

On the Axis of Religious
Education

INDIVIDUAL, CRIME AND
SOCIETY

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FOREWORD

The concepts of extreme and criminality have continued as an important problem that has occupied people and deteriorated the values of society since the beginning of human history. Considering that the religion event also begins with the history of humanity, from the most primitive religions to divine religions, even the last religion, Islam. that the problem of crime and delinquency is struggled in religions, some orders and prohibitions are put in order to prevent delinquency, and if a crime has occurred, the criminals will be rehabilitated and brought back to society Some penalties and provisions in order to appears to be available.

Also, we see that there are institutions of forgiveness, forgiveness and repentance in both primitive and divine religions to reintegrate criminals into society. Crime and delinquency continue to exist as an important problem in today's societies. Accordingly, we see that attention has been paid to the prevention of crime and delinquency, the rehabilitation of criminals and their reintegration into society.

Among these studies, the phenomenon of religion, which can affect every aspect of human and social life, and in parallel, how religious education activities affect people and society, how they play a role in the human-society relationship. Answers are sought to the questions of what function it has in the social order and in ensuring unity and solidarity.

Here, our study named “Individual, Society and Crime on the Axis of Religious Education” aims to reveal the answers to this question.

This book has been prepared on the basis of the doctoral dissertation study titled “The Role of Religious Education in Reintegrating Criminals into Society” in 1997. The topics covered in the content of the paper have been updated with their current aspects and presented to you, our readers.

In the introduction part of the book; In order to research and reveal the effects and results of the trio of individual, society and crime on each other in the axis of religious education, firstly, the problem situation, hypotheses, limitations and methodology will be discussed. also stopped. In addition, summary information was given about the written sources thought to be relevant to the subject. Then, the concepts of crime, punishment, religion and education were emphasized.

In the first part; Religious Education and Religious Education in Prisons were discussed and the general purpose and methods of religious education and some methods of religious education for criminals were examined. Then, information was given about the religious education in Turkey and the current education in prisons along with its historical development process.

In the second part; Considering the basic principles of Religious Education and Criminal Psychology, the present findings were classified and analysed under separate headings.

In the conclusion part; A general evaluation was made together with a summary and some recommendations were made according to this evaluation and the results.

Due to the nature of the research that forms the basis of the book in your hand, many people have been interviewed and cooperation has been made with many institutions. Especially the Ministry of Justice, the head office of the Presidency of Religious Affairs, the directors of the prisons and other officials.

Thank you here for your clicks of help. I would like to express my deepest respect and gratitude especially to my esteemed professors who have made great contributions with their guidance and criticism at every stage of the study.

Kemal KARADEMİR

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FOREWORD

I. INDIVIDUAL, CRIME AND SOCIETY ON THE AXIS OF THE RELIGIOUS EDUCATION

A. The Individual, Crime and Society

The individual is a concept that expresses each of the people who form societies and whose intellectual, emotional and will-related qualities are determined within the society. The concept of the individual, which is synonymous with person or human as a word, is actually the smallest indivisible basic element of society. The individual, who is defined as “each of the people who make up the society” by social scientists, represents the opposite pole of the society. Today, individual-society relations constitute one of the main subjects of modern sociology and social psychology. When religion is considered in terms of the relationship between individual and society, religion has many effects and functions that can be detected in the individual and social lives of people who believe in it. That is a fact accepted by everyone.

Crime is a behaviour that has occupied people since ancient times and still remains a problem for individuals and society. When we look at the statistics on crime, we see that the crime rate increases in parallel with the population growth both in our country and in the world, and for some other reasons (1). Ensuring and protecting peace and order depends on societies taking measures to cope with this problem.

¹ Justice Statistics, Prime Ministry State Institute of Statistics, Ankara, 1991, p. 5.

Usually these measures are; It includes two-way studies: 1. Preventing crime and delinquency in order to protect the social order, 2. Reintegration of criminals into society in order to ensure social order if a crime has been committed.

B. Religion and Religious Education

The goal of religion, as expressed many times in its descriptions, is to ensure the happiness of man in this world and in the hereafter. Studies on religion reveal the extremely important effect of religion on human happiness and social cohesion. The fact that it connects people with the Absolute power really makes religion have an extraordinary power to change or educate people in a positive way.

Today, the rapid progress of science and technology, the increase in human needs have increased the types of crime and the causes of crime. Just as there are many reasons for people's normal behavior, there are also many reasons for their criminal behavior. While some of the criminologists conducting research on this subject sought the causes of crime outside, that is, in the social environment, the majority of them sought in the criminal himself, that is, in his personality traits. For this reason, criminals must be recognized with all their characteristics in order to prevent crime and delinquency and to reintegrate criminals into society. The conditions under which the crime was committed, the reasons that push people to commit crimes, why the volitional system that would prevent people from committing crimes could not be established or operated, guilt psychology What might be some of the ways to develop will and internal control mechanisms in humans, especially the value of religious education in this regard, etc. Trying to explain the issues on the basis of data to be collected from

those who are still guilty should be considered as an appropriate way.

Religion is a socio-cultural institution that can deeply affect individuals and societies today, as it was in the past, and has a regulatory function in individual and social life. Certain beliefs and attitudes shape an individual's relations with others, moral behavior and judgments to some extent (2). Because religion addresses all abilities and tendencies of human beings such as thought, emotion, will, conscience and behavior.

It is expected from religious education to develop one's potential mental and emotional abilities, to give him mature personality traits, and to provide the integrity of the social structure in terms of society. As it is seen, religious education is accepted as a means of protecting and providing mental health in terms of individuals and society. is being done.

In our country, it was thought that giving religious education to criminals in prisons would be beneficial in reintegrating them into society and in stimulating and nurturing their feelings of regret. In addition, various applications were made to the Presidency of Religious Affairs for religious conferences and lectures to be given in prisons. Today, within the framework of the program prepared with the Public Prosecutor and Mufti of prison preachers in accordance with the principles prepared jointly by the Presidency of Religious Affairs and the Ministry of Justice, giving sermons, conferences and lectures, have the task of conducting interviews.

² Belma Ozbaydar, A Research on the Development of Religion and Belief in God, Istanbul, 1970, p.5.

~~—In addition,~~ religious and moral knowledge course curricula to be given at the basic education and secondary education level in eight stages have been arranged, taking into account the general culture level of the detainees and convicts and the principles of special education. The protective and rehabilitating effect of religion on mental health; since it is accepted, sociologists and criminologists in the West have focused on the relationship between adherence to religion, practicing religion and guilt, and have conducted many studies on these issues.

Glueckler, in his study of 500 criminals in the USA, determined that only 8.5% of them went to church regularly before they were convicted (3).

Ferri believes that most of the murderers he examined had a sense of religion or at least a belief in God. But he observed that this feeling took a perverted form (4).

Lombroso's thoughts on this subject; "Many people believe that criminals are irreligious. Because religion is the biggest obstacle to prevent crime, but on the contrary, most of the criminals are religious, but their religious feeling is rather like the spiritual partner of the crime."(5).

According to Grofalo; "Religion cannot dominate the morals of people with criminal tendencies. Criminals cannot see ahead. They only live in dreams. Is it possible for someone who does not even think about the next day when it comes to satisfying his passions, to calculate the life in the next world?"(6).

In this regard, Assoc. Dr. Except for Hüseyin Peker's study, there is no serious study. Only criminological statistical survey studies on criminals⁷ in (7),

³ Sulhi Dönmezer, *Criminology*, (stanbul, 1962, p. 197.

⁴ Faruk Eren, *Psychology of Justice*, Ankara, 1961, p. 227.

⁵ Eren, *supra*, p. 326-327.

⁶ Baron Rafeelle Garofalo, *Criminologia, Crime, Criminal and Punishment*, trans. Muhtittin Göklü, (stanbul 1977, p. 147.

⁷ "Criminological Statistics on Murder Convicts in Turkey, Istanbul 1984; "Repeated Criminological Survey, Ankara 1984.

Although some general information about their religious aspects was given, they could not fully reveal the religious behavior of the criminals.

If we come to our research topic now, the main question is: Are the expected results obtained from the religious education given in prisons in Turkey? To what extent does religious education have a positive effect on reintegration of criminals into society?

While seeking an answer to this main question, it will be necessary to try to answer the following sub-questions:

1. What are the personal characteristics of those convicted as criminals, such as age, place of birth, socio-economic status, occupation, type of crime?

2. What is their status in terms of religious belief and worship before committing a crime?

3. What are the religious education levels before committing a crime?

4. Are there any changes in religious belief and worship after being imprisoned?

5. Do they believe that their crime is a sin?

6. To what extent do criminals need religious knowledge in prison?

7. Does the religious knowledge they receive lead to a positive change in their religious feelings, attitudes and worldviews?

