

AQA A Religious Studies Paper 2: Crime and Punishment



What is crime and punishment?



Crime- an offence that breaks the law set by the government. People who commit crimes face legal consequences.

E.G. theft, murder, fraud, kidnapping, rape, sexual assault.

Punishment- something done legally to somebody as a result of being found guilty of breaking the law.

E.G. prison, community service, fines.

Good and evil intentions and actions

- People assume that a good action is one that doesn't break the law, but this isn't always the case.
- Sometimes, there are actions which aren't against the law, but might be seen as evil (e.g. abortion).
- There might be evil actions done with good intentions, e.g. stealing from a shop to help feed a poor family.
- Generally, evil actions cause harm and suffering.

Christian views	Buddhist views
<ul style="list-style-type: none"> • Bible teachings warn against having any evil or wrong thoughts: 'I tell you that anyone who looks at a woman lustfully has already committed adultery with her in his heart' - Matthew 5:27-28. • Evil actions are sinful and against God. • Some Christians say there is no such thing as an evil person as God made everyone good (Genesis). • Because of original sin, humans tend to do evil things even though they aren't evil in themselves. 	<ul style="list-style-type: none"> • Doesn't speak of good and evil but rather skilful and unskilful actions and intentions. • Not all unskilful actions are illegal (e.g. to be unkind). • Not all skilful actions are legal (e.g. in some countries, it's illegal to practice Buddhism). • Karma teaches that the intention behind an action is important. • Whether an action causes harm to someone or agrees with the five moral precepts, can help determine if it's skilful or not. • Buddhists follow the law.

Reasons for crime

Reason	Explanation	Christian views	Buddhist views
Poverty	People cannot always afford to buy food. Some may steal. However, stealing is against the law.	Stealing is wrong, but people should help ensure no-one is in the position of having to steal due to poverty.	Stealing goes against the second moral precept (to not take what is freely given) and causes harm to others.
Upbringing	Some people grow up in a household where crime is part of life. A troubled upbringing (e.g. neglect or abuse) may also lead to crime.	Parents should teach children the right way to behave through their own words and actions.	People need supportive conditions growing up so they develop sensitivity and learn how to behave ethically.
Mental illness	Some forms of mental illness may lead to crime e.g. anger issues may lead to violence.	Treating the causes of illness is the most loving and compassionate way of dealing with people with mental illness.	Everyone sees reality in a distorted way, which leads people to cause suffering to themselves or others.
Addiction	Taking illegal drugs in itself is a crime. Addiction may make them commit further crimes e.g. theft. Drugs can also cause violence.	Against taking illegal drugs and support rehabilitation to defeat addiction. Believe alcohol is acceptable in moderation.	People under the influence of drugs lose awareness so are less sensitive to others. The fifth moral precept encourages Buddhists not to take drugs and alcohol.
Greed	Greed or want for things they cannot afford causes some people to steal.	Ten Commandments forbid jealousy, and it is jealousy that often causes greed.	Being greedy is unskilful and leads to suffering.
Hate	Can lead to violence or aggression.	Jesus taught Christians to love everyone, including their enemies.	Hatred is one of the three poisons and one of the main causes of suffering.
Opposition to an unjust law	Sometimes, people break the law if they think it is unjust e.g. laws based on inequality or that deny human rights.	Some Christians may agree with this but only if no violence is involved and no-one is harmed.	Buddhists might disobey a law that expresses prejudice and hatred.

Aims of punishment



Retribution- to get your own back e.g. a murderer should be killed as punishment.

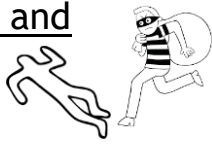
Deterrence- to put people off committing crimes e.g. in public or harsh.

Reformation- to change someone's behaviour for the better e.g. counselling.

Aim	Christian views	Buddhist views
Retribution	<p>'Do not be overcome by evil, but overcome evil with good' (Romans 12:21).</p> <p>'Life for life, eye for eye, tooth for tooth' (Exodus 21:23-24).</p>	<p>Form of violence and therefore wrong.</p> <p>A person will suffer anyway because of karma: 'we should not seek revenge on those who have committed crimes against us, or reply to their crimes with other crimes' (Dalai Lama).</p>
Deterrence	<p>Generally accept it, so long as they aren't excessively harsh.</p> <p>Oppose public punishments as this may humiliate offenders.</p>	<p>May not work if people are in grip of the three poisons.</p> <p>May agree it's important to protect society from criminals by imprisoning them- but the motive is protection society, not deterrence.</p>
Reformation	Favoured by Christians as it's positive. Should happen alongside punishment, not replace it.	Believe criminals should be encouraged to recognise the suffering they've caused.



