

Humanism on... Justice



Inside a Scottish court

This resource will help you understand, explore and analyse how Humanists approach causes of crime, punishment and capital punishment. This will be helpful for those studying the Higher, National 5 or National 4 RMPS unit Morality and Justice.

Other resources are available for teachers and students studying RME/RMPS in Scotland.

We also have trained volunteers who can visit your school and answer questions on Humanism. To find out more visit:
www.humanism.scot/education

We are always happy to answer questions for pupils who are completing their Added Value Unit or any other coursework and are looking for a Humanist response.

Please email admin@humanism.scot your questions.

Key Learning Outcomes

Humanists are people who are not religious and look for real life evidence to help answer moral questions.

Humanists believe our behaviour is influenced by social and biological factors.

Humanists think we need to understand a problem like crime in order to solve it.

Humanists trust evidence and the scientific method to figure out how to reduce crime.

Humanists tend to favour reforming criminals and oppose capital punishment.

This resource was developed by Humanist Society Scotland.

Higher/National 4&5 RMPS

Who Are Humanists?

Humanism is a non-religious viewpoint. Humanists are people who form their views on moral issues through gathering evidence.

They use **reason and think critically** about what they find to make decisions. Humanists don't have a central "authority" on right and wrong – there is no sacred text or leader of Humanists. Instead Humanism is a **way of thinking rather than a religion**. Because of this, Humanists will sometimes disagree with each other over the right answer to key problems.

Humanists, however, share an understanding that our world is best understood through **science, observation and rational enquiry** rather than accepting supernatural explanations that cannot be tested. Humanists also share an understanding that our decisions should **not unfairly impact on others**. Humanists think we are all ultimately responsible for our actions and future.

Understand

1. How does a Humanist differ in the way they would make a moral decision in comparison to people of religious groups you have studied?
2. What would a Humanist consider when making a moral decision?
3. How do you decide what is right and wrong?

Explore

1. Research and find out some information about a famous Humanist. Create a poster with facts about their life. See if you can find a quote they have said about a moral issue.
2. Create a survey to ask your class how they decide what is right and wrong. You might ask them if religion plays a part in this process, although make sure you keep the answers anonymous. Put your findings together in a chart.

Analyse

1. Create a table of similarities and differences between Humanists and Christians.
2. In a group/pair discuss the following statements a Humanist might make about how they make moral decisions. What does each one tell you about Humanists?
 - "We are all responsible for our own life, we can't expect someone else to make decisions for us."
 - "I look at a wide range of art, books, films as well as science to understand how life works."
 - "I find not knowing the answer to every single question inspiring and makes me want to discover more."



Members of Humanist Society Scotland campaigning for the law to change on same-sex marriage in 2014

Causes of Crime

Humanists think that we need to understand how our world works in order to improve it. For example, a better understanding of a disease helps us treat it, and similarly knowing what causes crime could help us reduce it.

Humanists encourage people to campaign and challenge bad or unfair laws but on the whole they would follow laws until they are changed.

Humanists don't believe in an intrinsically good or bad 'human nature', but rather that our behaviour is **shaped by biological and social factors**.

There is evidence that more crime is committed in very **unequal societies** by disadvantaged groups who are discriminated against. These include people who suffer from mental illness, addiction and poverty. Many criminals are young men from lower socio-economic groups, and many are unemployed.

Of course, most people from deprived backgrounds are law-abiding, and privileged individuals are responsible for some of the most damaging crimes to society. But overall, the evidence shows that societies with a strong healthcare and support system have less crime. A Humanist would suggest that we look at what we can do to improve the quality of life of people who feel they have little to lose by committing a crime.

Humanist Chaplains

Prison chaplains offer pastoral care and a listening ear for prisoners. Traditionally, chaplains have been religious representatives but the Non-Religious Pastoral Support Network has campaigned to change that. Humanists believe that non-religious people should also have access to support from somebody who shares their worldview. Across the UK there are over 200 non-religious pastoral volunteers, some of whom work in prisons.



Understand

1. Give four causes that may make it more likely for an individual to commit a crime.
2. Do you think that explaining the causes of an action is the same as justifying that action?

Explore

1. Read the information about Humanist Chaplains. Do you think they fulfil an important role? Why?
2. Imagine that you're a Humanist prison chaplain. What topics would you discuss with prisoners?

Analyse

1. Consider the following the opinions. Discuss them in pairs or groups:
 - a. 'Lots of people are disadvantaged and yet don't commit any crimes. Poverty is not an excuse; morality is the biggest factor.'
 - b. 'People's choices are influenced by many things, including their social circumstances. It's easy to judge other people from a privileged position.'

Which one do you agree with the most? Do you think these opinions are totally incompatible?

Punishment

Punishment can fulfil many different goals. First, Humanists ask themselves: what do we want to achieve? Secondly, they consider the evidence to see if our actions are effective in achieving our desired goals. Humanists place welfare and human happiness at the centre of their ethical decision making. They favour actions that they believe reduce suffering and increase wellbeing.

Humanists are **wary of retribution**. Anger is an understandable response to crime, but revenge is unlikely to bring about a positive conclusion. Humanists don't agree we should 'turn the other cheek' either, but they reject the idea that the purpose of punishment is to make offenders suffer because they 'deserve it'. A more productive approach according to Humanism would be **deterrence of further crime, protection of the public and reformation of criminals**.