8. What do they think about whether the effects of the religious knowledge and suggestions they received in prison will continue in their lives after they are released?

9. Do those assigned to provide religious education in prisons have the special formation required by this task?

10. What are the characteristics of the religious education given in prisons in Turkey today?

C. The Role of Religious Education in Reintegrating Criminals into Society

In order to reveal the relationship between individual, crime and society on the axis of religious education, first of all, as mentioned above, it was needed to determine the role of religious education in reintegrating criminals into society. The study was conducted to respond to this need.

The aim of this study is;

1. First of all, what are the legal and official grounds for benefiting from religious education and training in the education, rehabilitation and reintegration of criminals in Turkey, and what are the current to determine the status of the applications in progress,

2. To reveal whether the current situation and the legal basis, programs and practices are sufficient in terms of the moral development, rehabilitation and reintegration of criminals into society,

3. Based on these findings, it was to offer suggestions for the success of religious education given to criminals.

The most important goal of religion is to stimulate and develop people's spiritual abilities, to dominate social and high values in the behavior system, and to contribute to social life as a productive, harmonious and altruistic element. It is to turn into a mature human being. By inculcating the belief that an evaluation of what they do will be made, religion allows people to think about all their behaviors and to regulate them, and to surrender itself to their simple and primitive wishes.

Since it provides an internal discipline that provides self-discipline, it often gives him the power not to commit a crime and to repent when he commits a criminal act and to recuperate himself.

In this respect, religious education, when given in accordance with special principles and methods, will enable people to develop spiritually and, accordingly, to adapt to society successfully. It must be accepted. By trying to develop a sense of responsibility and regret when people commit crimes for various reasons (instead of allowing them to deteriorate further by not going this way), It is absolutely necessary not to miss the chance to turn them into good people who are self-confident, high and adopt social values. Whether these expectations about religion actually come true, If religious education does not have such an effect, what could be the reason for this is an important issue that needs to be focused on. Doesn't religion really have such a power, or are there some reasons that prevent this result from occurring? It is important to ensure the expected results or to find the reasons if these results do not occur, in terms of social integrity and providing a happy life for people.

D. Religious Education in Prisons

In order to reveal the relationship between individual, crime and society on the axis of religious education, it was necessary to determine the role of religious education in reintegrating criminals into society. For this, it was considered necessary and beneficial to firstly investigate the current state of religious education given in prisons and its effects on prisoners and convicts in prisons. Researches and examinations made in this context, since it is not possible to reach all the prisons throughout Turkey, it has been determined that Izmir E Type Closed, Izmir Semi-open and the province of Mush E Type Closed Penitentiary, remained

limited. However, in order to generalize Turkey at some points, justice statistics from 1991 were also used. In addition, studies that were carried out in Ordu Semi-open, Giresun Semi-open and Closed prisons on a similar subject were also utilized.

A survey was prepared to reveal the role of religious education in reintegrating criminals into society, in other words, to understand the relationship between individual, crime and society on the axis of religious education. has been established. This survey prepared; It was applied to a total of 500 detainees and convicts, 250 in Izmir Closed Prison, 150 in Izmir Semi-Open Prison, and 100 in Mush E Type Closed Prison. Of these, 470 were answered, and since 20 of them were incompletely answered, a total of 450 questionnaires were included in the evaluation.

Determining how criminals perceive the concepts of religion and crime, determining their relationship and affinity with religious education, revealing their expectations from religious education. The survey study, which was prepared for purposes such as extraction, was carried out in different places. Since these places where the survey was conducted differ in terms of the prisoners they house, they are considered to represent all criminals to a certain extent. acceptable.

E. General Opinions and Estimates on Religious Education in Prisons

While investigating the role of religious education in reintegrating criminals into society, the following general opinions and predictions were made about the religious education given in prisons for criminals and criminals type intended to be tested:

1. Criminals mostly come from poor families.
2. Most of the perpetrators are low-educational people.
3. The religious education given in prisons in Turkey is sufficient.
4. It can be said that the prisoners needed to learn religious knowledge.
5. The religious education they receive will lead to improvement in their religious feelings, thoughts and behaviors.
6. Those who receive religious education are less likely to commit crimes and have a sense of sin than those who do not.
7. The positive effects of the religious education they received in prison will continue after they are released from prison.

It is seen that these opinions exist to a certain extent in every segment of society. It is accepted that these assumptions may be true to a large extent, and it is estimated that the research will support these opinions. However, besides this, there is no doubt that religious education alone will be insufficient in both preventing delinquency and reintegrating criminals into society. In fact, it can be said that the wrong religious education may play a role in the commission of the crime instead of preventing the crime. In addition to all these, it is thought that criminals will have interesting proposals and suggestions regarding religious education.

F. How Can We Reveal the Relationship between Individual, Crime and Society on the Axis of Religious Education?

As mentioned above, in order to reveal this relationship, first of all, it is necessary to investigate the role of religious education in reintegrating criminals into society.

After the research topic was determined in this way, the scope, purpose and objectives of this research were determined first. Then, in order to obtain the information that needs to be collected within these limits, the relevant literature was scanned to the extent possible and the limits of the research were determined exactly. However, since our subject is a subject that has hardly been studied in Turkey, there has been a problem in the written literature. The following studies were carried out in the research of the subject covered by the scanning model:

1. Scanning Written Sources

As we mentioned above, it was difficult to find literature because there is not much study on the subject, but crime, punishment, religion, which are among the problems of the research. Law and education resources and textbooks related to these subjects were used in the study of subjects such as religious education, historical development of religious education, and method. While examining the relationship between crime and religion, more evaluations and comments were used. A limited number of studies have been made on the religious behavior and education of criminals, and the data and results of these studies have been examined. In addition, where statistical evaluations are necessary, Justice statistics were also used.

- PEKER, Huseyin; Religious Behaviors of Criminals, unpublished associate professor's thesis, Samsun 1987.

- TEKİN, Filiz Öksüz; “The Role of Lack of Religious Education in the Criminal Perpetration of Children in Ankara Correctional Facility”,

master's thesis, Selcuk University, Faculty of Theology, Konya, 1995.

- VIANO, Emilo; "Empowering the Family," American School of Public Affairs, Peace-Re-weiv, Washington 1994, 6, 2, Summer, 195–201.

The article argues that the most effective way to prevent the deviations that occur in society is to support and strengthen the family and community that form social ties. Self-management and support are essential elements for a healthy society. Their weakening creates potential crime, disorder and conflict in the society. Regarding crime, human ecology shows that political, economic, educational and religious institutions, which are structural elements in society, affect the family. It has been observed that small, closed groups and families are more closely tied to each other, subject to more strict control, and social obligations are more encouraged.

- JENKINS, Ronnie; "Crime Prevention Programs for At-Risk Children", Journal of Health Care for the Poor and Unerved, USA 1992, 3, 2, fall, 270–271

The article discusses violence as a public order issue that is relevant to promoting crime prevention efforts designed for at-risk youth. A model program for African-American youth in Dayton, Ohio is particularly appreciated for being useful for observing behavioral changes. Studies aimed at gaining a job for these at-risk target communities, cultural and specific interventions, and sexual identity development activities add effectiveness to these programs. Financial cooperation between religious, feudal, charitable and non-governmental organizations is also recommended in order for violence prevention programs to be effective for this group at risk.

- PETTERSON, Thorleif; "Religion and Criminality:

Structural Relationships between Church Involvement and Crime Rates in Contemporary Sweden”, *Journal for Scientific Study of Religion*, Sweden 1991, 30 , Sept. 3, 279–291.

The article presents sociological and criminological theories that reveal a negative relationship between religion and criminality, especially in societies where religious norms are differentiated.

According to the data of the European Values Study in Sweden in 1981, crimes related to alcohol use and incidents of violence were found among adults with and without church. A negative correlation was found between However, a relationship could not be established between drug-related crimes and crimes against property.

- WELCH, Michael-R; “Religion and Deviance among Adult Catholics: A Test of the “Moral Communities Hypothesis”, *Journal For The Scientific Study of Religion*, USA 1991, 30, 2, June, 159–172.

The article is based on documents collected in a national survey of non-Hispanic Catholics who attended the church between 1983–84. This work examines the relationship between deviant behavior and social and individual religious devotion.

Although the findings show that there is a relationship between religious devotion and deviance, this relationship is not valid for all crime types. In addition, it is argued that applying this research to young people and religious groups will produce different results.

- SIMPSON, John-H, HOGAN, John; "Conventional Religiosity, Attitudes toward Conflict Crime, and Income Stratification in the United States"

Religion, Criminal Behavior, and Economic Stratification), *Review of Religious Research, USA* 1981, 23, 2, December, 167–179.

