justice, and this

prevailing thought does not only distort reality and truth, but Language and legal reasoning.

Thus, the ideological nature of the law always refuses to establish a legal science, where the rules and principles of the latter come as an expression of this ideology and not an expression of right and justice and what the law should be, as ideologies play a role in setting the balances of this law and jurisprudential ideas in their favour.

This, in turn, was reflected in jurisprudential studies, where the establishment of legal science and the development of its theories contradict with regard to law as a jurisprudence that adheres to texts and responds to the needs and ideologies of power. Rather, the establishment of a theory of law requires laying foundations and a clear approach, and this is not done in any case through intellectual and jurisprudential studies, as the establishment of a theory of law It is not done by linking the law with other subjects, and therefore no science can replace the science of law, regardless of the interrelationship between them, as the process of forming real legal science requires a review of legal concepts and texts with the aim of proving them logically and empirically, and then collecting the characteristics of the system that combines them in a way that leads to Reducing these concepts to a reasonable number, and then reshaping them in a way that combines their importance and the type of function they perform with scientific rigor, after excluding metaphysics in all its forms and images, as well as ridding the law of the impurities of power and ideology in all its forms, whether political, cultural or religious and others.

This is undoubtedly one of the results of legal positivism, which led to the development of law in a specific context, which led to the emergence, during this development, of dominant political forces that worked to employ it for their own ends and interests, as these dominant political forces mutually share the authority of the state and the law in establishing each other. Thus, it is difficult to distinguish between politics and law.

Hence, the independence of the law from illegal matters was necessary to achieve its goals, and this can only be done by not considering it as a privilege in the hands of the authority, as the ruler is an ordinary individual and he is part of the authority, and from that the necessity of not obeying any person or force above the law appears.

Second Section

Preventing Legislative Inflation

Abstraction achieves in the essence of the rules of criminalization and punishment an important function represented in that the abstract law is developed to accommodate an unlimited number of cases and therefore it is not being changed and modified except in response to developments and social changes. Therefore, we see it subject to change or addition, whether in its own texts or by finding other laws that are designed to serve that, and this leads to the multiplicity of laws and their ramifications because they are not based on the basis or the content that must be expressed by the criminal law, which is the social content. The authority adapts the law according to its

interests and ideologies. The main reason for this is due to the loss of this law of the real basic characteristics that it should have enjoyed since its first inception, the real content that it should contain, and the basic and active role that it should play in serving the real basic interests in society and not the false and accidental interests it targets, which are always expanding. It ramifies in one society and this is what leads to finding texts to serve these interests, and then we are faced with what is called (legislative inflation) instead of collecting these texts in one law. Which addresses specific issues generated by specific needs.

As the legislative inflation resulting from the large number of criminal legal texts in particular led to an aggravation in the legal texts, which suggests the inability to control this by the specialists in legislation, and this also affected the inability to know all these texts by the individuals addressed to them, which took the form of a branching Legal texts and the emergence of new laws, where the criminalization of acts took a traditional concept as a legal problem and not a social problem, which led to the failure of the law to carry out its basic functions in society as a result of not being stripped in its content of the illegal topics attached to it, and the preservation of the social content that requires study Criminalization as a social phenomenon and standing on social needs and not on the needs and desires of the authority.

Where the legal rules must be firm and specific in their organization of legal centers and their permanence continues for a period of time, where the stable legal text gains confidence among its addressees and then it is of value and effectiveness, and legal stability is one of the first goals that every law must strive for, whether Was that from a formal point of view, which means that the legal rules are characterized by permanence and continuity without being subjected to repeated modification and cancellation except in the most necessary cases necessitated by social necessities, where this stability is characterized by relative because it is subject to social developments, or was the stability from the objective point of view, which is more important than the formal aspect Which indicates the conviction of the individuals addressed in the legal rules and their belief in them.

Criminalization must also be the last solution that is directed to solve legal problems, after exhausting other means of social control. The law must not be extravagant in criminalization and punishment when there are other controls of morals, religion, values, customs and traditions, and therefore it only stipulates minimum rules. For behavior that the group cannot tolerate, and then it is necessary to take into account the boundaries between the law and other tools of social control where criminalization and punishment are the last means that it resorts to protect money and interests and organize life in society and resort to it in two cases: the first is the case that the penalties are not Criminal penalties are not sufficient to cover the legal consequences of the crime, and the second is that non-criminal penalties are not suitable at all to cover these effects.

