

## Manslaughter and Battery

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### Abstract

This study aims at investigating characteristics of prisoners who are guilty of crimes such as manslaughter and battery. 5700 Iranian prisoners are grouped based on their social statuses in terms of their educational level, sex ratio, marital status, and occupational status. In order to carry out the study, available documents and characteristics of prisoners are used. Analysis of the quantitative data indicates that characteristics of prisoners are congruent with their committed crimes. In fact, social statuses of prisoners have serious influence on their behaviors or misbehaviors. As well, women hardly commit such crimes. The reasons behind this case may be due to their religion or culture. Iranian women do stick to their faith, religion and Islamic culture. Generally, a possible explanation for these crimes may be the lack of knowledge, cognizance or education. Education as a correctional system is the development of the abilities of the mind (learning to know and to control) and reduces crime rates. Crime is a part of human society; thus, finding solutions to its complete destruction is urgent. According to Lochner and Moretti (2003), although education raises some costs, it decreases crime rates, makes persons patient, and shows the better ways. Education also changes the minds, opens the eyes, and makes better lives. On the other hand, punishment scarcely acts as a deterrent. In summary, killing of a human being is forbidden (Haram) in Islam and saving one person means saving the whole society. But it is necessary to analyze characteristics of offenders to stop such crimes in the society. More importantly, art of research and development of related information decrease the crime rates in the country.

**Keywords:** characteristics of prisoners, manslaughter, battery

### 1. Introduction

Manslaughter is illegal killing but without former bad intention and with different and less ability to blame. There are of course different types of manslaughter that each one has its particular principle but there is a common problem among them and that, the defendant is somehow to blame but not to the extent that they are recognized as intentional killer. Different degrees of blameworthy can have significant differences. So killing can be only slightly lower than intentional murder, and or in the opposite direction, it is only slightly more than mere error murder and then it is slightly over the border of being criminal. Thus, the judge may determine any type of punishment up to life imprisonment up to life imprisonment (Sadeghi, 1995). Advent of a material element is necessary for a crime to exist, because the thinking tool is not enough for the crime and if persons are recognized as guilty by the criminal policy of the country this will cause to the emergence of non-negligible investigations within the conscience of the people and people are often punished without being dangerous to the society, in addition criminal intent is not conclusive because most of the persons have criminal intention but they don't fulfill it because of remorse or fear of punishment. So, the intent to commit a crime does not disturb social order and is not traceable until it does not external actions and does not publish (Shambayati, 1997). Based on English Law, Battery means actually supplying force to another. Aggravated assaults include: (a) assaulting with intent to avoid arrest and (b) assaulting a clergyman in the discharge of his duties. Manslaughter is unlawfully causing the death of another but without malice aforethought (Ramazani, 2009). According to remark 3, Article 259 of Islamic criminal law, when manslaughter and battery are occurred due to carelessness, lack of skill, lack of considering to related regulation so that if the regulations had been considered, nothing would be happened, the battery or manslaughter will be quasi-intentional (Noori, 2014). Sometimes, a person commits crime knowingly, it means that he does anti-social behavior deliberately and thus bad result of that behavior is the result of his desired action. The simplest example is the case that one person hurts another one with the knife to kill. This is a

deliberate murder. But other offences to the human body and soul are manslaughter that is increasing with the development of machine life and consists of significant number of cases of courts. In such offences man's behavior may lead to an antisocial result as murder, while committing person has had will and awareness during the action but the result has not been based on his will (Bakhshizadeh & Sedaghatnia, 2014).

On the other hand, the primary objective of Islamic penal system is to protect society from the dangers of crime. Society must be protected from the activities of criminals and hoodlums. Social life must be peaceful and devoid of insecurity. The severity of Islamic penal system is aimed at discouraging criminal behavior. If the criminal knows the anguish and pains he will bring to himself, he/she may abstain from committing the crime (Okon, 2014). Offences against persons endanger the social order and security. Battery as a form of violent crime has negative influences on society and Islam has a deep-seated aversion to most forms of crimes. To Islam, killing of a person is a sin in the eyes of God and human being is advised to forgive and to stop feeling resentful or angry toward each other for an offense, flaw, or mistake. The study "Inequality and Violent Crime" published by the Journal of Law and Economics in 2002 finds a strong correlation between economic inequality and crime. This correlation appears to be especially strong at times of poor economic growth. So, as an example, if one group of people (group A) is impoverished while a second group (group B) is wealthy there will be an increase in crime in group A. In situations where the entire population is in poverty the increase in crime does not appear to be as strong. During times of economic growth, the effect also does not seem to be as strong. If jobs are available and the economic situation of individuals is improving, even if they are still poor, it does not appear to be as much crime as there would be in a situation where the economy is in decline, jobs are being lost and the economic situation of the poor is worsening. According to Zarrokhi (2007), Islamic Criminal Law cared about homicide cases such as murder and manslaughter differently. That is, offenders must pay the price of blood or have to be under sentence of death. Of course, Islam offers another way called forgiveness. To Islam, forgiveness erases sins.