The article discusses whether religion and moral values have any effect on the income distribution of contemporary American society. If there is an impact, how it happened is being studied. A country-wide study provides results confirming this question. It is claimed that all these results are compatible with the rising Capitalist values in America.

- STARK, Rodney; “Religion and Delinquency: The Ecology of a Lost Relationship”, *Journal of Research in Crime and Delinquency, Washington* 1982, 19, 1 January, 4–24.

The effects of the religious promise literature on deviant behavior are controversial.

In societies where religious promises are the norm, it is seen that the deviant behaviors seen in the community are significantly reduced in societies with such promises, but this feature is not seen in societies with a secular character.

According to the research conducted by Tarvis Hirsch and Stark in the American West Coast states, there is a low level of church attendance in this region.

According to a study conducted among 1799 male high school students in the USA, a link was found between delinquency and religion in schools where religious students are the majority. It is seen. However, this relationship is not seen in the secular schools of the West coast.

2. Arranging the Questionnaire Form as a Measurement Tool

While conducting field work, first of all, necessary information should be obtained from the Ministry of Justice, since the direct addressee of the law is the detainees and convicts.

Permission to conduct research in prisons was obtained by conducting studies. Afterwards, the questions to be directed to the criminals were determined and a written questionnaire was prepared.

These prepared questionnaires were administered in Izmir E Type closed prisons, Izmir Semi-open and Mush E Type closed prisons. The questionnaires were filled in by the criminals themselves, under our supervision, in the classrooms of the prisons. Sometimes, however, illiterate prisoners were read and helped to fill in questions. They were not asked to write their names in the questionnaires, so it was tried to ensure that the subjects were not under any influence. Afterwards, necessary evaluations were made on the questionnaires and tables and charts were created.

In addition, thinking that these surveys would support the limited number of religious officials working in prisons, letters were written about the curriculum, the way it was handled and the problems of religious education in prisons. information was tried to be obtained. Again, the religious education of the criminals and the current situation of the religious officials were tried to be revealed by holding meetings with the relevant authorities of the Presidency of Religious Affairs, which is another institution on the subject.

The questionnaire is organized in four parts:

In the 1st part, personal information such as place of birth, education, economic and social level of the person is discussed. In the 2nd part, he was asked about his religious feelings, thoughts and religious behaviors before committing the crime, and in the 3rd part, it was tried to learn about his religious feelings, thoughts and behaviors in prison and his interest in religious education. In the 4th part, the estimations about the situation of the person after his release from prison are discussed. In other words, the determinations about reintegrating them into society are included.

After the literature review and field study were completed, the results of the research were presented by comparing the hypotheses (assumptions) and these findings in line with the objectives of the research. accordingly, some suggestions were made.

It has not been studied due to reasons such as the fact that the subject we are working on is a subject that is little emphasized in Turkey, the scarcity of literature, and the difficulties of conducting surveys in prisons. It was inevitable to find some deficiencies in our study. However, we can say that this study will be a start for those who will do research on the same subject from now on and will shed light on new research to be done.

II. CONCEPTS OF CRIME, PUNITION, RELIGION AND EDUCATION

A. Crime and Sin

The concept of crime is a multidimensional and general concept that sociology, psychology, criminology and law are interested in (8). The concept of crime is tried to be explained in the field of law, starting from the elements of the crime. Elements of crime in modern law; legal element, material element, unlawful element and moral element. It is possible to try to define the crime based on these generally accepted factors.

1. Legal Element: In order for an act to be a crime, it must comply with the definition specified in the laws. For example; According to Article 448 of the Turkish Penal Code (TPC); It is said, "Whoever deliberately kills a person..." so compliance with the article 448 constitutes the legal element condition. In other words, in order for a crime to occur, a person must be killed intentionally.

8. Hüseyin Peker, Religious Behaviors of Criminals, Unpublished Associate Professor thesis, Samsun, 1987, p. 18.

2. Material Element: The material element of the crime is the act. In the above example, for the crime to occur, the act of killing must take place. If the act of killing does not take place, the subject ceases to be a crime within the scope of article 448 in the example. In this case, the act is one of the most important elements of the crime.

3. Element of Unlawfulness: This element has a close relationship with legal elements. In order for the act to constitute a crime, it must be contrary to the prevailing legal norms. For example; When the conditions of self-defense of the act of manslaughter, which are also included in the TPC, are fulfilled, there is no crime since the act is in compliance with the law.

4. Spiritual Element: Spiritual element is a subject related to the criminal. In order for an act to be a crime, the fault of the perpetrator must be at the level of intent, excess of intent or negligence (9). In the above example, for the crime to occur, the perpetrator must deliberately commit the act of murder. On the other hand, the authors who argue that there must be a causal link between the act and the result for the crime to occur, and therefore the causal link is one of the elements of the crime this exists.

The elements of the crime we have examined above are those that are generally accepted by new authors in modern criminal law. The concept of crime has been encountered since the first ages of history and has been the subject of scientists' examination. For example, Plato says that crime is a kind of illness of the soul, and that passions, pleasure seeking and ignorance are the causes of crime (10) According to Aristotle, the causes of crime are social conditions such as misery and revolution. Aristotle explains the causes of crime in the changes of the social environment.

⁹ Ugur Alacakaptan, Elements of Crime, Ankara, 1975.

¹⁰ Erdogan Firat, The Function of Repentance in the Development of Personality, Unpublished Associate Professor Thesis, A.Ü.Ç.F. Ankara, 1982, p. 9.

Hippocrates argued that in the occurrence of the crime, there is a relationship between the offenders' forms of action and their character and crime. In addition, it accepts the social conditions in the formation of the crime.

In this case, it can be said that the concept of crime is a concept that can be perceived very differently by different societies in different periods of history and is even understood in different ways by different societies that lived in the same period. The following crime definitions show how much variety there is in this regard.

According to Encyclopedia of the Social Sciences; “An anti-social behaviour taken against the rules on which beliefs, customs, traditions and institutions are based, tacitly or overtly accepted as good or beneficial by members of a small or large social group is called a crime”(11).

In the Turkish Legal Dictionary, the crime is “an act punished by the law” (12).

According to Maggiore, crime is “an act that severely disturbs the moral order and therefore cannot be tolerated by the state” (13).

According to Garofalo, crime is “an act that expresses an attack on the average feelings of honesty and compassion everywhere at all times” (14).

According to Ferri, crime is defined as “a certain form of anti-social, individual motives that disrupts living conditions, are punishable acts that violate the average moral

¹¹ Encyclopaedia of the Social Sciences, c. IV, p. 563.

¹² Turkish Legal Dictionary, Turkish Historical Society Press, Ankara, 1956, p. 303.

¹³ Alacakaptan, the work mentioned above. p. 9.

¹⁴ The work mentioned above (Wma.), p. 9.

code of the people in an age (15). The point that draws attention in this description is Ferri's characterization of crime as "contrary to the average moral rules of the people in a certain age".

According to Alacakaptan, a crime is defined as "an act created by the faulty will of a person with the ability to impeach, an act of execution or negligence, in accordance with the type written in the law, against the law and It is an action that requires the application of a penalty as a sanction"(16).

The concept of crime in religion is broadly expressed with the concept of sin. Sin is to act contrary to the rules and values of the religion to which a person belongs. In Islam, sin is handled in two categories, major and minor. However, which acts are major sins and which are minor sins has been the subject of debate among scholars.

In positive law, crimes are handled under two headings as crimes and misdemeanours, and in terms of sanction, heavy imprisonment is punishable by aggravated crimes, and light imprisonment is punishable by aggravated crimes. they appear as crimes that require fines. When we look at the crime element in religion, we see that crime is divided into major sins (sin-i kebair) and minor sins (sin-i segair). However, as mentioned above, this distinction may not be precise.

Again, we can see that the rule of personality of punishments in positive law is the same in religious law. In the 18th verse of the chapter of Fatir in the Qur'an; It is said that "No one can be punished for anyone's sin".

¹⁵ Wma. p. 9.

¹⁶ Wma. p. 10. Also, for detailed information on crime, see. Senol DAGCI, Criminal Acts Against Persons in Islamic Criminal Law, Ankara 1996 p. 10 .

When we look at the subject in terms of the acts committed, we can say that almost all of the acts that are considered crimes in positive law are also considered crimes in religious law (17).

However, although the punishment system in positive law is entirely related to the period in which the person is alive, that is to the life of the world. In religious law, apart from the punishments in the world, it is also related to the punishments in the life of the person in the hereafter. It is possible to come across. In other words, in the prevention of crimes, religion brings the punishments to be imposed after death as a deterrent factor.

