

### 3.2.1.5 Theme E: Religion, crime and punishment

Students should study religious teachings, and religious, philosophical and ethical arguments, relating to the issues that follow, and their impact and influence in the modern world. They should be aware of contrasting perspectives in contemporary British society on all of these issues.

They must be able to explain contrasting beliefs on the following three issues with reference to the main religious tradition in Britain (Christianity) and one or more other religious traditions:

- Corporal punishment.
- Death penalty.
- Forgiveness.

#### Religion, crime and the causes of crime

- Good and evil intentions and actions, including whether it can ever be good to cause suffering.
- Reasons for crime, including:
  - poverty and upbringing
  - mental illness and addiction
  - greed and hate
  - opposition to an unjust law.
- Views about people who break the law for these reasons.
- Views about different types of crime, including hate crimes, theft and murder.

#### Religion and punishment

- The aims of punishment, including:
  - retribution
  - deterrence
  - reformation.
- The treatment of criminals, including:
  - prison
  - corporal punishment
  - community service.
- Forgiveness.
- The death penalty.
- Ethical arguments related to the death penalty, including those based on the principle of utility and sanctity of life.

## Theme E – Religion, crime and punishment

### Different types of crime

Crimes against the person	Crimes against property	Crime against the state
Causing direct harm to a person: murder, rape, hate crime	Damage or deprive people of their property: arson, burglary, and trespassing.	Potentially endanger everyone or affect the smooth running of society: terrorism and perjury.

### Good and Evil

**Evil** is something that is immoral and wicked. **Good** is defined righteous and morally acceptable.

CHRISTIAN	MUSLIM
<p>Many Christians believe that evil is caused by humans misusing their freewill - they believe that <b>original sin</b> you are born with makes them capable of sin. Some say Satan tempts people to sin.</p> <p>The <b>parable of the sheep and goats</b> says that everyone will be judged and separated. Jesus said that helping another person is like helping him. <b>'whatever you did not do for one of the least of these, you did not do for me'</b></p>	<p>The Qur'an says that there is a devil who was previously an angel. When Allah ordered the angels to bow to Adam, Iblis refused and was expelled from paradise, but was able to cause Adam and Eve's removal from Eden.</p> <p>Allah is merciful and those who have done good things will be rewarded, but he will come down harshly on people who do bad things.</p> <p><b>'the wrongdoers - He has prepared for them a painful punishment'</b> (Q)</p> <p><b>Intentions:</b> If people intend to do something good, that will help them on the Day of Judgement, but intending to do bad doesn't count against you.</p> <p>Many Muslims believe that Iblis tries to make humans turn to evil</p>

### Religion and Law

- **Justice** is the idea of each person getting what they deserve and maintaining what is right.
- The **laws of the state** define what is right and wrong. Nations believe that the **rule of law** is the best way to protect society. Without law there's the risk of chaos.
- Christianity and Islam believe that **God commanded people to follow law**. Some religious believers think that religious law is more important than the laws of the land.
- Where religious law and state law disagree, some believers think it is better to commit a crime if it means they avoid committing a sin.

CHRISTIAN	MUSLIM
<p>A <b>sin</b> is when religious law is broken i.e., when God's teaching is disobeyed. A <b>crime</b> is when the state laws are broken. They have a duty to look after other people and guide them to do what's right and repent of their sins.</p> <p><b>'let justice roll on like a river'</b></p>	<p>Muslims have a clear religious law (shari'ah), and it's often the basis for the state laws in Islamic countries. Saudi Arabia, for example is run according to their religious law. Shari'ah councils in Britain make rules according to it, but UK law takes precedence.</p> <p><b>'Allah commands justice'</b></p>

### Forgiveness

Forgiveness is a process that victims go through when they let go of the offence and the negative ideas of revenge, to move on and let the criminal move on too.

Forgiveness allows both victims and perpetrators to move on; however, most religious people believe that criminals should still be punished for what they've done.

**Restorative justice** is where an offender meets people who've suffered because of the crime they committed.

Helps them see the extent of the damage and try to make up for their actions and discourage reoffending.

CHRISTIAN	MUSLIM
<ul style="list-style-type: none"> <li>• God is merciful towards people who genuinely seek his mercy so they should reflect God's nature in their own behaviour.</li> <li>• The Lord's prayer has verse about forgiveness</li> <li>• Jesus told people to seek reconciliation in any disagreements before offering a gift to God at the temple: <b>'First go and be reconciled to them; then come and offer your gift'</b>.</li> <li>• Jesus taught people to forgive <b>'not seven times, but seventy-seven times'</b></li> </ul>	<ul style="list-style-type: none"> <li>• They must be merciful so that Allah will do the same on the Day of Judgement</li> <li>• Wrongdoing should be forgiven if the offender is sorry and makes amends</li> <li>• Muhammad was forgiving (in the Hadith) – Muslims should follow his example</li> <li>• Some crimes are seen as so awful that forgiveness isn't an option e.g. shirk</li> <li>• <b>'whosoever forgives and makes amends, his reward is upon Allah'</b> (Q)</li> </ul>