Therefore, the criminal law must intervene in particular in criminalizing behavior that represents a breach of a primary obligation in the entity of society and not a complementary obligation, and

that the legislator intervenes to criminalize the act when the rest of the means of social control are ineffective in deterring the violator, and thus criminalization is the task of the law in general, as for criminalization It is the task of a special branch of law, the criminal law.

Thus, the main reason for the enlargement of legislation and the multiplicity of texts and laws is the predominance of the political interest in the newly introduced texts, where the objective is political in the first place and is presented to the interest of society, without regard to the social impact of the law, as it is not taken into account at the present time only the quantity and without interest in the effectiveness of these texts, which are more The importance of their abundance, and this giving priority to illegal political interests, is due to the lack of adoption of abstraction in the essence and content of the law, which must be social and in line with ideals and higher values in society.

This is in addition to the reasons related to the formal aspect, which go back to the inaccurate legislative drafting of texts and laws that are issued at a standard quantitative and temporal rate, as these texts also confuse many of the rules regulating a specific field. This is due to the lack of reliance on a legislative philosophy to control the legislative drafting. It is a field of research that the developed countries (Anglo-Saxon) attach great importance to in particular, which requires the legislator to be familiar with the science of logic, language, and other social sciences related to the field of law.

Based on this, stripping the legal rule of illegal impurities and preserving its true content leads to its stability and then not subjecting it to modification and cancellation constantly, and in the event that it is subject to modification or the issuance of new laws, this will be within the reasonable limit and in a way that serves the community and achieves the goals of the law, and this amendment and cancellation will be Or the issuance of laws in the necessary cases that are achieved in response to the changes produced by the social reality, as the harnessing of laws to serve the authority leads in turn to the rushing of legal texts that its drafters adhere to and without being subjected to the privileges of control and review and without being placed under the test of experimentation and comparison, which is not possible. It occurs if the criminal law is abstract in its essence and content from illegal subjects.

Third Section

Achieving Legal Effectiveness

The effectiveness of the law is achieved by the extent of its ability to convince the individuals addressed by it. Therefore, the abstractness of its content and content was one of the most important reasons that lead to individuals' conviction and respect for it, as the individuals' conviction of the law is generated through its targeting of humanitarian legal purposes and not the other way around. This conviction is generated by the extent of individuals' belief in the law and the extent of It stems from human foundations and values and is not purely individual.

This effectiveness and societal belief in the idea of law is not achieved once these legal texts acquire some formal requirements, which is expressed in the principle of criminal legality at the present time, according to which the acts that are considered crimes are determined if there is a legal text issued by the legislative authority specifying that, but rather it must go beyond. Beyond this formality, the effectiveness and acceptability of the law will not be achieved unless it expresses realistic social facts as it is a social phenomenon in the first place, and thus the entire legal system must be transferred to the field of realistic social facts, which requires that the law be a reality compatible with reality and on which people rely so that they agree with their feelings. With justice, and that this content be stripped of the illegal impurities attached to it, and that the law reflects in its content and essence the original values such as justice, freedom and effectiveness.

This is taking into account that the social facts and basic values targeted by the law are (original and real), and therefore they are not meant to be false and accidental facts and values, some of which the criminal legislator sometimes adopts in the Penal Code, and which have become the subject of criticism and lack of conviction by individuals, but what is meant by that is to reflect the law in its content. Its essence is (real) human social facts and original moral values according to the philosopher (Friedrich Nietzsche) and that criminalization does not reflect false and unoriginal accidental values that put the individual in a state of alienation and alienation and in a situation that does not originally represent him, but he is forced to adopt it and go along with it, which it may be imposed on the law by power and its political or social ideologies, which are represented by social norms and traditions. Therefore, the law must reflect the original morals and social values, and its texts should go towards achieving them as a complete human truth that does not go towards relative determinations, but rather goes towards (good in itself), and contradicts the point of view. This is with what the positivists see and then the positivist law that adopts their approach, who see the relativity of morals and their connection to custom, customs and traditions, which constitutes positivist ethics, where the advocates of (the moral trend) see that moral facts are social phenomena characterized by objectivity, pressure, coercion and enticement, just like social phenomena. the other.