Subjects that fall under the criminal law in Islam are called “ukubat” and crimes are divided into three parts:

a. Crimes Committed Against Allah's Rights:

In Islamic Law, for some crimes, legal penalties called “hadd” punishment, a large part of which are specified in the Qur'an, are determined by laws, the amount is fixed, and unchanging. Hadd is the punishment given for crimes that concern the public and are committed against the right of the public (18)

While there are crimes against Allah's rights such as theft, adultery, drinking wine or getting drunk, accusation of adultery, interception, apostasy, and differences of opinion, is considered a rebellion (19). Since crimes against the rights of Allah are crimes that harm the interests of the society, it is not necessary for the injured person to complain in order for those who commit such crimes to be punished.

¹⁷ For more information on the religion of the crime, see. Senol DAG/CI, *supra*, p. 37.

¹⁸ Sabri Sakir Ansay, *Islamic Law in the History of Law*, Ankara 1958, p. 281.

¹⁹ Coskun Ucok, *Turkish Law History Lessons*, Ankara 1966, p. 62.

b. Offenses Committed Against the Rights of the Servant (Person-Individual):

The crimes, called “Hakk-i Ademiye”, which are committed against the rights of the servant, are directly related to someone. Since personal rights are given priority in these crimes, amnesty and peace are valid.

Offenses against the rights of the servant; they are divided into two as killing (killing) and injuring someone (cerh). It is up to the injured party or its heirs to demand that such a crime be prosecuted and the perpetrator punished.

c. Acts Penalized Ta'ziren:

The word ta'zir is used in the sense of prohibiting, punishing. As in the two articles above, the penalties to be given to the crimes other than the crimes whose penalties are determined are determined by the head of state or by the judges by proxy, these are called ta'zir. According to Maverdi's definition, ta'zir is a punishment given for crimes that are not sanctioned by hadds. Some Islamic jurists also define ta'zir as a form of punishment (20). The punishments for ta'zir are: scolding, beating, imprisonment, exile and even death. Penalties that require ta'zir will be determined at the discretion of the above-mentioned persons, and the offenses that cause the imposition of this penalty are not clear. As a matter of fact, these are acts other than crimes that require hudud or short sentences, such as swearing at a woman, swearing, counterfeiting, inconveniencing and torturing the public it could be.

Since it is often not determined which of the ta'zir punishments will be applied due to what kind of acts, and in this regard, there is a wide margin for judges to decide the punishment they deem appropriate according to the gravity of the act and the moral status of the perpetrator (21).

²⁰ Ansay, wma., p. 292.

²¹ Wma, p. 292

On the other hand, when it comes to the concept of "sin", which is synonymous with the concept of "crime" in the religion of Islam, it is sin that is originally Persian (22). The word is an act or behavior that is considered a religious crime in Turkish, a job that hurts everyone's conscience, responsibility (23) opposition to religious rules (24) behaving against their religious values²⁵ it means.

B. Punishment

Punishment is defined as “the application of a sanction appropriate to the form of the crime, within the limits determined by the law, depending on the situation of the crime, to the person who commits a crime specified in the law”. However, when we consider the concept of punishment in terms of its function and purpose; although there are many different opinions, we can say that the meaning of guilt and the aim of reintegrating the perpetrators into society are given priority. When we look at the Islamic Criminal Law, it is possible to say that the same basic purpose is pursued in the execution of penalties.

If the so-called crime was committed by one of the members of the community against another in the clans formed by the people belonging to the same community in the primitive society, the incident would be resolved within the community and the head of the family would punish the perpetrator (26). If the criminal act was committed among members of various families or clans, the principle of “personal vengeance” was valid, since there was no dominance over these groups.

²² Cihad Tunc, *The Issue of Great Sin in the Science of Kelam*, Ankara University Journal of the Faculty of Theology, c. 23, Ankara 1978, p. 325.

²³ Turkish Dictionary, Turkish Language Institution Publication, Ankara 1974, p. 343.

²⁴ Ferit Devellioglu, *Ottoman-Turkish Encyclopedic Dictionary*, Ankara 1970, p. 357

²⁵ Firat, *The Role of Repentance in Personality Development*, p. 89.

²⁶ Baha Kantar, *Criminal Law*, Ankara 1937, p. 18.

According to this principle, the person who was raped or one of the members of the family, tribe or clan to which he or she belongs, has the right to take revenge against the rapist or one of his family, tribe or clan members. Accordingly, if a family member was killed, his family would kill the murderer or a relative of the murderer. In this way, personal filing was considered a duty as well as a right for the individual. The individual who did not fulfill his duty was despised and excluded in the society (27).

The state, which was born with the union of clans in the later periods of history, brought limitations to the personal vengeance procedure because the clashes between the clans threatened its own existence. These are short; it is an action that requires the same amount of harm to be done to the one who caused the harm (28) conciliation, State calling the parties in dispute to compromise on a compensation (dîet) that is in the nature of reparation of the damage caused (29) is the transfer of the offender to the victim's family.

The philosophical movement that started towards the end of the 18th century caused great changes in the field of criminal law. In this period, which is called the philosophical or humanitarian period, thinkers such as Montesquieu, Bentham, Beccaria, Voltaire, in the articles and books they published, severely criticized the criminal thoughts of the old period and the application of punishments. And those criticisms led to a revolution in law.

The classical school based the principle of punishment on social benefit and stated that it is a necessity of justice for the criminal to be punished. On the other hand, the Positivist school, its main study he emphasized that what is needed is

²⁷ Tahir Taner, *Criminal Law*, Istanbul 1953, p. 17.

²⁸ Recai Galip Okandan, Hamurabi Mecellesi, *çHFM*, c. XVII, p. .1-2, *çstanbul* 1951, p. 283-315.

²⁹ Artuk, *wma.*, p. 3.

not the legal aspect of the crime, but the criminal himself.

Today, the formation conditions and form of the crime on which the punishment is attached play an important role in the classification and implementation of punishments. However, this role can never be outside the cases written in the law. Article I of the Turkish Penal Code states (TPC), "No one can be penalized for an act that is not expressly considered a crime by the law. It is accepted as the basic principle that no penalty and security measure other than the penalties and security measures written in the law can be applied. Depending on the crime and misdemeanor status of the crimes in the TPC, primary penalties (death, life imprisonment, imprisonment, heavy fines, light fines) and secondary penalties (prohibition from public services, suspending the execution of a profession or art or trade, closure of a workplace, confiscation, transfer of ownership to the state due to crime).

Despite the punishments, it is stated that the punishments alone are not sufficient for the prevention of delinquency and reintegrating the criminals into the society. Beside the punishments the individuals should be need to be trained. We will discuss how effective religious education can be in this regard in the following sections.

C. Guilty

While examining the role of religious education in reintegrating criminals into society in the context of revealing the relationship between individual, crime and society on the axis of religious education, first of all, explain the concept of "criminal". It is necessary to make it light. Who is guilty? Is man born guilty? What factors play a role in a person's guilt? What are the types of criminals? Is it human destiny to be guilty?

After getting to know the person called the criminal, an appropriate method and method can be developed according to him, accordingly, the right to do what can be done to reintegrate the “criminals” who have been separated from the society into society. It is possible to make the right decision. As mentioned above, those who need to recognize the “criminal” for the first time in the history of criminal law and as a result examine the criminal are the supporters of the Positivist school.

The founder of the system, which emerged in Italy in 1880 under the influence of his philosophy and known as the positivist school in the history of criminal law, is Auguste Comte. C. Lombroso, doctor of the Faculty of Forensic Medicine at the University of Turin, put forward for the first time that the criminal should be investigated as well as the crime. After his work “The Man Who Committed a Crime” was published in 1876, one of the judges, Raffegela Garofalo, came out in 1885 with the articles he published in 1877 and 1878. With his work titled “Criminology” (The Science of Crime), he confirmed Lombroso's views with little differences. Thus, it was believed that it was necessary to know the perpetrator (the person to be punished) and as a result, classifications were made about the criminals. The classification made by considering the internal and external factors leading to crime is as follows:

1. Those who commit crimes due to internal factors, biological criminals: Personal factors predominate in these, and these types of criminals are divided into two sub-classes. Congenital criminals: These are deprived of feelings of compassion, justice and truth due to the disorder in their limb structures and commit crimes with complete indifference. Crime constitutes their natural life. Passionate Criminals: These work under the influence of a strong passion without thinking about crimes.

2. Those who commit crimes due to external or social reasons: The environment has a great influence on them. Criminals in this group are also divided into two sub-classes: Incidental Criminals:

These people, who are weak in their moral feelings, cannot stop themselves when they think of opportunity by being influenced by the environment. Temporary Criminals: These are people who are repeatedly pushed to commit crimes due to bad examples, bad upbringing, being corrupted in prisons or not being able to reorganize their social situation after the first conviction. Adding the mentally ill criminals to these, criminals are grouped into five categories (30).

