



# RELIGIOUS CRIME AND RELIGIOUS LAWS IN DEVELOPED AND DEVELOPING COUNTRIES

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## Abstract

*"Religious Law" refers to long-standing customs, traditions, and an ethical code of conduct and morality preached and upheld by followers of various religions worldwide. Christianity, Hinduism, and Sikhism all adhere to universal truths rather than specific principles. There are also three gunavratas, or subsidiary vows. The various religious laws around the world are all sacred and teach that society members and individuals should treat each other with respect. "Religious Crimes" or "Religious Offenses" refer to any behavior that may offend members of a particular religion or harm their religious practice (speaking bad words). Most people believe preaching religious texts reduces crime. Single-state crime is lower (state religion). Religious conflicts have many causes, and many lead to hate crimes. Because of the world's many religions (crimes supported by a particular type if it is an exceptional motive and the victim is primarily a member of one religion, group, or class). Religious law must be taught in churches, mosques, temples, and "Gurudwaras." This research paper investigates the history of some religious laws, delineates the core beliefs of various religions (religious law), compares religious and secular law, investigates religion and crime, and lists nations that allow religious freedom. List of nations with official state religions, citizens, and least religious freedom (State Religion). A country has one religion. They're nations. Is there a link between religion and crime? Crime rates in the U.S., U.K., and India; the effect of religious practices on crime rates; the role of religion in reducing the risk of crime in society; how religion can reduce crime rates; the causes of religious conflicts; solutions and measures to prevent religious crimes; the government's role in controlling religious crime; regulations and related issues; countries where it is illegal to preach one's own religion; What links religious freedom to sustainability, etc.?*

## INTRODUCTION

*“In the name of the religion many great and fine deeds have been performed. In the name of religion also, thousands and millions have been killed, and every possible crime has been committed”*:- Jawaharlal Nehru

Cicero claims that the word "religion" derives from the Latin word "religio," which means "reciting the necessary rituals and rituals in the name of the gods." The term "law" refers to the norms and guidelines established by law that governs everyone's antisocial behaviour in society.

In some cases, the term “religious law” can refer to a variety of traditions, laws, and ordinances passed down through the ages, as well as the moral and ethical standards upheld by members of various religions throughout history. Here are a few examples of religious laws, There is only one God in Sikhism, and everyone is equal in his eyes. A good life is dependent on performing three types of duties:

1. **Nam Japna**: “It means preaching the god every possible time”.
2. **Kirt Karna**: “It means living a good and honest life, being truthful to the god”.
3. **Vand Chhakna**: “It means giving one’s own earnings in charity”.

The founding texts of Jainism list five vows. Anuvratas are sworn promises not to commit acts of violence, honesty, possession, chastity, or theft. There are also four sikshavratas, or vows that provide directions and instructions for the discipline to be followed, and three gnavratas, or subordinate vows. The laws of the Old Testament, also known as biblical law or canon law, form the foundation of Christian doctrine. The Governing Body codifies these principles, and some Christian churches preach them. In contrast, religious crimes, also known as religious crimes, are actions that may harm a person's religious opinions or beliefs or negatively affect such people, and are referred to as "sins." Religious offenses frequently include blasphemy.<sup>1</sup>

The practice of various religions can help to reduce the prevalence of violent crimes in society. There is widespread agreement that countries with a single "state religion" have lower overall crime rates than countries with multiple religions. Conflicts between adherents of different religions that arise for a variety of reasons frequently result in individuals committing acts of hatred which result in crime, the motive is prematurity and the victim is usually someone belonging to a particular religion, ethnic group, caste, race, or gender.