### Reasons for crime

<b>Upbringing</b>	This might include the environment they were brought up in, the morals of the family/friends/neighbourhood and whether a person is surrounded by crimes or criminal activity.
<b>Mental illness</b>	The state of mind of a person may lead them into a life of crime. They might have a serious psychological problem that makes them feel no guilt or sorry for others. Or they might feel the need to commit crimes part of their mental state.
<b>Poverty</b>	A person might commit a crime because they see no other way to make any money. They might not have any other way to provide for their children.
<b>Addiction</b>	A person might have an addiction to drugs, alcohol, etc and they commit crimes to fund these habits. Some people might be addicted to the thrill of stealing.
<b>Greed/Hate</b>	people might commit crimes because they are jealous and want someone else's things. They might also commit one in revenge for something.
<b>Opposition to existing laws</b>	Some crimes are committed in protest about laws that exist that are considered either unfair or for the benefit of a select few in society. In the 1950s and 60s many people, such as Rosa Parks, broke laws that treated black people unfairly in the USA.

The reason behind the crime should be taken into consideration, and many would want to help the individual as well as tackle the bigger issues that cause crime. However, certain causes would be more likely to get sympathy than others, e.g. poverty would be seen as more reasonable than greed. Many think that breaking a law that is unfair or that goes against religious law is acceptable

### Christian beliefs on crime and working to prevent crimes

- Christians are strongly against crime – they're told to care for others: **'Love your neighbour as yourself'**.
- Christians have defied laws to fight for what's right: Martin Luther King. In this case many support breaking laws **'We must obey God rather than human beings'**
- Many would help people who are struggling in poverty in order to tackle a source of crime. They might help in food banks
- Christian groups play their part to prevent crime. Street Pastors who help people out at night have helped to lower crime rates.
- **The Prison Fellowship:** pray for prisoners, maintaining contact with their families, make prisoners see how they have affected victims to bring about restorative justice

### Muslim beliefs on crime and working to prevent crimes

- A life of crime doesn't allow believers to focus on what really matters – their faith and connection with Allah
- Murder is one of the worst crimes: **'whoever kills a soul...it is as if he had slain mankind entirely'**. Theft and hate crimes defy Islamic teachings about people being equal
- Key elements of religion reduce crime:
  - Zakat helps to tackle **poverty**. Alcohol, drugs and gambling are banned, reducing the chance or **addiction**. Parents are taught to follow teachings in the Qur'an to give their child the best possible **upbringing**, preventing them from turning to crime.
- **Mosaic:** charity that pairs young people approaching end of prison with a mentor. They help to adjust to life outside prison and prevent them returning to life of crime.

### The aims of punishment

Deterrence	Retribution	Reformation
<p>If a punishment is sufficiently bad it will put people off committing the crime – they understand consequences.</p> <p>Some argue that people don't stop to think about punishments before they commit a crime, especially if they have taken drugs.</p>	<p>Punishment is a way of taking revenge or making them pay for what they have done.</p> <p>Some argue that revenge doesn't put right the wrong – its better to look for a constructive solution.</p>	<p>Aiming to change criminals so they won't reoffend – nobody is inherently bad. Many feel this allows offenders to seek forgiveness from God. Programs to reform include counselling and community work. They can rejoin society as a constructive member.</p>

Christianity	Islam
<ul style="list-style-type: none"> <li>• Most agree with <b>deterrence</b> but not through harsh punishment. This helps make communities less dangerous.</li> <li>• Criminals should be punished in a just way. Punishment should be <b>'an eye for an eye'</b>, so focus of <b>retribution</b>.</li> <li>• <b>'turn the other cheek also'</b> and <b>'do not repay anyone evil for evil'</b> shows we should look more towards <b>reformation</b>.</li> <li>• <b>'if someone is caught in a sin...restore that person gently'</b></li> </ul>	<ul style="list-style-type: none"> <li>• The Qur'an mentions punishments such as whipping that are carried out publicly – the aim of his is to deter the criminal, but some believe this punishment can reform offenders too and offer retribution</li> <li>• The Qur'an says that the punishment should fit the crime <b>'an eye for an eye'</b>. It also explains that the offender can sometimes compensate the victim.</li> </ul>

## Focus on prisons

Kind and Fair	Tough
Christianity	
<ul style="list-style-type: none"> <li>Whilst Christians support their use, they are concerned about the way they are run and levels of reoffending.</li> <li>Christians have a duty of care and help</li> <li>Though they have committed a crime, criminals deserve fair humane treatment and are more likely to respond positively to them than harsh punishments.</li> <li>Many want to promote better conditions in prison and visit offenders in prison.</li> </ul>	That life in prison should be tough to act as a deterrent. If prison life was tough enough, then prisoners would not want to reoffend.
Islam	
The Qur'an teaches that prisoners should be treated fairly. 'And they give food in spite of love for it to the...captive'. Most Muslim countries have modern prisons and principles of fair treatment.	However, some argue that treating prisoners harshly can be more effective in reforming them.