It is of great importance to know the criminals in terms of determining the methods and methods to be applied in reintegrating the criminals into the society.

1. Congenital Criminals: These types of criminals tend to commit crimes against their will due to some abnormalities they have. By researching criminal skeletons, corpses and bodies of criminals, Lombroso took skulls, measurements and facial expressions, and in most of them anatomical, biological and biological features reminiscent of primitive man. Believed that there were psychological disorders. Thus, he concluded that there are congenital offenders who are unable to adapt to development because of an identified genetic defect.

The abnormalities that distinguish these criminals from other people and also lead them to commit crimes can be anatomical, biological or psychological.

Anatomical scars (Stigmata): It was described by Lombroso as follows. Hard-looking, narrow forehead, small skull, protruding muscles and cheekbones, broad and long face, deep eye sockets, thin lips, very a short-haired person with a small beard, wide chin, pale face, and short stature has the anatomical features of a congenital criminal. Although these features are rarely seen in women, they are not found in criminals.

Physiological or biological features: According to Lombroso, the biological features of the criminal are as follows;

a. Material apathy (abnormalities of touching and hearing)

³⁰ Artuk, wma, p. 14.

- b. Improper functioning of the sense organs (e.g. color blindness)
- c. Irregularity in movements (e.g. clumsiness)
- d. Poor functioning of reflexes, for example, pallor in the elderly.

* Psychological Features; These features, which Ferri especially examined, can be summarized under two important anomalies. The first is psychological apathy, which manifests itself in the form of regrets and especially lack of excitement. The second is short-sightedness and self-conceit. Grafolo, one of the founders of the positivist school, also emphasized the psychological characteristics of the criminal and argued that the congenital criminal does not have the feelings of “compassion” and “justice”.³¹

According to Lombroso, such congenital offenders should be kept out of society since they cannot be corrected in any way. Grafolo went one step further in this regard and defined the form of exclusion from society as “the death penalty”. However, Lombroso was not intimidated by the criticisms made later on this view, and said, “In this way, it is possible to prevent delinquency if the living conditions of people with a congenital delinquency are improved”.³²

2. Mentally ill Criminals: These types of criminals are people who commit crimes because of their mental illness. The positivists divide the mentally ill criminals into two groups. Although the mentally ill criminals in the first group were able to distinguish between good and bad, they were pushed into evil because they lacked or weakened moral or, more accurately, social feelings. This group has been completely confused with congenital criminals by positivists. As for the mentally ill criminals; such mental patients are an extreme form of congenital offenders and can be distinguished from them by the symptoms of their illness (Psychological symptom). In both cases, according to the positivists, such criminals should be

³¹ Wma, p. 15.

³² Taner, Wma. p. 37.

prosecuted within the criminal law as they are dangerous. However, according to the members of the classical school, such criminals are excluded from the criminal law as they do not have criminal capacity (moral responsibility).

3. Temporary Criminals: Unlike the congenital offender due to the predominance of internal reasons, the habitual criminal commits a crime under the influence of external reasons (social environment). The habitual criminal has been pushed into crime not because of heredity, but because of the evil of the environment in which he lives. Thus, it is not an innate tendency, but the result of a moral weakness combined with the evil of the conditions and the environment, usually the person who starts to feel guilty with the crime committed against property in his youth, later on. By continuing on this path, he gets used to committing a crime and takes it as a profession. The ward life of the prison weakened him morally and physically, his solitary confinement and alcohol habit made him stunned, the society deprived him of the punishment binding freedom before or after, he did not accept it and pushed him into misery and unemployment and did not extend his helping hand in this way. In fact, some institutions established for the purpose of preventing delinquency, such as general security surveillance, compulsory residence, sometimes compelled him to commit new crimes. Thus, the habitual criminal, like a congenital criminal, has become irredeemable and unable to adapt socially. The same sanctions applied to the congenital offender are also applied to remove the habitual criminal from the society. However, in terms of the enforcement of sanctions, one issue needs attention. That is, while the sanction to be imposed on the congenital offender could be enforced with the commission of the first crime, the sanction on the habitual criminal would be applied in case of repetition, that is, after many crimes have been committed.³³

4. Incidental Criminals: They were pushed not as a result of an innate tendency to crime, but due to external factors (unemployment, etc.) arising from the conditions and environment in which they live. These kinds of criminals are the victims of chance and commit crimes in a moment of moral weakness that they will later regret.

33. Wma, p. 45.

An accidental criminal becomes a danger to society only if he becomes a habitual criminal. In this respect, first of all, it is necessary to avoid applying a penal execution system that will worsen his condition.³⁴

5. **Passionate Criminals:** Although they are honest and sometimes even distinguished people, they have a temperament that is easily influenced by everything, so that a strong passion, rage, jealousy, or love can cause an irresistible effect on them. They are people who commit crimes against individuals, usually at a young age, due to the influence of these reasons. Before, during or after committing the crime, he/she is under the influence of intense excitement. Since they usually take action without thinking and suddenly, the desire to attempt and design is rare in criminals, they immediately confess their crimes and regret it. There are even those who try to commit suicide because of their regrets. In the rare case of conviction, their regrets continue and they are easily corrected.³⁵

Formation of the Crime:

The occurrence of the crime is generally closely related to the biological, psychological and sociological structure of the criminal. Here is an opinion on this subject:

1. Crime may occur as a result of the person's contact with criminals or growing up in a criminal environment. The fact that some people do not commit crimes stems from the fact that they do not adopt the criminal type as a character.

2. Children who grow up in environments where there is constant change and a tendency towards immorality may be criminals. The lack of figures as a model may be one of the factors that lead to crime, as a result of the person's encounter with conflicting values, he cut himself off from institutions where values are considered important, for example mosque, school and family.

³⁴ Wma, p. 46.

³⁵ Wma, p. 50.

3. The phenomenon of crime is a function of social class. Children from certain classes form a separate culture for themselves as they cannot take a place or be accepted in the privileged class of the society. This culture creates a status that children can fulfill.

4. Others argue that crime is a normal type of behavior. Merton argues that when society attaches importance to success and the means at hand to be successful are rare, criminals have an unorganized or deviant lifestyle. That is not the result; he stated that crime as a social phenomenon is the result of a certain social artefact (36).

According to these views, environment, social class and biological characteristics come first among the reasons that push the individual to guilt. It can be said that social class and environment are important factors especially in juvenile delinquency. That is to say, according to the Justice Statistics prepared by the State Statistics Institute, the number of convicted children who entered the correctional facility at the time of committing a crime according to the educational status of their parents is examined. It was found that 217 out of 400 children had illiterate mothers or fathers, 135 had literate mothers or fathers but could not finish a school, and the remaining 48 children were found to be illiterate. It is seen that most of the parents are primary school graduates (37). As seen in the statistical results, there is an inversely proportional situation between the number of children entering the reformatory and the educational status of their parents. As the educational status of the parents increases, the number of children entering the reformatory decreases.

³⁶ Mustafa T.Yucel, *Criminology, Crime and Punishment*, Foundation for Strengthening the Justice Organization, Ankara 1986, p. 13–14.

³⁷ TR Prime Ministry Institute of Statistics and Justice Statistics 1991, Ankara 1993, p. 208.

Again, in the Justice Statistics prepared by the State Statistics Institute, in a survey conducted on 400 children, fathers; 75 civil servants, 87 working in agriculture, 46 working in service works, 42 working in construction sector, 27 working in trade and sales, working in weaving and clothing tailoring 22, 101 idle children entered the correctional facility (38).

As can be seen, the delinquency rate is higher in the children of families with low or moderate financial status. Again, in the research conducted on 400 convicted children who entered the reformatory, It is seen that 255 did not attend school, 60 went to primary school, 72 to secondary school, 12 to high school, and 1 continues going to higher education (39).

The following example that environmental conditions play an important role in the commission of the crime is quite impressive. “Think of a town; it is very crowded here in winter, because there is no work, young people fill the cafes or places full of humidity. They fall in love with their walnuts or play sword (a kind of gamble) until the morning. They are fighting with each other for five cents and meanwhile they are cursing. Those who lose in gambling sell the things in the house and steal from their neighbours what they cannot get from the house. No one is complaining; rather, they cannot. Even if they do, no witnesses are found, because these bloody-eyed young men can do the heaviest of evil. Powerful men use these tyrants and protect them. Theft becomes a respected business. The child who grew up in such a culture saw these phenomena as a necessity to preserve and continue life (40).

³⁸ Wma, p. 208.

³⁹ Wma, p. 209.

⁴⁰ B. Arıkan, “Social Events and Crime”, Republic Newspaper, 18 March 1996, p. 2nd.

It can be said that psychological reasons are also effective in the formation of crime. As a result of the researches of psychiatrists, it has been revealed that people with psychological problems are more prone to commit crimes. However, the proposition that psychological factors are always effective in the formation of crime is not entirely correct.