In all of these instances, Humanists would always ask themselves if their proposed punishment is actually effective. For example, even a harsh punishment won't act as a deterrent if a criminal is not thinking of the consequences. On the other hand, locking away murderers to protect people seems sensible. However, offenders are statistically more likely to commit further crimes after they are released from prison. If our goal is to minimise crime, and there's evidence that rehabilitated criminals do not reoffend, a Humanist would think **that is a strong case for reformation**.

Evidence in Action

Juvenile awareness programmes involve organised visits to prison by young people who have been in trouble. They were popularised in the USA in the 1970s thanks to a TV documentary called 'Scared Straight'. The idea was children and young people would be scared out of a future life of crime. It sounds like a great idea, but the evidence suggests otherwise. Researchers found that children who attended the programme were more likely to end up re-offending than those who didn't!



Understand

1. Some people argue that attempts to reform are not a good punishment because it benefits criminals instead of penalising them. What would a Humanist say?
2. Why do you think repeat offending is common among ex-prisoners?

Explore

1. Read the information about 'Scared Straight'. Did you find it surprising? Why?
2. Do you agree we should follow evidence, not anecdote? Why do you think anecdotes, even if untrue, are sometimes so persuasive?

Analyse

1. In pairs or groups, imagine you are a panel of judges asked to advise the government on a new system of punishments for criminals. Together write a letter to the government that covers:
 - a. What you think the goals of punishment should be.
 - b. What forms of punishment you think would achieve these goals.
 - c. How you would check that your programme of punishment was effective.

Capital Punishment

Some people argue that capital punishment deters criminals through fear of execution. The Humanist approach would be to look at the evidence to see if this checks out. Sometimes we have our own assumptions about how the world works, or should work. A Humanist would say it is important to check if our ideas are indeed correct. Humanists think we shouldn't believe in ideas just because we like them or wish they were true.

There's evidence that **capital punishment doesn't deter crime**. For example, the USA is one of the few democracies that retains capital punishment, and yet it has one of the highest murder rates among Western democracies. Furthermore, when capital punishment was abolished in some states, the number of murders did not rise.

A Humanist would argue that the **evidence of its ineffectiveness is a strong argument against capital punishment**. However, there are other reasons why many Humanists think premeditated killing is wrong. They believe we should minimise suffering and respect an individual's right to life and that it is preferable to reform someone so that they can contribute to society.

Humanist Profiles

Name: AC Grayling

Occupation: Humanist Philosopher



“ I don't feel vengeful for the murder of my sister. I've always been against the death penalty; it's a very primitive way of dealing with problems. It has nothing to do with respect for the murderer, or his rights, or the supposed sanctity of his dangerous life. Rather, it has everything to do with respect for ourselves, and the kind of society we should strive to have. The point is simple: we should refuse to lower ourselves to a level anywhere near the murderer's own.



The USA has one of the highest murder rates despite some states having capital punishment

Understand

1. What Humanist values are most important when considering capital punishment?
2. Give the main reasons why you think capital punishment doesn't deter crime.

Explore

1. Research what countries still carry out the death penalty.
2. Look at the profile of AC Grayling. Can you find out more about him, his views and values?
3. How do AC Grayling's comments about his sister's murder make you feel? Do you agree with him? Why?

Analyse

1. Many people think that capital punishment is an effective deterrent. It seems obvious that criminals will be scared of dying but the evidence shows otherwise. Can you give an example from your own personal experience when evidence made you change your mind about something?

Sentencing

In your studies you will have looked at different types of sentencing used in Scotland.

Humanists don't have any moral problems with any type of sentences used in Scotland but would always argue that any sentence should be **fair and proportionate**.

Humanists take moral decisions based on the **best evidence available**. So they would like to see sentences used to achieve certain aims. A Humanist would not support an overly harsh sentence if the evidence showed this was more likely to lead to further crime. Humanists prefer to see sentences used that result in criminals being **less likely to commit an offence again in the future**. Sentencing should be based on testing and evidence to make sure it achieves its aim.

For some of the most violent criminals a Humanist would agree that people need to go to prison to protect the public from harm. **Prisons should also attempt to reform a prisoner** before they are released in order to ensure they don't offend again.

There is evidence that **short-term prison sentences for minor crimes do not reform prisoners**. The evidence actually shows these individuals are more likely to reoffend than those who do not go to prison. Some recent evidence suggest that **'restorative justice' programmes work better than prison** in reforming prisoners but also at helping improve the wellbeing of victims of crime.

Evidence in action

Restorative justice programmes focus on rehabilitation and eventual attempts at reconciliation between criminals, victims and their communities. These schemes usually bring the criminals and victims together and allow them to communicate; sometimes this can be face to face meetings, other times it might be via letters.

Promoters of restorative justice say the system empowers victims by giving them a voice and allowing them to talk directly with the person who has offended against them. It also holds offenders to account for what they have done and helps them to take responsibility for their actions.

Victims who take part report high levels of satisfaction and there is some evidence that it helps reduce reoffending.



Understand

1. When would a Humanist agree that people should be sent to prison?
2. Why would a Humanist say that?

Explore

1. How would a Humanist approach sentencing compared to a religion you have studied? Are there any similarities? What are the differences?
2. Do you think young people who commit crimes should be sent to prison? If so, at what age? Why?

Analyse

1. Find out about a 'restorative justice' programme. What kind of things do they ask those convicted of a crime to do? How does this make you feel?
2. In a group discuss some of the following statements:
 - 'Victims are always forgotten about, people only ever focus on the criminals'
 - 'An eye for an eye, that's what I say'
 - 'Prison doesn't work, we should close them down'
 - 'Life should mean life, we are too soft on criminals these days'
 - 'They gave up their Human Rights when they did wrong'

How do you think a Humanist would react to each one?