

RE Knowledge Organiser: Justice in Islam

Non –religious attitude to justice

Atheists and Humanists believe that justice is important because it ensures that:

- People are rewarded for their labour- people would not work if they weren't sure they would be paid. The justice system (police, courts and prisons) makes sure laws are obeyed and enforced.
- The weak are protected from the strong- laws are put in place for stealing, murder, rape and other crimes.
- Advanced civilisation- high level of government and culture in the UK protects its citizens. Without laws and justice, it would be impossible for the country to run well.

Why Justice is important for Muslims

- The Qur'an describes God as Just. Four of the 99 names of God are the Judge, the Utterly Just, the Truth and the Equitable. Justice is therefore of high importance to Muslims.
- The Qur'an states that God wants people to treat each other fairly: "God commands justice, the doing of good...and he forbids all shameful deeds and injustice" (Surah 16:90)
- Many **hadith** shows Muhammad as someone who is just and he also encourages Muslims to treat everyone justly and equally.
- Muslims believe that is apart of their role as **vicegerents** of God's creation to act justly to others and ensure that the world is governed in a fair way.
- Equality before the law is one of the basic principles of the Islamic justice system. They believe that all people should have equal rights before the law.
- As a part of their belief in justice, Muslims refuse to be involved in the charging of interest on loans, credit cards and so on.
- Muslims believe that on the Last Day , good will be rewarded and the evil will be punished.

Source of Wisdom: " Many a community ruined itself in the past as they only punished the poor and ignored the offences of the exalted. By Allah, if my daughter Fatima would have committed theft, her hand would have severed". (Hadith recorded by Sahih Bukhari)

Key Terms	Definitions
Justice	Due allocation of reward and punishment. Rewarding the good and punishing the bad.
Laws	Rules made by Parliament and enforced by the courts.
Hadith	Sayings of the Prophet Muhammad.
Vicegerent	Someone working as God's representative on earth.
Victims	Those who have suffered from a crime.
Perpetrator	One who commits the crime.

Why is justice important for the victim?

- It is important that justice is done for victims so that they can feel that the hurt they have suffered is recognised by society and paid for by the **perpetrator**.
- Victims believe that justice has been done if the perpetrator has been caught and given a sentence that appropriate for the pain they have inflicted.
- It is important that perpetrators are made aware of the effects that their crime has had on their victim.

Why Muslims believe Justice is important for the victim

- Justice can only be given when the victim receives justice from the perpetrator.
- Islam teaches that the victims of crime should be compensated . They believe that making the criminal compensate their victim helps to give the victim justice.
- God commands Muslims to be just, therefore the unjust must be punished so that their victims are given justice.

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The causes of crime

Some of the main reasons for people committing crimes include:

- Poverty**- poverty is likely to lead many people to crime. Many of the people convicted of shoplifting food are stealing it to feed themselves and their family.
- Upbringing**- There is clear evidence that upbringing and family background have a major effect on the likelihood of people committing crimes. In a survey done of the prison population in 2011, 37% of prisoners reported having family members who had been in prison or young offenders' institution.
- Drugs**- Research has proven that many acquisitive crime is committed by users of heroine and crack cocaine trying to pay for their drugs. For other crimes such as murders, manslaughter, stabbings and half of domestic assaults, alcohol is more of an influence.
- Low self-esteem**- It is believed that there is a link between low self-esteem and criminal offending.

Muslims attitudes to crime

- Islam tries to deal with the issues of poverty in both a religious and a political way. Islam bans the use of interest, which is believed to make the poverty of many poor people worst. They also encourage Muslims to share their wealth.
- Muslim parents are expected to teach their children right from wrong and train them in the right way. It is believed that on the Last Day, Muslim parents will be judged by God on how well they have brought up their children.
- Alcohol and drugs should not be a problem for Muslims as the Qur'an prohibits their use. Muhammad taught that Muslims should not drink alcohol or have anything to do with the production or sale of it.
- If Muslims believe that their are vicegerents of Allah, then they should have no problem with self esteem. They should regard themselves in high esteem as they are representing Allah on earth.