## Types of punishment

Depending on the severity of the crime committed, criminals can be given various sentences, including prison, community service. and corporal punishment.

### Community service as punishment

- The punishments involve doing unpaid work in the local community
- Given for less serious crimes such as damaging property or drink driving.
- It is seen as more positive than prison and the judge might think that it could have a better effect than sending them to prison.
- Also, it allows people to carry on working and doing the payback in the evenings. This enables them to keep their job.
- Religious people** are often in favour of community service. They believe it allows the offender to repay their debt to society yet still lead a normal life, which should help to ensure they don't reoffend.
- Some **Muslims** are against community service as they believe it's too easy and doesn't stop reoffending.

## Corporal punishment

**WHAT?** Corporal punishment is when the criminal is punished through physical pain delivered by beating or flogging. It is not used in Europe but is elsewhere in the world.

**AGAINST:** Prisoners have human rights – many argue corporal punishment goes against this and promotes violence. All religions believe life is sacred and should be respected.

**FOR:** Others might argue that corporal punishment and suffering it causes would put people off reoffending

Christian opinion	Islam opinion
<ul style="list-style-type: none"> <li>The majority of Christians are strongly against corporal punishment – Jesus was against violence, saying 'all who draw the sword will die by the sword'.</li> <li>The Bible says that 'Whoever spares the rod hates their children', so disciplining children through corporal punishment is allowed, but many disagree as it goes against idea of Christian compassion</li> <li>There are examples in the Bible of corporal punishment being used on criminals, so these might be used to argue that it's acceptable in some situations.</li> </ul>	<ul style="list-style-type: none"> <li>Under Shari'ah law, corporal punishment is permissible for certain crimes such as drinking alcohol and stealing. The Qur'an teaches 'Cut off the hand of thieves whether they are man or woman, as punishment for what they have done – a deterrent from God.' (Q) 'If a woman or man is guilty of adultery, flog each of them 100 stripes'</li> <li>There are rigorous rules about evidence needed, and many Muslim countries don't use them – they believe it is too severe and don't respect the offender's human rights.</li> <li>In many Muslim countries, the Law of Compensation can be used which swaps corporal punishment for paying compensation. 'whoever kills a believer by mistake must ... pay the blood-money to the family of the slain' (Q)</li> </ul>

## The death penalty – capital punishment

Arguments for capital punishment	Arguments against capital punishment
<ul style="list-style-type: none"> <li>It is a deterrent; therefore, it puts people off committing horrendous crimes.</li> <li>If you execute a murderer, its impossible for them to kill again. Imprisoned murderers have been known to order killings from jail or to reoffend. The suffering of the criminal in these cases can protect many people.</li> <li>Utilitarianism (or principle of utility) is the idea that the best course of action creates the best balance of good and bad results.</li> <li>It is a waste of resources housing criminals for their whole life.</li> <li>It's the only way to protect society from dangerous criminals.</li> </ul>	<ul style="list-style-type: none"> <li>Retribution is uncivilised; two wrongs do not make a right. It's hypocritical to condemn murder then take away the murderer's life.</li> <li>Capital punishment would not be deterred as most people kill in the spur of a moment.</li> <li>Victim's families will still grieve. It will not make them feel better.</li> <li>Innocent people could be executed.</li> <li>It is inhumane to put people through the mental torture of "Death Row."</li> <li>Happiness isn't always what is considered right.</li> </ul>
Christianity	
<ul style="list-style-type: none"> <li>An "eye for an eye, life for a life" means that murderers should pay with their life.</li> <li>Some Christians in the US (where capital punishment is legal) believe that it protects the innocent. In the Bible it says, 'Whoever sheds human blood, by humans shall their blood be shed' and 'Anyone who strikes a person with a fatal blow is to be put to death'.</li> </ul>	<ul style="list-style-type: none"> <li>Some may be against it because the Ten Commandments forbid killing</li> <li>All life is sacred, and murderers should be given a chance to reform.</li> <li>The <b>story of the Fall</b> shows that human nature is such that everyone sins, so the death penalty is wrong.</li> <li>Many are opposed to it as it doesn't allow for reform or show mercy. Jesus said to 'love your enemies' so many are also against the violent nature of the death penalty</li> </ul>
Islam	
<ul style="list-style-type: none"> <li>The Qur'an outlines crimes punishable by death, but encourages victims' families to take compensation 'Do not take life, unless it be for murder or for spreading mischief' (Q)</li> <li>Muhammad said death could be punishment in three cases: 'the married adulterer, a life for life, and the deserter of his Din (Islam)' This is reflected in Shari'ah law</li> </ul>	<ul style="list-style-type: none"> <li>Some believe that Allah, not humans should decide when life ends – they don't agree with capital punishment. 'Do not take life, which God has made sacred.' (Q)</li> </ul>

Some people might use situation ethics to decide on a case-by-case basis if the death penalty should be applied. This could lead to people being for the death penalty in some cases, but against it in others depending on