Therefore, the purpose of this study is to investigate characteristics of prisoners who are guilty of crimes such as manslaughter and battery. More specifically, the research question is looking for the following question:

Are characteristics of prisoners and their social statuses congruent with their committed crimes?

## **2. Method**

According to this study, characteristics of Iranian convicts have been studied and analyzed. The statistical society of the study includes the prisoners of Mashhad Prison in 2013. In fact, the quantitative data was subjected to a set of statistical analyses.

### *2.1 Participants*

The participants for this study were 5700 Iranian prisoners, sentencing for crimes such as manslaughter and battery. In general, 99% of the prisoners were males and 1% was females. In general, 65% were guilty of manslaughter and the rest were guilty of battery.

### *2.2 Instruments*

In order to carry out the study, available documents and characteristics of prisoners were used. Analysis and conclusion were based on them.

### *2.3 Procedure*

The data was provided by 5700 prisoners of Mashhad Prison. In fact, the quantitative data was subjected to a set of statistical analyses.

### *2.4 Data Analysis*

In order to determine if characteristics of prisoners were congruent with their committed crimes, prisoners were grouped based on their social statuses in terms of their educational level, sex ratio, marital status, and occupational status.

## **3. Discussion**

The present study explores crimes such as manslaughter and battery in a new context called Mashhad city. It is one of the biggest and important city in Iran. Table 1 shows the population of Mashhad. It aims at exploring if characteristics of prisoners and their social statuses are congruent with their committed crimes. This part concerns with the results of quantitative data. In doing so, the quantitative data was subjected to a set of statistical analyses. Table 1 shows the population of Mashhad City in Iran.

Table 1. Population of Mashhad city

District	Number	Male	Female
1	176104	85714	90390
2	485833	242648	243185
3	322018	161265	160753
4	244944	122566	122378
5	168876	84461	84415
6	253963	126940	127023
7	206968	104618	102350
8	94040	46505	47535
9	300246	147934	152312
10	264523	132522	132001
11	192223	100543	91680
12	39636	20169	19467
13	16884	8714	8170
Total	2766258	1384599	1381659

Population of Mashhad was 2766258 (Center of Statistical Management and Data Analysis, 2013). The Table indicates that 50.1% are male citizens and 49.9% of the sample are females.

Table 2. Number of convicts

Case	Manslaughter	Battery
Number	2200	1800

It can be seen from the Table 2 that 5700 persons are charged of crimes such as manslaughter and battery in 2013. 65% are guilty of manslaughter and the rest are guilty of battery.

In the case of marital status of prisoners, this study tries to examine the relationship of committed crimes and offenders' state of being, married, single, and divorced. Marital status of prisoners can explain which groups commit unlawful acts.

Table 3. Marital status

	Male		Female	
	Manslaughter	Battery	Manslaughter	Battery
Married	63	745	7	5
Single	335	3235	15	15
Divorced	255	970	25	30

Table 3 indicates that half of single offenders are guilty of manslaughter. 40% of convicts are single and 10% of married prisoners are charged of manslaughter. About battery crime, 65% of the offenders are also single and the lowest rate belongs to divorced women. The evidence of marital status can be clearly seen in the case of crimes such as manslaughter and battery. That is, married individuals committed less crime than single and divorced persons.

Prisoners were categorized in terms of their sex ratio (young, mature and old). In fact, it evaluates the proportion of males to females. It concerns with the probable prediction of manslaughter and battery offences in all offenders. Studying these elements has influence on various aspects of social life including social order, social security and social justice. The reality of justice in terms of the distribution of job opportunities, wealth, and education within a society can ameliorate living standards and improve social welfare. The below Table shows the proportion of crimes such as manslaughter and battery and sex ratio.

Table 4. Sex ratio

Sex	Male		Female	
	Manslaughter	Battery	Manslaughter	Battery
Age				
18-22	200	2230	10	20
23-35 (young adults)	230	1989	15	11
35-45 (mature adults)	123	485	17	15
46-60 (old adults)	100	246	5	4
Total	653	4950	47	50

The Table 4 shows that convicts are aged 18 to 22. 30% of prisoners (under age 22) are guilty of manslaughter and 35% are young adults. 20% of mature adults are guilty and another 15% are old adults. The highest rate belongs to young adults and the lowest rate belongs to old adults. On the other hand, the Table indicates that 45% of battery crime relate to age 16-22 and 40% of young adults are guilty. 10% of convicts are charged of battery and 5% are old adults. In fact, prisoners under age 22 have the highest proportion of crime and old adults have the lowest. The evidence shows that the majority of offenders are male. This is evident in the case of female that women prisoners committed fewer crimes than men convicts.