Source of Wisdom:

- "God commands justice , the doing of good , and liberality to kith an kin, and He forbids all shameful deeds, and injustice and rebellion. He instructs you that, that ye may receive admonition". (Surah 16:90)

Key Terms	Definitions
Crime	An act against the law.
Cybercrime	Criminal activities carried out by means of computers or the internet.
Acquisitive crime	Crime such a stealing and burglary where the criminal wants to acquire someone else's property

Help with reoffending

- The Muslim Chaplains Association**- provides support with resettlement of prisoners, such as help with housing and employment after release. Muslim Chaplains lead worship and provide pastoral care in prisons voluntarily.
- **Mosaic (Founded by Prince Charles in 2007)**- provides a mentoring programme mainly for Muslim prisoners in the 6 months prior to release and at least 6 months post-release. The Volunteer mentors help Muslim prisoners to find work, somewhere to live and visit the regularly after their release.

Summary

In Islam , a crime is an act against the law. The main cases of crime are poverty, upbringing, drugs and low self-esteem. Muslims are against crime because crime breaks the laws of God. They try to remove the causes of criminality by trying to remove poverty, helping parents to bring up their children to obey the law, banning alcohol and drugs and improving self esteem through religion. They try to stop criminals from reoffending through groups like Mosaic and Muslim Chaplin Association.

Key Terms	Definitions
Du'a Prayers	<p>The word <i>du'a</i> in Arabic means "calling" - the act of remembering Allah and calling upon Him.</p> <p>Aside from the daily prayers, Muslims are encouraged to call upon Allah for forgiveness, guidance, and strength throughout the day.</p> <p>Muslims can make these personal prayers (<i>du'a</i>) in their own words, in any language, but there are also recommended examples from the Quran and Sunnah.</p>

The nature of Good Actions

- In Islam, good actions are known as 'halal', meaning 'that which is permitted'
- Muslim scholars say that as God created the universe, everything is 'halal' unless God has specifically said it is not. Good actions have been subdivided into:
 1. Fard: performed actions in order for the person to be seen as good. E.g observing the Five Pillars and obeying the laws of Shari'ah. Performing the actions will result in reward, not following them will result in punishment
 2. Manbud: actions which a muslim will be rewarded for doing, but will not be punished if they do not do them. E.g Du'a Prayers
 3. Mubah: actions which are permitted because nothing is said about them in the Qur'an or Hadith. For example watching TV. Such actions will be neither rewarded or punished.
- Islam teaches that those who perform good actions will be rewarded on the Day of Judgement by God sending them to paradise for eternity.

The nature of Evil

- Evil actions are called 'haram', meaning 'that which is forbidden'
- Any action that is forbidden in the Qur'an, the Hadith or the Shari'ah (e.g drinking alcohol or gambling) is haram and so is regarded as evil and will be punished by God
- Evil is often divided into moral evil and natural evil

Moral Evil	Natural Evil
<p>Caused by humans by misusing their free will</p> <p>When faced with a moral decision, it is possible to choose a go or evil action.</p> <p>When the evil action is chosen it is described as moral evil. E.g murder</p>	<p>Suffering that is caused by nature; earthquakes, tsunamis, cancer etc</p>

Non religious attitudes to evil and suffering

- Can not believe that a good God would design a world where natural evil takes place.
- They can not believe in a loving God who has created diseases such as cancer, which causes people to die in a suffering way
- They can not believe a good, loving God would allow children to suffer through fatal diseases and conditions which they have no chance of survival
- Non religious people find it easier to believe that suffering is a result of the earth evolving by accident from the Big Bang.
- Natural evil makes non religious people question or reject God's existence.
- If God is omnipotent, he must be able to remove evil and suffering from the world
- If God is omnibenevolent, he must want to remove evil and suffering
- If God exists there should not be evil and suffering in the world
- As there is evil and suffering, either God is not omnipotent and omnibenevolent or God does not exist.

The Muslim answer

- God is far greater than any human, humans do not and can not understand or comprehend God's motives and therefore must accept what God does. The Qur'an says that God wants good and so evil and suffering must lead to this.
- For Muslims, life is a period of testing and temptations. Evil and suffering tests people's beliefs in Islam, and a true Muslim will remain faithful through the trials of this life. This will result in reward in the after life.
- Islam teaches about endurance. And face suffering with hope and faith. The faithful should not ask why there is evil, instead they should accept it as God's will, knowing God never asks more of them than they can endure.
- Also, Islam teaches that the faithful should work actively to help those who suffer, wither practically or by prayer, because helping the suffering and fighting evil will be rewarded

RE Knowledge Organiser: Crime in Islam

Attitudes to punishment

Punishment is a penalty inflicted on an offender for breaking the law.