As a result, it can be said that in addition to social and biological factors such as education status, marital status, occupational status, age and gender of individuals, the environment in which the individual grew up, economic conditions and psychological status are effective. These determinations about the occurrence of crime are important in terms of the role of religious education in the prevention of crime and delinquency in the future. For this reason, the examination of the subject in terms of religious education will be discussed in the following sections.

Regarding congenital guilt, Islam and Christianity have a different approach. In the religion of Islam, there is no guilt from birth, a person is born innocent, and then his family or environment plays a role in shaping a person positively or negatively. Hz. Muhammad expresses it thus. “Every child is born with a fitrat, then his parents make him a Jew, a Christian or a Magi (that is, they spoils his nature)” (41).

In Christianity, it is accepted that man is born guilty from birth. This event, which is accepted as “original sin” and “original crime”, is described at length in Christian religious books. On the basis of the original crime, Hz. Adam committed a sin (crime) by eating the forbidden fruit in Paradise. This crime has spread to all humanity. In other words, every human being born is the father of humanity, they are born with this guilt of Adam, and then they try to be cleansed of this sin with certain religious rites, especially Baptism (washing in water).

⁴¹ Bukhari, Sahih, II: 97; Muslim, Sahih, III: 2048.

In the religion of Islam, the deterioration of human behavior is mostly attributed to social conditions. This understanding emphasizes the importance of taking measures to prevent delinquency and creating a good educational environment. In addition, having the belief that a person is actually clean can ensure that he has a suitable psychology to turn from it when he commits a mistake.

The rehabilitation of mentally ill criminals and their reintegration into society can be possible with some medical interventions and treatments. At this point, it would be too optimistic to say that religious education can be effective. If we think from another point of view, in religion such criminals are not considered as criminals but as patients.

Conventional criminals, like congenital offenders, were considered incorrigible and unable to keep up with the social situation. We can say that the studies to be carried out on their breeding should be multifaceted. Both the education and good habit building activities in the prison, and the control of their environmental conditions and a good environment after they are released from prison can be effective in rehabilitating such offenders. Religious education to be given in prison can prevent a person from making a habit of committing his crime, the concept of repentance in religion (that the guilt of the regretful person can be forgiven by Allah and that the person can become guiltless, sinless through repentance) can be made so that the person who commits a crime becomes a good person.

Incidental offenders are considered to be the easiest to correct. It is possible to use the feeling of regret and to say that the element of "repentance" in religion has a great function in the correction of such criminals.

Passionate criminals are people who are irritable, excited, and can become a prisoner of rage. It is difficult to say that the training to be provided on the improvement of such criminals can be very permanent, because emotion and excitement can often render a good education ineffective. In other words, an educated person can commit a crime with a sudden excitement and anger. We can say that the thing to be done about the improvement of these criminals should be to clear their social environment of the elements that encourage them to commit crimes.

D. Religion

The word religion does not have a clear meaning when used alone, it has different dictionary meanings. The root of the word religion, with its various uses, has the opposite meanings such as submitting, obeying, as well as ruling, reciprocating. Also, entering a religion or sect; It also has meanings to make something a habit. When religion is used as a noun, it has meanings in accordance with the above root meanings. Like coffee, obedience and state. These meanings, as stated by one author, express the relationship between two parties, one of which is submissive to the other. Religion, which is used in the sense of religion in Western languages, is also based on a root that has a similar meaning. (Religare; connect).

In the psychological sense, religion is the reaction of man against the metaphysical realm. In the first step, this reaction is to accept the invisible area (unseen) and the existence of superhuman power (faith). This is followed by religious feelings (fear, love, respect) and external expressions (prayer, worship). However, this reaction symptom is not an ejaculation; it is almost always put into a certain shape by the environment. In other words, religious behavior is one that is shaped according to the culture of the environment. Often, when one pays attention to one aspect of religious behavior, definitions of religion are ambiguous.

For this reason, the word religion, in terms of expressing the meaning better; often used with descriptive words; Religious motivation, religious aptitude, religious feelings, religious belief, religious culture, religious knowledge, etc. (42)

Another writer drew attention to the difficulty of defining religion: "Religion has been accepted as one of the most difficult concepts to describe. A description that will encompass it with all its features has not been made yet. With the shortest and most comprehensive expression of religion; we can say that it is man-God relationship. In other words, religion; it is man's inclination towards the unconditionally existing, Absolute being and being surrounded by Him. Humans are born religious. Anthropological studies have come to this conclusion. From the earliest age when people realize themselves, they ask questions about where others and everything that exists come from and why they exist. These questions are still unsolved, open questions of humanity."

The origin meaning and future of life preserves its secret. These questions, this secret, that people do not want to live without an answer, find their answers and solutions in Allah. Religion, like science and philosophy, is not the product of man's search, but of man's search with it. Because, especially according to the religion of Islam, as man seeks God, God wants to be known by man, this is the reason why he created man. A person should know Allah and serve Him, and realize that he is working for Him. All creatures are entrusted to man. As God's representative, man is responsible for them. He will recognize them, use them and exalt them. In order for him to be successful in this way, Allah helps man and sends books through the means he has chosen from among the people, that is, the prophets. Thus giving him the reason for his existence on earth, it informs its meaning and future. Belief in God once it is formed, other

42. Selahattin Parladr, Religious Education Lecture Notes, DEÜ. Faculty of Theology, <z-mir, 1985-1986, p. 1.

things about it; His words, His messengers, His service, worship, community, deeds systematize religion. For the believer, religion is life itself (43).

E. Education

Learning, teaching, learning and education are terms that can be used sometimes interchangeably. However, we have to know that these concepts mean different things and we have to distinguish them from each other. so that;

Learning: It is a term used in terms of students and is defined as “a change in behavior as a result of repetition and experience”. When the word is used transitively, that is, as an instruction, it means that the event is viewed from a didactic point of view. In this case, it is in question to cause a change in the person's behavior by the teacher. Education may occur as a result of a planned activity, or it may occur accidentally and unconsciously (44).

The word education is also a term used in terms of educators or trainers. In this respect, it is possible to make many definitions of education. Broadly speaking, it means bringing about a change in behavior with planned and unplanned effects (45). In other words, education is the work done by the adult generation according to a plan and purpose, to ensure the development of the growing generations. HZ Ülken has determined the function of education as follows. “Education builds the spirit and character, and brings all values to the individual and the nation” (46). Today, the following definition of education is widely adopted.

⁴³ Beyza Bilgin, Educational Science and Religious Education, Ankara 1990, p. 7.

⁴⁴ Cavit Binbasioglu, Introduction to Education, Ankara 1988, p. 9.

⁴⁵ Parladır, wma. P,2.

⁴⁶ Halis Ayhan, Introduction to Education and the Values Islam Brings to Education, Istanbul, 1986, p. 14.

It has been said: “Education is the process of deliberately bringing about desired change in an individual's behavior through his or her own life.”⁴⁷ In terms of our subject, we can say that this is the most appropriate recipe for education.

Religious Education: Aiming to put people's religious behavior into a positive and desirable shape in a planned manner, while stimulating the religious ability of people with a sound and correct religious culture. Develops a healthy spiritual structure and conscience in the person, to look at life and events from a wider perspective, to purify the self formed in the presence of Allah and to return to creatures with love and respect. The education system that tries to provide is called religious education.⁴⁸

⁴⁷ Selahattin Ertürk, Program Development in Education, Ankara 1993, p. 12.

⁴⁸ Shine, ages 2.

CHAPTER ONE

RELIGIOUS EDUCATION INPRISONS

I. OBJECTIVES AND METHODS OF RELIGIOUS EDUCATION

A. General Objectives of Religious Education

Our education scientists have listed the aims of education that will prepare the trainee for the present and future life as follows:

a. Education should provide the person trained with communication competence in order to be able to express his feelings, thoughts, needs and problems through various means.

b. Education should equip the trained person with the competence of cooperation so that he/she can socialize as necessary, establish positive relations with other people, and work together for common purposes in his democratic life.

c. Education provides the trainee with learning and research proficiency so that he/she can collect the necessary information to solve his/her problems, gain skills, and fight his/her problems with a positive and constructive attitude.

d. Education provides a healthy environment for the trainee so that he/she can take care of himself/herself, protect him/herself, do what is necessary for environmental health, and not endanger the health of others.

e. Education is the ability of the trained person to choose a profession, which is a fundamental element in serving himself and the society, to be able to carry out the profession successfully, to use his earnings sparingly; In order to utilize the wealth of the country within his own profession, he must gain production competence (49).

As can be seen, the main purpose of education is to create an ideal person for the society.