Religious attitudes to lawbreakers and different types of crime



Attitudes to lawbreakers

Christians may disapprove of the crime but don't hate the criminal who committed it, believing that:

- Offenders should be punished by the law.
- Offenders have basic human rights so shouldn't be given a harmful punishment.

Buddhism doesn't favour punishment as it's rooted in the idea of vengeance and causes suffering to the offender. However, they do believe there will be consequences for people who act unskillfully (kamma). Also believe everyone can change, so rehabilitation and reformation are important e.g. in Buddhist scripture, the murderer Angulimala killed lots of people, but when he met the Buddha, he wasn't punished and was encouraged to live a better life, which he did.

Attitudes to types of crime

Type of crime	Christian views	Buddhist views
Hate crime	Condemn hate crimes because they believe God made all humans equal. Jesus taught to 'love your neighbour' (Mark 12:31).	Hatred is one of the three poisons. Causes suffering and harm to others.
Theft	Goes against Ten Commandments: 'thou shall not steal' (Exodus 20:15).	Breaks the second moral precept, strengthens the habit of greed and expresses a lack of respect.
Murder	Goes against Ten Commandments: 'thou shall not kill' (Exodus 20:13). It's wrong as only God has the right to take life.	Breaks first moral precept. Inflicts suffering on victim and their family and friends.

Religious attitudes to the treatment of criminals



Treatment	Christian views	Buddhist views
Prison- loss of liberty, locked in cells and do manual work.	- Support prisons for more serious crimes. - Prisoners should be treated well and involved in positive activities/ education.	- Aim of prison should be to protect society. - May also provide time/ space for rehabilitation.
Corporal punishment- involves physical pain. Illegal in UK.	- Don't support it, doesn't show respect to the individual.	- Against it as it expresses violence and encourages resentment. Doesn't solve cause of crime.
Community service- e.g. cleaning or decorating. Used for minor offences.	- Approve of it. Allows offenders to make up for their wrongdoings. Makes them realise consequence of actions. - No harm is done to the offender.	- Approve of it and helps to rehabilitate the criminal.

Suffering



Christian views

- Believe they have a duty to help those who are suffering and try to follow the example of Jesus who helped many. Story of Good Samaritan shows the Samaritan helping the Jewish man who was beaten and injured.
- When they do cause suffering, they should apologise and repair the damage.
- Where it is unavoidable, suffering can strengthen faith: 'we also glory in our sufferings....suffering produces perseverance, character and hope' (Romans 5:3-4).
- It's wrong to blame God for suffering because humans have free will.

Buddhist views

- Suffering is an inevitable part of life and aim to overcome it by accepting its existence and following the Eightfold Path.
- First moral precept is to not harm others.

Forgiveness




 **Forgiveness-** showing mercy and pardoning someone for what they have done wrong.

- Christianity: Jesus forgave those who crucified him (Luke 23:24). When asked how many times to seek forgiveness, Jesus said 'not 7 times, but 77 times' (Matthew 18:21-22). The Lord's Prayer also mentions forgiveness.
- Buddhism: If people don't forgive, they will suffer. Forgiveness doesn't mean a criminal won't be punished, because of kamma.

Religious attitudes to the death penalty



 **Death penalty-** when a criminal is put to death for their crime. Illegal in UK but exists in some other countries e.g. some states in the USA.

Arguments for

- It is justified retribution.
- It protects society.
- Principle of utility- an action is right if it leads to happiness.

Arguments against

- Chance of killing an innocent person.
- Little evidence it deters criminals.
- It's not right to take a person's life.

- Christianity: Some agree: 'whoever sheds human blood, by humans shall their blood be shed' (Genesis 9:6). Some disagree: sanctity of life.
- Buddhism: Most oppose it- breaks first moral precept and can't relieve suffering of the victim by making the offender suffer.