Punishment can take many forms:

- Imprisonment – the offender’s freedom can be taken away for a fixed period of time
- Suspended sentence: courts can order imprisonment but then state that the sentence shall not take effect for a fixed period of 1 – 3 years unless the offender commits a crime again within that time
- Community service order: alternative to prison where the offender is required to do unpaid work in the community and must report to a probation officer
- Probation: offenders are placed under the supervision of a probation officer and is required to act in with good behaviour and have contact with PO for a fixed amount of time. If they break the agreements they could be resentenced for the original offence.
- Fine: monetary penalty which may be paid in instalments
- Compensation order: the offender is ordered to pay the victim compensation for personal injury, loss or damage to property
- Restitution order: forces the offender to return anything they gained by committing the crime
- Hospital order: people with mental health problems can be detained in a secure hospital.

Why punishment can be regarded as justice

- Victims of crimes, especially, will view punishment as justice
- Retributive Justice is a theory of justice which considers that punishment is proportionate to the crime and is the best way of carrying out justice
- Justice demands punishment for breaking the law; this is not revenge and is not like ‘an eye for an eye’
- This is because punishment is not personal; it is proportional to the crime
- Punishment, therefore is a way for making the criminal atone for their crime and so justice is done
- Punishment can also be seen as justice as it is protecting the law abiding citizens

Sources of wisdom and authority

As to the thief, male or female, cut off his or her hands: a punishment by way of example, from God, for their crimes (Surah 5:41)

The recompense for an injury is an injury equal thereto in degree: but if a person forgives and makes retributio, his reward is due from God: for God loveth not those who do wrong. (Surah 42:40)

Key Terms

Definitions

Probation

The release of a person from prison on the condition that they are monitored by a probation officer and break certain rules

Compensation

Paying someone back for a wrong done to them

Hadd punishments

The punishments set down in the Qur’an

Muslim teachings about punishment

- Islam teaches that criminal should be punished for their crimes
- The Qu’ran sets out specific punishments for certain crimes
- Islam also teaches that Muslims should not commit crimes because any crime is a sin against God
- The punishments set down in the Qu’ran are called **Hadd**. These are punishments fixed in the Qur’an and Hadith for crimes considered to be against the rights of God

Theft	Amputation of the hand
Illicit sexual relations	Death by stoning or 100 lashes
Making unproven accusations of illicit sex	80 lashes
Drinking intoxicants	80 lashes

- Strict requirements of evidence have severely limited the application of Hadd punishments
- Most Muslim countries operate a legal and punishment system similar to that of Europe.
- The Qu’ran declares in Surah 2:178 that if a victim and perpetrator agree to amount of compensation that can then take the place of punishment.

Why punishment might be needed in society

- _human beings live in groups, any group needs rules to organise the behaviour of individuals and protect the weak and vulnerable
- If society needs laws, it also need punishments in order to make sure that all members of society obey those laws and that the rest of society is protected from those people who want to break the laws

RE Knowledge Organiser: Crime in Islam

Key Terms	Definitions
Capital punishment	The death penalty for a crime
Retributive justice	Justice done by making the criminal pay for their crime

The aims of punishment

- the main aim of punishment is to try and make sure that everyone obeys the law. But there are some other aims too:
 - To protect the law abiding members of society
 - To deter law abiding citizens from committing crimes
 - To reform and rehabilitate criminals so that they do not break the law again
 - To make criminals pay for their actions and give victims a sense of retribution

Retribution and its benefits:

This is the theory that criminals should pay for their crimes. Many people think this should be the main reason for punishment because:

- It makes criminals pay for their crimes in proportion to the severity of the crimes they have committed
- It makes criminals suffer for what they have done wrong.
- It actually punishes the criminal.

Deterrence and its benefits

This is the theory that punishment should be to put people off committing the crime in the first place! The idea of deterrence is that punishment should be so severe no one will dare commit the crime. For example:

- If someone knows they will have their hand cut off if they are caught stealing, then they won't steal
- If people know they will be executed if they are found guilty, they will not murder

Protection and its benefits

The theory that punishment should protect society from criminals and their activities. Many people think this should be the main reason for punishment:

- Capital punishment is a good punishment for murders and terrorists – if they are dead they are no threat
- Long prison sentences are a good punishment for violent people/persistent burglars as it keeps them out of society
- Community service can be good for hooligans and vandals as it keeps them off the streets

Muslim attitudes

Based on retribution, deterrence and reform; the theory is that such punishments will deter most from committing crimes. They also make the criminal pay for their crime (retribution) and will reform the criminal because no thief who has had their hand cut off will steal again!