We have seen before that religion has many different definitions. One of these recipes is; "Religion expresses the relationship between Allah and the servant, the belief and devotion of man to the Creator." In a way, religious behavior is morality with the face facing Allah and the face facing the earth of worship. It is even possible to evaluate the behaviors accompanied by the consciousness of Allah as worship (50).

As it is seen, the aim of religion towards the world is the realization of good morals in general. In a hadith, The Prophet said, "I was sent to complete good morals (51)" he expressed. The Qur'an also states that the prophet constituted a good model for people (52). According to the statement of the Prophet, Allah gave him a formation that would be a model for him (My Lord trained me and how well he trained me) (53).

The aim of religion and moral education, which we can accept as a sub-unit of religious education, has been

⁴⁹ Ibrahim Ethem Basaran, Introduction to Education, Ankara 1989, p. 20.

⁵⁰ Selahattin Parladir, "The Importance of Cultural and Religious Values for Ensuring Integrity in Social Structure", Journal of Religious Education, MEGSB, p. 12-13, (1987), p. 25.

⁵¹ Muwatta, Husnu'l-Hulk, 8.

⁵² al-Ahzab 33/21

⁵³ Acluni, Keshfu'l-Hafa, Beirut, 1351 h., p. 70.

determined as follows in the Journal of Ministry of Education, dated March 19, 1982 and numbered 2109:

“In Basic Education and Secondary Education, the student is provided with the knowledge of religion, Islam, religion and morality, in accordance with the general aims and principles of the Turkish National Education Policy and Atatürk's principle of secularism. It is to gain sufficient knowledge about the subject, thus ensuring that Kemalism, national unity and solidarity, and human love are reinforced religiously and morally, and to raise well-behaved and virtuous people.”

In fact, the general purpose of all trainings is to create good people. However, there are differences in matters such as what are considered good features or which of them is more important. The general aim of religion is to make man a “man with superior morals” by enabling the development of social and superior characteristics, mental and emotional abilities given to him by God.

Today, aims in education are tried to be expressed by taking various cares into consideration. These are generally people's interests and needs, the preservation of the social structure and the economy. In other words, education should develop people's interests and abilities, and enable the individual to participate in society in a way that conforms to the values of this society and respects the rights of other people; it should provide the person with a job and professional skill that will help him earn his living and develop the society.

When crime or sin is evaluated in terms of these purposes, they can be described with a person's behavior that does not comply with the value system of the society due to the lack of development of social and superior characteristics or various biological and social conditions or falling into a situation where society rejects it. Making social and superior abilities dominate in the behavior of the individual and socializing the individual is one of the most important goals

of education. Religion also gives importance to the realization of the same goals. Ensuring the integrity of the society and social peace, healthy adaptation of the individuals to the society, if there has been any disconnection from the society for any reason, eliminating this ensuring the individual is re-joined as a good element in the society are important aims of the religion seeks. It should also be remembered here that the indisputable superiority of the education, change and improvement methods that religion has. It would be beneficial to dwell on the aims of religious education, which are important in terms of our subject, to ensure social cohesion and to improve the criminal.

1. Religious Education in Ensuring Social Integrity

“Integration”, which means to unite, merge, unite, and which is the correspond of “unification” in western languages, in sociology, small or subgroups in society, communities, interest unions; It expresses the state of completion and fusion between various elements of the social structure such as institutions. From another point of view, social integration is the unification of individuals, different groups and wider various units that make up a society in a way that will form an order in mutual dependence and harmony. From another point of view, social integration means that the cultural values that are dominant in a society and social group are taken by the individuals who make up the society and appropriated, thus enabling individuals to acquire the socio-cultural values of the society (54).

In our age, where great progress in science and technology, industrialization and urbanization lead to rapid social, economic and cultural changes, societies are facing each other.

⁵⁴ Unver Günay, Religion and Social Integration, p. 1.

One of the most important issues they are dealing with is undoubtedly the problem of preserving social cohesion. Because the issue of social integration has been an important problem for every society in almost every period in terms of social order, and in this respect, it has attracted the attention of thinkers. As a matter of fact, he can be regarded as the great pioneer of sociology in the Islamic world and even the real founder of the science of sociology. Ibn-i Haldun, the great thinker of the century, has pioneered in dealing with the problem of social integration by focusing on the issue of nervousness, which he considers as the energy source of the formation and dynamism of social life (55).

Those who are busy with the social integration problem today have accepted the importance of the cultural element in the integration and the social order that develops accordingly. In addition, the form of integration that emerges when the spiritual elements of the culture as well as the material elements of the culture form a harmonious whole, "to form a unity by gathering around a meaning", it is qualified as the most harmonious social integration model (56).

Undoubtedly, religion, which has an important place among the spiritual cultural elements of the society in integrating around a meaning in this way, is seen as one of the main factors in maintaining the social order and ensuring unity and solidarity.

The issue of the role of religion in terms of social integration leads us to the issue of the social functions of religion. Because any religion can spread in society and model beliefs, institutions, norms, values, customs, attitude and behavior.

⁵⁵ Unver Günay, "A Pioneer of Sociology in the Islamic World, Ibn Haldun" Atatürk University Faculty of Theology Journal, p. 6, 1986, p. 63–104.

⁵⁶ Amiran Kurtkan, General Sociology, Istanbul. 1977, p. 292–301.

It comes to life through its media and in this way, it plays a role that integrates the members of the society religiously and socio-culturally by fusing with the social existence of that society.

Structural-functional theorists in the sociology of religion have particularly emphasized this integrative function of religion. According to H. Spencer, sacred things are symbols of social unity. Religious symbols are the constitutive element of the integration of groups (57). T. Parsons states that religion plays an important role in maintaining the endangered balance of the social system. M. Yinger also sees the most important function of religion as ensuring the integration of the society. According to him, religion with its rituals and symbols, belief system, punishment and reward doctrine helps to prepare socialized individuals who adopt values as legitimate means and ends (58).

When the religion of Islam is viewed from this point of view, it is seen that the belief of tawhid, which is its most important principle, also serves as a mortar that ensures unity and integrity in the social structure. In the social evaluations of the religion of Islam, this issue has been extensively discussed (59).

The religion of Islam has spread very rapidly from the moment it was communicated to the people, and in a very short time after its emergence, it spread to a very wide area and produced a large number of people which has managed to hold together masses of people from various cultures and nationalities by uniting them around a strong faith. It is an excellent material by melting the differences of people and groups from such different socio-cultural statuses in a pot.

⁵⁷ Gunter Kehler, *Sociology of Religion*, trans. M.E. Koptas, A.Topcuoglu, Istanbul, 1996, p. 22.

⁵⁸ M.Emin Koptas, *Religious Life in Turkey*, Istanbul, 1993, p. 36, 40.

⁵⁹ Amiran Kurtkan Bilgiseven, *Sociology of Religion*, Istanbul, 1985; Unver Günay, "Religion and Social Integration; Selahattin Parladoğru, "The Importance of Cultural and Religious Values for Ensuring Integrity in Social Structure", p. 24–30.

Undoubtedly, the consciousness of unity and integrity created through the principles laid down by the Qur'an played an important role in their formation of unity. In fact, the first point that the Qur'an focuses on when inviting people to religion is the "belief in unity", which is the first of the principles of faith in Islam, that is, in the existence and oneness of Allah. It is a matter of gathering people around faith. In such a way, we witness that this subject is handled in almost every chapter and every page of the Qur'an. As it is stated in the Qur'an, this issue actually constituted the basis of the communiqués of all prophets (60).

On the other hand, while the Qur'an invites people to unite around the belief of oneness, it does not make this invitation to a certain nation, social circle or group, on the contrary, it addresses all humanity. This gives it a universal feature, which is one of the most important features of the Qur'an in realizing perfect social integration around meaning. The invitation to this issue is general and universal everywhere in the Qur'an. In this regard, "O people!" is frequently mentioned in the Qur'an → Kerim. We see the use of addressing styles such as "O believers" or "O believers". People or believers can be from various countries, nationalities, cultures, social environments and positions. But they are one in the sight of Allah. As a matter of fact, the Qur'an binds and clamps all believers together under the bond of "religious brotherhood" (61). All kinds of social differences will merge within this fraternal unity formed by believers. During congregational prayer and pilgrimage,

⁶⁰ Hud: 26, 84; Anbiya: 22, 25.

⁶¹ Hucurat: 10.

The unity tables formed by the believers are the living examples of this integration. The Qur'an says, "O people, we have indeed created you from a male and female. We have divided you into nations and tribes so that you can (just) get to know one another. Surely, the most honorable of you in the sight of Allah is the one who is the most pious" (62) commands.