Educational status is a factor that can impede and prevent further unlawful actions and basic actions must be taken to provide free education or create a new system of public education. Prevention costs are usually lower than treatment costs. In fact, prevention is better than cure.

Table 5. Educational level

	Male		Female	
	Manslaughter	Battery	Manslaughter	Battery
-Diploma	510	3490	15	10
Diploma - BA	105	985	25	15
+ BA	25	475	10	25

The Table 5 demonstrates that 75% of convicts (manslaughter) do not have academic background. Unfortunately, 5% of prisoners (manslaughter) are educated. As well, the highest rate of battery crime (70%) is committed by illiterate prisoners. It can be inferred that education level plays an important role in decreasing crimes.

Table 6. Occupational status

	Male		Female	
	Manslaughter	Battery	Manslaughter	Battery
Unemployment	339	3370	32	30
Self-employment	266	1385	14	15
Clerk	46	195	3	5

The Table 6 shows that 53% of offenders (manslaughter) are unemployed and 40% of convicts are self-employed. About battery crimes, 68% of the prisoners are unemployed and 4% of the sample is guilty. This shows a link may exist between occupational status and crime rates.

#### 4. Conclusion

According to Gholdoozian (2003), killing of a person is a nefarious action and a big sin. Its punishment depends on some different legal proceedings of each country. Vallidi (1997) believed that criminal law and punishment should be based on Holy Quran and viewpoints of Islamic clergymen. Although Holy Quran insists on forgiveness, he indicated that legal principles of public punishment are urgent. Punishment is not only a deterrent way. It should be accompanied by some solutions. For example, instructing and learning how to keep the temper

and how not to lose temper are important factors to revitalize the lives. Besides, improving standard of living and public welfare is a strong component. In doing so, job creation and education play main roles. It could be said that punishment, forgiveness and education are correlated. Human beings and Muslims should consider these factors carefully. Sometimes, people don't know how to forgive because it depends on feelings and emotions and they follow what is being written (e.g. law, punishment, and revenge). Therefore, Islamic societies had better pay attention to important sides of God's instructions. This study investigated characteristics of prisoners who were accused of crimes such as manslaughter and battery. The results showed that males committed more crimes than females and younger individuals (male) committed battery offences. In the case of marital status of prisoners, married individuals committed less crime than single and divorced persons. That is, state of being single and divorced is a main factor and actions must be taken to move the society to marital life. Educational status is also another factor that plays a main role. Offenders usually does not have academic backgrounds. And unemployment is an important factor and being unemployed can also reduce the life expectancy.

High unemployment can encourage xenophobia and protectionism as workers fear that foreigners are stealing their jobs (Steininger & Rotte, 2009). High unemployment can also cause social problems such as crime; if people have less disposable income than before, it is very likely that crime levels within the economy will increase (Wikipedia, 2015). In summary, the reality of social justice in terms of the distribution of job opportunities, wealth, and education within a society not only can decrease crime rates but also can increase the life expectancy of people. To this end, fundamental actions must be taken to create equal opportunities, to enrich the national economics, and to have dynamic interaction with outside world. Interacting nationally and internationally is a key element and can improve the situation for sure. The findings have some implications for policy makers in that social statuses of prisoners have serious influence on their behaviors or misbehaviors. The first, the evidence of marital status can be clearly seen in the case of crimes such as manslaughter and battery. That is, most of offenders are single and divorced. The second, young adults are at risks and serious actions should be taken. Because they are too young to commit such crimes. The third, unfortunately 70% of convicts do not have academic background. Education as a correctional system is the development of the abilities of the mind (learning to know and to control) and reduces crime rates. And the main message is that unemployment is disaster and policy makers should pave the ways for citizens. In general, recognizing prisoners' existing conditions and their characteristics and taking serious actions secure the society. Consequently, art of research and development of related information decrease the crime rates in the country.

In summary, killing of a human being is forbidden (Haram) in Islam and saving one person means saving the whole society. But it is necessary to consider all aspects of human features to build a better future. Human features consist of social justice and welfare. Achieving these goals requires education and nurture of talents. Iranian policy makers should take a deep look at social welfare and national and international peace. Because international interactions affect national relationships. Thus, government is the mirror of people and can provide peace or tension.

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