Imprisonment is used in Muslim countries to protect society from anti social criminals. It is also possible in Islam for criminals to pay a form of compensation to the victim/victim's family.

Muslims have these views because:

- The Qur'an sets down specific punishments. The Qur'an is the direct word of God which must be followed
- Whipping and amputation allows the offender to stay in society with their families where, it is believed, they will be less likely to reoffend
- The idea of deterrence requires very severe punishments
- The strict punishments are only given as a last resort. Islamic courts investigate all the background to the case and, for example, would not amputate the hand of a thief who was stealing to feed his family

Reformation and its benefits

This theory is that criminals should be taught not to commit crime again. Many people think this should be the main form of punishment because:

- The only way to stop crime is to reform the criminal so they become honest law abiding citizens
- They believe most criminals commit crimes because of the way they have been brought up and therefore do not know any better
- Reformatory punishments often involve giving the criminal a chance at an education and qualifications so that they can find a proper job and no longer feel the need to commit a crime again

RE Knowledge Organiser: Crime in Islam

Muslim believes about forgiveness:

- Muslims believe that Allah is merciful and always shows compassion. Most chapters of Qur'an begin with the blessing 'in the name of God the Compassionate, the Merciful.
- Muslims believe that on the Day of Judgment they may need Allah's mercy but they will be more likely to receive it if they showed it themselves during their life.
- The Qur'an says that Muslims should always forgive other people their sins and Muslims should always follow its guidance.
- Muhammad encouraged people to forgive and reconcile in the sayings of hadith and he is a role model for Muslims so they should follow his example.

Sources of wisdom and authority:

But if you forgive and overlook and cover their faults, verily God is Oft-forgiving, most-merciful. (Surah 64:14)

Be forgiving and control yourself in the face of provocation; give justice to the person who was unfair and unjust to you; give to the one who did not help you when you were in need, and keep fellowship with the one who did not care about you. (Hadith)

Why is the forgiveness important to the community?

- The prison system is very expensive and costs £11 billion a year. If the rehabilitation process was more successful this would free up some of this money to be used in other areas.
- There are 65,000 people in prison at each time and while they are in prison they cannot be a productive part of the society.
- 60% of prisoners reoffend within a year of being released meaning that a majority of people who end up in prison are much more likely to end up in prison again.
- Without successful reintegration the people released from prison will feel distanced from their friends and families making them both unhappy and more likely to commit a crime again.
- If the people released from prison can live successfully within society this will encourage others to abide by the law making the legal system stronger.

Key Terms	Definitions
Forgiveness	A conscious and deliberate decision of a victim of crime to let go of the feelings of resentment and vengeance they have towards the person that wronged them, regardless of if they deserve it or not.
Surah	A chapter of Qur'an. There are 114 in total.
Reconciliation	Bringing together people who were opposed to each other.
Rehabilitation	Restoring to normal, productive life.
Reintegration	When someone fits back into the society.
Restorative justice	Is a system of criminal justice where rehabilitation of the offender is helped by the victim explaining the effects of the crime on them and others around them. This encourages the offender to consider their actions more carefully and not commit the crime again.

Muslim opinions on restorative justice.

- Most Muslims support restorative justice as it is the most effective way of restoring peace and bringing reconciliation between the victim and the person that harmed them.
- **Those who have committed the crimes but have not faced them will be at the disadvantage during Judgment Day because they have not truly repaid and repented for their crimes.**

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Treatment of criminals and human rights:

- Universal Declaration of Human Rights proclaimed in 1948 protects fundamental human rights:
- Freedom from torture and degrading treatment.
- The right to a fair trial meaning public trial when the judgment is made by impartial people, the accused person knows what they are accused of and they have legal representation defending and arguing their case against the prosecution.
- The right not to be punished for doing something that was not a crime when you did.
- Freedom of thought, religion and conscience – meaning that you cannot be persecuted for any of the above.
- Freedom of expression meaning that you can freely think and publish your ideas as long as they don't break any laws.
- Right to liberty meaning that you cannot be trialled and imprisoned for doing something that is not against the law.
- The right to participate in free elections meaning that you can vote or stand as a candidate and that your vote will remain secret and personal.

