|  |  |  |
| --- | --- | --- |
| **Key Terms and Topic Information****Reformation** – this means that the punishment given to a criminal is not simply ‘to punish’ but to try and change the criminal’s attitude so that they realise that their actions are wrong and change their ways. They often realise the effect their actions have had and try to not repeat them. The majority of criminals will sooner or later return to society so this positive work has to be done. In prison for example this could be through education, counselling or work programmes so that they are able to re-join society without turning to crimes.**Retribution** – This where ‘punishment it’s the crime’ to the extent that it appears to be revenge on the criminal. Often punishments make the offender pay for their crimes and so the victims feel they are supported. For example a murderer gets a ‘life sentence’ – they have taken a life so they have their life taken also. **Deterrence** – Punishments are meant to ‘put off’ or deter criminals from either repeating crimes or becoming a criminal in the first place. The punishments are tough enough to make people not commit crimes because they don’t like the punishments they might be given. E.g if for speeding a driver was banned for life this is more likely to deter than a fine. If deterrence works then actually none of the other aims would be necessary as there would be no criminals.***You may also like to refer to 3 other aims although the exam will not include these in the questions.****Protection* – the las must punish so that society feels safe and actually so the criminals are protected too.*Reparation* – this means that the punishment given repairs the damage done *Vindication* - the law has to give out tough enough punishments for it to be respected and people will want to keep the law.Most punishments include more than one aim – prison for example can deter, can reform, be retributive, protect and vindicate.  | **Relevant religious teachings**‘Whenever you judge between people you should judge with a sense of justice’ Qur’an 4:58 (each punishment should see justice done and retribution is key in Islam – if the punishment fits the crime, justice is done and reform it is believed will follow)‘A thief, whether, a man or woman, shall have his or her hand cut off as a penalty’ Quran 5:38 (suggests a just punishment that fits the crime – retribution – but a constant reminder to not thieve again so reformation as well. Often the Law of compensation is used here to pay for the good stolen and damage done – for a lesser sentence)If you should punish them… then do so to the same extent’ Quran 16:126 (suggests that retribution is the key principle in serving punishments out to criminals)‘O you who believe, retribution is prescribed for you in the case of murder...Quran 2:178 (suggests the only aim to be fulfilled when dealing with murder is retribution, hence the death penalty is part of Shari’ah law)‘There is retribution in wounds..’ Quran 5:45 (suggests that the reason for physical punishment is as a punishment to fit a crime –for murder or theft for example) | **Religious attitudes to****Similar** All Muslims accept the punishments listed in the Qur’an. These are for deterrent, retributive and reformative purposes. All Muslims accept the law of compensation – that a person can pay money to make up for a crime they have committee and then receive a lesser sentence. The Qur’an states that to do this benefits the victim in that Allah rewards their mercy (which is itself a quality of Allah).**Contrasting/Different**Whilst many Muslims believe the death penalty is a fair punishment as it is listed in the Qur’an (so sanctioned by God), and fulfils the aims of retribution and deterrence; many other Muslims believe that all life is sacred, so the death penalty is not appropriate.Whilst Muslims recognise that most criminals must return to society after punishment, there is no consensus on the aims fulfilled by that punishment – some favour deterrence, others reform.Some religious people believe prisoners are reformed by being deterred through harsh punishment; others believe reform only takes place when a person really understands the wrong in their behaviour and resolves not to behave that way (ie reform by fear versus reform by understanding). |
| **Aims of Punishment****C:\Users\LESLEY\AppData\Local\Microsoft\Windows\INetCache\IE\T1GAJBV2\7987532186_5d3a6451e1_z[1].jpg** |
| **Issues for debate**Which is the most effective aim of punishment?Which type of punishment fits which aim?Are aims ever achieved?What about protection? Is this the primary aim of punishment?If the law deters crime would any other aim be needed? |
| **1m Questions**Many religious believers do not agree with retribution as an aim of punishment. What is retribution?A putting people off committing crime B helping a person be responsible for their actionsC getting someone back for what they did D protecting the public  | **Relevant religious teachings**‘Whenever you judge between people you should judge with a sense of justice’ Qur’an 4:58‘A thief, whether, a man or woman, shall have his or her hand cut off as a penalty’ Quran 5:38If you should punish them… then do so to the same extent’ Quran 16:126‘O you who believe, retribution is prescribed for you in the case of murder...Quran 2:178‘There is retribution in wounds..’ Quran 5:45 | **2m Questions**Give two aims of punishmentGive two reasons why many religious believers do not agree with retribution as an aim of punishmentGive two religious teachings about punishmentGive two reasons why many religious believers agree with reformation as an aim of punishment |
| **Aims of Punishment****C:\Users\LESLEY\AppData\Local\Microsoft\Windows\INetCache\IE\T1GAJBV2\7987532186_5d3a6451e1_z[1].jpg** |
| **4m Questions****(Explain two different/similar/contrasting views about….)**Explain two similar religious view about the aims of punishmentExplain two different religious views about retribution as an aim of punishment***(Remember to answer these using two paragraphs and develop each idea)*****One view is …………****The second view is…..** | **12m Questions****‘Reformation is the most important aim of punishment ‘****‘Prison fulfils all the aims of punishment‘**Evaluate this statement. In your answer you:* Should give reasoned arguments in support of this statement
* Should give reasoned arguments to support a different point of view
* Should refer to religious arguments
* May refer to non-religious arguments
* Should reach a justified conclusion.

NB – at times you need to go into other topics from the Theme to answer a statement – as in the second statement. This shows that you must study and learn all aspects of a Theme to be properly ready for what the exam throws at you. |
| **5m Questions****(Explain two teachings about………)**…deterrence as an aim of punishment…retribution as an aim of punishment ***Remember to answer these using two paragraphs and develop each idea)*** *One teaching is\_\_\_\_\_\_\_\_\_\_ which means\_\_\_\_\_**The second teaching is\_\_\_\_\_\_\_\_\_\_ which means \_\_\_\_\_\_\_\_\_\_\_\_\_\_* |