## ORIGIN/HISTORY OF CERTAIN RELIGIOUS LAWS

- **CANON LAW**

Canon law dates back to the early days of Christianity. However, there was no reliable law that could be used to govern the populace at the time. Every change in politics, culture, and society that has occurred since then is referenced in canon law. It first appeared in all Western churches after 1054 and persisted until the Protestant Reformation in the 16th century. At the time, the Reformed churches rejected the concept of canon

<sup>1</sup> ASSISTANT PROFESSOR OF LAW, Saveetha School Of Law , “Saveetha Institute Of Medical And Technical Sciences”, SIMATS, Saveetha University, Chennai.

law, which had been modified and used by churches in Rome, England, and other places. They instead created their own versions. It is primarily composed of doctrines and social activities that promote the growth of organizations that assist church members in receiving the services they require.<sup>2</sup>

- **HINDUISM**

Hinduism, also known as Hinduisim, is believed to be the world's oldest religion. It is the world's third most popular religion, after Christianity and Islam, with over 4,000 adherents. The history of Hinduism is complicated due to a lack of information about its founders. Hinduism is also said to combine the rites and customs of various religious traditions.

## **ROLE OF RELIGION IN CONTROLLING THE CRIME RATE**

Religious affiliation correlates significantly with lower rates of both violent and property crime. Numerous sociological theories contend that religion, at least in part, discourages criminal activity. A study was conducted to learn more about the relationship between criminal behavior and religious beliefs. According to the findings of this study, the majority of crimes are committed without criminal intent. Despite spending time with the negative influence, teenagers do not change their behavior to become more like the negative influence, according to Freeman's research. According to a 1986 Freeman study, children who went to church on a regular basis had a more positive outlook on life and were less likely to commit crimes. A report was written about this discovery. Approximately 90% of studies conclude that as religious practice increases, crime rates immediately decrease.

### **RELIGION AND CRIME:**

Religion has a positive impact on crime rates around the world, according to at least 109 studies conducted between 1944 and 2010. This information can be found in the findings of the aforementioned study. Numerous studies, nearly 89% of which found a link between religion and crime reduction, have been conducted. A higher level of religiosity, in particular, lowers the risk of crime.

### **OUTCOMES OF RELIGIOUS PRACTICES ON CRIME RATE:**

Countries where religious practice predominates or religion is heavily preached have lower crime rates than both developed and developing countries. Religion, on the other hand, is not widely preached or practiced in both developed and developing countries. Similarly, research shows that countries, where religion predominates, have lower rates of overall crime, including homicide, suicide, and other similar crimes. People who attend church or preach on a regular basis are seen to commit fewer minor and less serious crimes. Even government initiatives fall short of religious practices' effectiveness in reducing crime. According to one study, youth who attend religious lectures, prayers, or other similar events on a regular basis are 39% less likely to engage in criminal activity.<sup>3</sup>

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<sup>2</sup> The American Society of Criminology. n.d. "Publications." The American Society of Criminology. Last visited October 3, 2022

<sup>3</sup> Smith, Tony R., Elaine Rizzo, and Kristine M. Empie. 2005. "Yielding to Deviant Temptation: A Quasi-Experimental Examination of the Inhibiting Power of Intrinsic Religious Motivation". *Deviant Behavior* 26:463-81.

**CRIME RATES BY RELIGION:**

- **UNITED STATES OF AMERICA (USA)**

A 2017 study found that crimes motivated by religion and hatred increased by 22%. In contrast, according to 2016 statistics, crimes motivated by religion and hatred increased by 35%. According to Hill, 58.1% of crimes against the Jewish community in 2016 were motivated by religion, a 4% increase from the previous year. Prejudice motivated approximately 24.8% of crimes committed against Muslims in the United States in 2016. However, the crime rate fell to 18.7% in 2017, with 102 more crimes committed against non-Arabs. However, anti-Muslim crime has continued to rise. The statistical report on crime rates in the country provided above indicates that the United States is divided into numerous distinct regions. Minority religions are discriminated against and exploited in the United States. In 2018, the number of anti-Semitic incidents increased.