Based on the foregoing, the true conviction of individuals in the (abstract) human content of the texts of the law and not temporary and false faith and submission, which is caused by either fear of authority or because of the veil of ignorance imposed by the ideology (political, cultural, social, religious, etc.) that controls the people. The collective thought of individuals, which turns into a tool to serve this, is the main reason for achieving the effectiveness of the criminal law and the commitment of individuals to its provisions and their true obedience to its orders and not formalism. Its destiny is to disappear because of social rejection or temporary acceptance of its rulings by means of coercion, which is used by the issuing authority to compel individuals to obey it. However, this obedience is characterized by being temporary. the society.

The Third Requirement

Ideology and its Impact on Abstraction in the Essence of the Penal Rule

The most prominent thing that opposes the idea of abstraction in law in general and criminal law in particular is the impurities of ideologies and the domination of a single idea over it, which often results from the authority's dominance over this law and considering it a privilege in its hand, where the law is the tool of power in expressing ideology.

Where the ideology prints the law in a spirit of sectarianism and expediency in favor of the authority, and this leads to weakening the role of the criminal law and not carrying out its basic functions in society, because it deviates from its nature and basic content, and that this ideology is not limited to the political form of it, but rather it may take certain forms, it may be religious or economic. Or social or other forms that it may take in society, even if politics is the predominant form in that, which requires us to divide this demand into two branches. We devote the first branch of it to explaining what is meant by ideology, while the second section we will devote to explaining the impact of ideology on abstraction in the essence of the rule. Penal:

Definition of Ideology

The origin of the word (ideology) goes back to the French thinker (Destut de Tracey), who used this term for the first time in 1801 in a book he called "The Planning of Ideological Elements." De Tracey wanted, by this term, to refer to (the science that studies ideas in their general sense). That is, it is the science that researches the facts of feeling, and it deals with defining their characteristics, laws, and origin, and determining their connection to the relationships that they represent, as the word ideology was associated in its inception with the sensual or material tendency that appeared in France, so ideology meant (the science of ideas) and the ideological approach was the only one that proceeds. Philosophers followed him in their analysis of ideas and their search for their sources, and the ideologists were the supporters of the philosophical group that followed the footsteps of the philosopher (Kondiak) (1715-1780), which excluded metaphysics and tried to establish civilized sciences on anthropological and psychological bases.

This term appeared for the first time during the French Revolution and it meant a group of ideas that a group of people believe in because they express their vision of the state systems and politics in force in that state, but ideology in the modern era no longer means that, but rather it has come to mean cases that are inconsistent with reality. Thoughts based on conscious deception are classified as a lie with a purpose and are a response to the pursuit of certain emotional interests.

As ideology occupies the area of false awareness because it sees reality and truth from a false perspective because it is a reality that matches the thought that it seeks to establish and is keen not to change it despite its expression of a vulgar human situation, and that the false reality generated by ideology is born from the womb of false consciousness with which it controls individuals. .

Thus, ideology, which shares with the term sectarianism in the Arabic language, where these two

ideas converge together, is the state in which thought is imbued with a sectarian tendency that distances it from the truth. The activity is directed towards preserving the system that followed it, and therefore it considers any attempt to reform this system or reform the thought that it translates as an assault that must be met with rejection.

Ideology is also defined as a hierarchical system of ideas that is organized in a clear structure. The function of this system is to interpret the world. It also represents a symbolic structure intended for use and involves the characteristics of selectivity and reduction. These two characteristics play a role against tendencies of doubt and anxiety resulting from conflicting meanings. Thus, they provide the individual who embraces them with comfortable and ready answers. about the questions he faces without the trouble of careful thinking and the hardship of searching for the truth. Ideological thinking prevails in a narrow, unilateral interpretation of history, whether politically, economically, culturally, or otherwise. Thus, ideology exempts its adherent from the charge of ignorance and makes him feel that he knows a lot, as evidenced by his possession of a ready and perhaps complete perception of the truth. The exact opposite is true because this fact is fake and deceptive. Rather, it was given this description due to its adherence to ideology.

The impact of ideology on abstraction in the essence of the penal rule

The criminal rule, like any legal rule, must take into account two things:

The first relates to the essence of the rule and its content, i.e. the primary substance that this law consists of, and the factors that interfere with its content, i.e. the law-creating powers.

As for the second matter, it is related to bringing this law into force by following the necessary technical means to establish the penal rule and express it in the sense of placing this content or raw material in written rules according to certain methods and conditions, as it is required that this rule enjoy admissibility, and that must be realistic and not assumed. Or artificial, and it is required that it be devoid of illegal matters in its content and that it achieve real and essential interests, not private and fake.