Islam and human rights:

- Muslims agree in general with most principles of Human Rights proclaimed in 1948 with couple of exceptions:
- Protection of rights of gay people
- Right to consensual sex outside of marriage
- Freedom of speech
- Freedom of religion
- Some issues with women rights

To overcome this problem Muslim countries signed an alternative document called Human Rights in Islam in 1990 in Cairo which states:

“All men are equal in terms of basic human dignity and basic obligations and responsibilities, without any discrimination on the basis of race, colour, language, belief, sex, religion, political affiliation, social status and other considerations. True religion is guarantee for enhancing such dignity along the path of human integrity.... All rights and freedoms stipulated in the Cairo Declaration are subject to Islamic Shari’ah.”

This means that all areas listed above will be left to decide by Shari’ah law.

Treatment of criminals in Islam:

- Most Muslim countries which adopted western type legal justice will follow the guidance of the Declaration of Human rights allowing the accused will be tried in open court with defence lawyer representing him and tried by a group of his peers.
- Some countries however have adopted a Shari’ah legal system where crimes are judged as crimes against God’s law and will be persecuted by the state and small criminal matters are treated as individual disputes and judges will make their judgments based on Shari’ah law.
- Muslim countries which accepted western type of legal system support a fair judgement, proportional to the crime committed by the accused.
- These countries also support the idea of restorative justice as the most effective way of preventing future crimes and restoring peace between people.
- The Muslim countries which follow Shari’ah law believe that criminals should be punished according to the hadd punishments laid out in Qur’an.
- All Muslims are against torture used against prisoners as stated in the Cairo Declaration of 1990.
- However some countries using Shari’ah law will use severe and painful punishments like flogging, stoning, and amputation as acceptable punishments according to the hadd punishments.

Muslim Aid and restorative justice program:

Muslim aid provides mentoring program for people serving their sentence in London jail. The prisoners are assessed in terms of their need, level of risk and suitability. Following that the prisoner works closely with their mentor preparing them to the release and reintegration into the society. It is mainly a volunteering program allowing the family and friends to provide support to those who have committed a crime.

RE Knowledge Organiser: Death Penalty Islam

Capital Punishment

Capital punishment is punishment which takes away the criminal's life. This is often called execution or death penalty. A crime which can be punishable by the death penalty is called a capital offence. The UK abolished the death penalty as a form of punishment in 1970. There have been debates in Parliament since 1970 on the reintroduction of capital punishment, which have all been defeated.

Muslims attitudes and teachings about capital punishment

Most Muslims agree with capital punishment:

- It is a punishment set down by Allah in the Qur'an.
- Muhammad made several statements agreeing with capital punishment.
- Muhammad sentenced people to death for murder when he was ruler of Madinah.
- The Shari'ah says that capital punishment is the punishment for murder, adultery and apostasy.

Some Muslims do not agree with capital punishment because:

- They feel that even though capital punishment is recommended by the Qur'an, it is not compulsory.
- The Shari'ah says that in certain circumstances, the family of a murder victim can accept money from the murderer instead of requiring the death sentence.
- They believe that since capital punishment does not reduce crime and since there is a possibility of the wrong person being convicted and executed, capital punishment is not justice.

Source of Wisdom: " The punishment of those who wage war against God and His Apostle, and strive with might and main for mischief through the land is: execution , or crucifixion". (Surah 5:36)

Key Terms	Definitions
Apostasy	Giving up or denying your religious faith
Martyr	Someone who is killed because of their beliefs

Humanist attitudes to capital punishment

Humanist also reject capital punishment on the grounds that:

- No court system can be sure that the correct verdict is always given.
- Statistics show that those countries which do not use death penalty have a lower murder rate.
- Many murderers do not expect to be caught and so do not think about the punishment.
- Murderers who know that they are going to be killed if caught are more likely to kill more people to avoid being caught.
- Terrorists who are executed are occasionally hailed as martyrs and encourage more of their followers to become terrorists.
- No one has the right to take a life. Executing means that human life is not regarded as important.
- Murderers often regard life imprisonment as worse than death as they try to kill themselves when in prison for life.

Atheist attitudes to capital punishment

Although some atheists agree with the Humanist attitude to capital punishment, others believe that murder and terrorism should be punishable by death penalty because:

- If people know they will lose their life if they murder someone, it will act as a deterrent and there will be fewer murders.
- Murderers and terrorists are a great threat to society, so it is best to take away their lives so that they do not get a chance to reoffend.
- Human life is very important so if someone takes the lives of others they should receive the worst possible punishment.
- The only retribution for taking a life is to have your life taken too.