- **UNITED KINGDOM (UK)**

According to a study, 103,379 hate crimes were reported in England and Wales between 2018 and 2019, contributing to an increase in overall crime rates. When examining the percentage of hate crimes committed against Jews, 18% (1,326) of religious hate crimes were committed against only Jewish property, compared to 672 the previous year. 3,530, or 47%, of all religiously motivated hate crimes targeted Muslims. Hate crimes are primarily motivated by both racial and religious prejudice. Based on their investigation, British citizens discovered 18 rabbis, bishops, imams, and charitable administrators who agree that the rise in hate crimes and religious crime would only divide the public.<sup>4</sup>

- **INDIA:**

According to data released by the “National Crime Records Bureau” (NCRB) at Prison Statistical India, the majority of those tried in 2014 belonged to minority groups. Christians, for example, are more likely to be imprisoned than members of other religions. According to estimates, there are 840 Sikhs, 640 Christians, 477 Muslims, and 305 Hindus per million people. According to NCRB data, there are nearly twice as many Sikhs and Christians awaiting trial in India as there are people overall. Currently, 46% of Christians face persecution, with the highest concentrations in Tamil Nadu, Jharkhand, and Orissa. These states have the worst housing conditions and the lowest population density. The vast majority of those detained were Muslims, Dalits, or members of other low-caste groups (OBC). According to statistics, Muslims, who constitute only 19% of the total population, are imprisoned, as are approximately two-thirds of Dalits and other underprivileged classes, tribes. Furthermore, 6.6% of the 4.66 lakh people are illiterate or have only a high school diploma. Surprisingly, the majority of the state's prison population is made up of Muslims and Dalits from Uttar Pradesh, a state with a sizable Dalit population. biggest. According to a survey, Muslims, Dalits, and Adivasis have the highest fertility rates in India. According to a 2001 study, there were 4,200,000 people incarcerated in India at the end of 2013. Despite constituting only 13% of India's

<sup>4</sup> Stark, Rodney. 1996. “Religion as Context: Hellfire and Delinquency One More Time.” *Sociology of Religion* 57, no. 2:163–73

population, Muslims account for 20% of its citizens. On the other hand, nearly a quarter (22%, or Dalits) of those arrested were arrested.

## HATE CRIMES BY RELIGION

The number of religiously motivated hate crimes increased to 93 in 2018. Hate crimes, which have been documented since 2009, claimed the lives of approximately 305 people in 2018. The victims included 18 Muslims, 10 Hindus, and 2 Christians. Since 2009, there have been approximately 30 fatalities. Since 2009, approximately 100 people have died as a result of these attacks, including 65 Muslims, 27 Hindus, and 4 Christians.

In 2017 and 2018, the most hate crimes were reported. Since 2010, there have been 37 incidents involving cows and religion. With 11 violent deaths motivated by religious beliefs, 2017 had the highest number of such killings. Hate crimes appear to be more violent and lethal than crimes committed against members of other religions. In India, 2018 was a significant year for an increase in religiously motivated violence. As of December 26, there had been 93 attacks in Mumbai, with 75% of the victims coming from minority communities. In 2018, four people died in Uttar Pradesh, four in Rajasthan, three in Karnataka, and three in Jharkhand as a result of the disease. In total, there were 81 cases of religious hate crimes, with Muslims receiving 60% (49 cases), Christians receiving 14% (including one victim from the Sikh community), and Hindus receiving 25%. (20 cases). There was no religious motivation in 32 cases, or 11% of crimes. In 2018, hate crimes increased by 25% over 2017.<sup>5</sup>

## CAUSES OF RELIGIOUS CONFLICTS/RELIGIOUS CRIMES

Religiously motivated violence is common in both developed and developing countries. The vast majority of religions promote peace and harmony, but because different religions' followers interpret their teachings differently, wars, hate crimes, and other similar events can occur on occasion. People continue to believe that religion is the primary source of social stress in the twenty-first century. Religious crimes in general society can be caused by the following factors:

- **Politics:**

In democratic, secular countries such as India, the United States of America, Italy, Canada, and Russia, political parties use the divide-and-conquer strategy. This law is intended to polarize and inflame religious differences among its intended audience. Russia, Italy, Canada, and the United States of America are among these countries. Following their partition in 1947, millions of people died in both Pakistan and India. These political parties sometimes discriminate against people based on their religious beliefs.