The positivist view of law and criminal law in particular is based on the fact that it is a system of binding rules that govern social relations and that are legislated by the political system. Where the law is often the legislative manifestation of political ideology, and thus the law stems in one way or another from political ideologies, where the ideological law does not deal with those subject to it transparently and serves as a cover for the political authority that it takes to protect its status instead of being an ideal that involves a group of institutions Which controls power and restricts it according to the standards of justice. Thus, ideology undermines much of the integrity of the law.

A lot of efforts have been made to expand the interpretive power of ideology and achieve its control over the law, which is unacceptable. Its purpose was to justify the ideologies that control the law, especially the political ones, because understanding the law and its role is not done in any way as long as it is mixed with ideology and the law is thus in conflict. between conflicting

ideologies.

The danger of ideology to the law and the fact that it is not suitable as a basis for laws in several respects.

As for the second aspect, it is represented in that it prevents the development of law and its response to social changes, where the law remains rigid and not subject to development. And the legal one in particular, and thus it aspires to give legitimacy and idealism to the authority and the law it issues, and to give the illegal bank to all who oppose it.

As for the third aspect, strong loyalty to ideologies often exceeds the general interest of society, as it is linked to personal interests. Where ideology constitutes criminal law and exists to confirm a specific idea and to serve the interests of specific people, the law loses its function and nature and turns into a struggle in the hands of power.

This is in addition to the process of ideologizing and camouflaging, which constitutes a historical depth for the interaction of the political system with society, but it is received by individuals through the process of strict socialization carried out by the authority through its social institutions and the tools it controls, of which the law is at its head, and that this historical ideology only establishes false convictions as its foundation. Perceiving fear and its tools, the most important of which is the criminal law because of the methods of coercion it contains, so the action of individuals appears in a streamlined, normative symmetry, and thus ideological leads to what is called (absence of thought functionality), which contradicts the description of the law as a social phenomenon that no society is devoid of, and that it is a necessity imposed by it. The need to organize.

Political ideology alone may not control the criminal law, as several ideologies may compete in controlling the law, whether political, economic, religious, cultural, or otherwise, as the role of ideology is not limited to the political aspect only, but rather it may impose a social ideology on the law.

Where it is represented in the totality of inhuman cultural traditions and values that dominate a particular society and are therefore reflected in the law in it, and therefore stripping the law of them is a necessity and a very important matter, which is the sum of the social and moral values that are inherited in a particular society and which are not considered real values. Thus, the law must be stripped from it and before that society.

There are many reasons that lead to the ideology's control over the law. The ideological control of the law may arise as a result of certain events, such as the control of individuals and their access to power, or the members of society themselves may be the reason for creating the ideology as a result of their submission to a specific political or social situation. Thus, legal ideology is a tool used by the powerful. To ensure the subjugation of the oppressed, and the law has a (crude), absolute and pure expression of the domination of a class.

Thus, ideology deviates the law from its social content and functions, and the criminal law is thus

a law that is not abstract in its content and unrealistic, and therefore it is necessary to distinguish between two types of criminalization, which are the realistic (real) criminalization and the utilitarian criminalization that serves the authority and its ideologies, and remove the latter from the circle of public interest and awareness to be private. Authority and not society, whose origin is due to the deviation of the relationship between the authority and the governed group and the degree of representation of the political system (which the state embodies) to society and its ability and the desire of those in charge of its apparatus to strive to achieve the public interest and enhance the basic role of the state represented in the provision of security and services, and therefore it is not. There is a distinction between the interest of the state and the interest of society, and then there is congruence between the interest of the political system (represented by a limited group) and the interest of society in general.

We conclude from the foregoing that ideology represents one of the most important and dangerous illegal additions to the criminal law, which contradicts the idea of abstraction in its essence, because it diverts it from its functions and exploits it by the authority to achieve its control over the law and society. The authority that seeks to achieve its goals uses the law in general and the criminal one in particular. To achieve these ends.

Also, criminal law is the state's means in achieving its goals, which are often linked to a specific situation or idea that the authority seeks to establish in order to support its system and consolidate it in the awareness of individuals and the reality of society. The criminal law and the criminal rule are far from being abstract. The specificity of abstraction that should characterize the rules of this law requires that it be kept away from ideas and ideologies, as well as keeping it away from being a tool in the hands of the authority or any other party. Rather, this law arises and develops through a society that sees power as a tool or a tool. A means of implementing the provisions of this law and revealing its rules that are established and developed by society and the values that its members believe in.

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