- **Community interests:**

For the purposes of this article, “community interest” refers to a group of people who share a common ideology, traditions, and customs and typically belong to the same community, i.e., people from the same

<sup>5</sup> Shihadeh, Edwards S., and Lisa Winters. 2010. “Church, Place, and Crime: Latinos and Homicide In New destinations.” *Sociological Inquiry* 80, no. 4:628–49.

caste, religion, etc. If one community does not agree with the other's objectives, there may be a conflict between the two. On the other hand, powerful members of one community may be offended by the beliefs or customs of another, leading to the most violent religiously motivated acts of violence in society. These two scenarios could result in serious religiously motivated hate crimes.

- **Exploitation:**

It has been observed that the majority of the population frequently exploits the minority. Especially in terms of power dynamics. Similarly, countries where one religion is the majority frequently oppress minorities, which is unjust. When the marginalization of minorities becomes intolerable, these groups will resort to hate crimes or other similar behaviour to demand justice.<sup>6</sup>

- **Economic Interests:**

Disparities in income and living standards, as well as discriminatory policies implemented by governments, all contribute to the outbreak of conflict or violent behaviour in different nations.

- **Believes:**

Members of various religions hold various beliefs in accordance with the rules outlined in their respective religious texts. This is yet another factor contributing to the worldwide prevalence of religious hate crimes. For example, one religion's adherents may believe that a person who dies in the line of duty immediately enters heaven, while another religion's adherents may strongly disagree. This could lead to a wide range of violent acts in society as a whole. As a result of this dichotomy, a variety of conflict types escalate.

## **SOLUTIONS FOR PREVENTING RELIGIOUS CRIME**

- Rather than engaging in physical combat, seek ways to mediate the conflict.
- Report any suspicious activity to the police immediately.
- Instill in children healthy habits such as respecting one another's religious and cultural practices as well as their own ideas and worldviews.
- Avoid engaging in any illegal activity, such as illegally possessing weapons, purchasing disputed property, or purchasing stolen goods.
- Make an effort to interact with others and encourage the formation of friendly bonds with them.
- Participate in more campaigns and initiatives that teach people to respect the religious practices of others.<sup>7</sup>

<sup>6</sup> Freilich, J.D., and S.M. Chermak. 2009. "Preventing deadly encounters between law enforcement and American far-rightists." *Crime Prevention Studies* 25:141–72

<sup>7</sup> Giordano, Peggy C., Ryan D., Schroeder, and Patrick M. Seffrin. 2008. "A Life-Course Perspective on Spirituality and Desistance From Crime." *Criminology* 46, no. 1:99–132.

## CONCLUSION

Even today, religious law and religious crimes are contentious issues in developing countries. This is due to the fact that these countries are still developing. There are countries in the world that do not allow religious minorities to freely practice their religion, which violates their fundamental human rights. These countries should be avoided at all costs. According to the Universal Declaration of Human Rights, all people born into this world have the right to preach the religion of their choice, and no one has the right to stop them unless they are arrested, humiliated, discriminated against, tortured, or, in the worst case, killed for it.

There is no doubt that the number of crimes motivated by religion will increase as religious prejudice spreads. The majority of religiously motivated crimes target young people, encouraging them to engage in violent behavior that is not only harmful to the individuals involved but also to society as a whole, such as suicide or other violent acts. It will be much easier to reduce the number of hate crimes and violent acts against religious groups if children are taught from a young age to respect the religious practices of others. More awareness of this issue is needed so that national governments can intervene and significantly reduce the threat that crime and hate crimes pose to religions.

Despite the fact that each religion has its own communities, India is regarded as the world's religious crossroads. We try to understand how religious freedom is defined in the Indian Constitution, which is heavily influenced by Western ideas. It is more important for people to understand fundamental issues like poverty, backwardness, and illiteracy than it is to fight in the name of one's religion. It has been said, and it is true, that instilling religious hatred among adherents of various faiths will only exacerbate conflict between these groups, destroying India's unity and integrity and making the country less capable of success in all of its endeavours. Every country and state has government organizations tasked with resolving disagreements over the exercise of one's freedom of religion or belief. The majority of the topics covered by these divisions are international affairs, international agreements, educational, cultural, etc. issues.