In the verses above, Allah states that the real superiority among people can only be through taqwa, and that differences other than that mean nothing. By staying that He invites people to come to terms with love and friendship. Likewise, the Qur'an states "Hold on to Allah's rope tightly and do not disperse. Remember Allah's blessings on you. He united your hearts while you were enemies to each other. Thanks to his blessing, you became brothers. You were on the edge of a fiery cliff, and he pulled you out of there." (63) He emphasizes the same unity and fraternity principle. Like this, "Obey Allah and His Messenger, do not fall into

conflict" (64) and always believers when he commands; this ideal invites unity and integration, peace and brotherhood. The truth, which is frequently emphasized in the Qur'an(65), patience(66). Obedience(67), benevolence and benevolence (68), hard work (69), forgiveness and mercy (70). The good habits desired to be possessed by such a believer draw attention as important moral factors that enable people to bond with each other under the bond of love.

⁶² Hucurat: 13.

⁶³ Al-i Imran: 103.

⁶⁴ Luqman: 17.

⁶⁵ Repentance: 7; Hud: 112.

⁶⁶ Baccarat: 153.

⁶⁷ Al-i Imran: 32, 132, 159.

⁶⁸ Repentance: 71; Al-i Imran: 92; Baccarat: 267.

⁶⁹ Nacm: 39.

⁷⁰ Al-i Imran: 112; Baccarat: 197; Maid: 92.

It is possible to multiply such examples in the Qur'an that lead to social integration. In reality, when the subject is considered in terms of integration, all the orders and prohibitions, encouragements and recommendations in the Qur'an, prayer, fasting, intelligence, charity, pilgrimage, sacrifice. It can be stated that all acts of worship, such as the remembrance of Allah, are factors for ensuring social integration (71).

As it is seen, religion, especially the religion of Islam, is the main element of national unity and solidarity with the giving importance to social integration, and also plays an important role in ensuring and protecting the social order.

2. Prevention of Crime and Correction of the Offender

Undoubtedly, religion provides a broad view of the world and perspective on life by answering people's transcendent questions with the belief system it offers; it helps to develop their sense of responsibility and conscience; motivates them to correct their mistakes and faults, strengthens their will and helps them to evaluate events rationally and gain control over their behaviors.

Worldly punishments are, of course, an effective means of education in maintaining social order and improving people. But what is more important and effective in educating and disciplining people is to make them have a solid internal control, moral structure and conscience. Belief in the hereafter, which is one of the fundamentals of religion, ensures the development of a sense of responsibility and conscience. "Whoever comes to his Lord guilty, surely there is Hell for him. There he neither dies (comforts) nor resurrects (benefits)" (72).

⁷¹ For more information on this subject, see Ünver Günay, *Religion and Social Integration*, p. 9–10.

⁷² al-An'am: 74

“Who comes with good and beautiful deeds, he will be rewarded tenfold. Whoever comes with a sin will only be punished with the same amount (as much as his sin). They (both those who do good and evil) will not be brought unjustly” (73) and similar verses have a stimulating effect on the social sensitivity of the believer.

Having the fear of Allah in a believer means that the altruistic and superior wishes offered by Allah are behind his individual and social behaviors. In general terms, the goal of religion is to protect fundamental human rights and mental health. According to Islamic scholars, religious rules are ultimately aimed at protecting people's lives, property, intellect, religion and progeny (74).

The essential thing to do in ensuring the social order is to make internal control work in people through education, more importantly than external coercion, which is achieved by religion. As it really has beliefs of the Hereafter, Paradise and Hell, and strong reinforces such as repentance and forgiveness. In one study (75) repentance has an important role in the development of personality, as it is broadly covered. Literally, repentance means to return (76). As a concept, it means “turning to God by untying the knot of persistence from the heart, returning from bad deeds to good ones immediately, avoiding confession, regret and evil” (77). Even if the wrongdoing provides a benefit, hearing its

⁷³ al-An'am: 160

⁷⁴ For more information, see S.Parladır, “Goals in Religious Education”, 9 September University Journal of the Faculty of Theology, IX, (1985), p. 79-102.

⁷⁵ Erdoğan Fırat, The Role of Repentance in the Development of Personality, (Unpublished Associate Professorship Thesis), Ankara, 1982.

⁷⁶ The word repentance and its various forms is used in the Qur'an with more than 80 verses.

⁷⁷ For more information, see Erdoğan Fırat, The Function of Repentance in Personal Development, (Unpublished Associate Professor Thesis), Ankara 1982, p. 93-112.

ugliness and giving up with disgusting (78). Repentance in a Hadith (79) explained as a regret “someone who commits a sin and asks how his repentance will be? Hz. Prophet said that repentance of sin is to do well to relatives (80).

Some verses on this subject are as follows:

“O believers, all of you repent to Allah so that you may be saved.” (81)

“He (Allah) is the One Who forgives sin and accepts repentance.” (82)

“Allah wants to accept your repentance, and those who follow their lusts want you to go astray with a great inclination.” (83)

“Allah loves those who repent a lot and those who purify a lot.” (84)

“Whoever repents and does good deeds, he will certainly return to Allah with his repentance accepted and his consent.” (85)

“O believers! Turn to Allah with sincere repentance, so that your Lord will forgive your sins and admit you to Paradise with rivers flowing through them...” (86)

“Allah has taken it upon himself to accept the repentance of those who do evil unknowingly and repent immediately afterwards. Allah accepts their repentance.

⁷⁸ M.H.Yazir, wma. c. 6, p. 5127.

⁷⁹ al-Fethu'r-Rabbani, XIX, 340.

⁸⁰ I'lâmu'l-Muvakkîin, IV, 398.

⁸¹ Nur: 31.

⁸² Mu'min: 3.

⁸³ Nisa: 27.

⁸⁴ Baqara: 222.

⁸⁵ Furkan: 71.

⁸⁶ Tahrim: 66.

Allah is Knowing and Ruling.” (87)

“Then indeed, your Lord is on the side of those who do evil unknowingly and then repent and are amended. Your Lord will forgive and have mercy after this.” (88)

“O Muhammad! As for those who believe in Our verses; Say 'hi' to you. Your Lord, whoever among you does evil unknowingly and then repents and straightens himself, Allah has taken upon himself to have mercy on him. He forgives and shows mercy.” (89)

“Whoever repents and corrects himself after his wrongdoing should know that Allah accepts his repentance. Surely Allah is Forgiving, Merciful.” (90)

“Except those who repent, correct themselves, and reveal the truth; I accept the repentance of those who are at work. I always accept repentance and show mercy.” (91)

“When death comes to him while his evil deeds are still going on, the repentance of those who say 'I have repented now' and those who died as unbelievers is not acceptable. We have prepared for them a painful torment.” (92)

From the verses and hadiths on this subject, the following understanding can be drawn about repentance: It is normal for a person to err and sin “All Adam's sons are erroneous; the best one of those who repents.” (93)

⁸⁷ Nisa: 17.

⁸⁸ Nahl: 119.

⁸⁹ En'an: 54.

⁹⁰ Maide: 39.

⁹¹ Baqara: 160.

⁹² Nisa: 18.

⁹³ Tirmizi, es-Sunan, IV, p. 658–659.

As the Qur'an puts it, they oppress themselves from time to time by behaving wrongly, and they confuse good deeds with bad deeds due to ignorance. In this situation, the important thing was to feel regret, to feel guilty, to feel uncomfortable and to ask Allah's forgiveness with this intense feeling, and to reach a firm decision in order not to make the same mistake again. Allah will make good the bad deeds of anyone who sincerely and sincerely regrets and turns back from the wrong way, who is determined to do good (94). "He who repents for his sin will be as if he had never sinned" (95). It is a behavior that Allah likes when a servant turns to Allah sincerely because of a crime and sin (96). No matter how much his crime is, he will be forgiven (97).

B. Religious Education for Criminals

Some Methods:

It is possible to talk about many different methods depending on the situation of the person or people who will be addressed in religious education. Conditions such as the level of education, age, social status and occupation of the person may require the application of different methods in the religious education to be given. It would be useful to briefly review the methods used in education and religious education in general, before moving on to special methods that can be applied to criminals.

a. The Teaching (Narration) Method of the Teacher;

The narration method is to explain and teach by telling the subjects in an order and order.

⁹⁴ Some related verses: al-Baqara: 159,160; Al-i Imran: 89, 135, 136; Furkan: 69, 70,71; Hud: 115.

⁹⁵ Ibn Mace, II, p. 1419.

⁹⁶ Ahmed b. Hanbal, Musnad, I, p. 80, 103.

⁹⁷ For more information, see NS. Shine, "Prayer in Islam", TDV. Encyclopedia of Islam.

Narration method is a useful method in the first degree in teaching abstract subjects that students cannot see with their eyes and cannot hold with their hands. It is an ideal method when it is not possible to teach with tools or when it is necessary to teach in a short time. When combined with appropriate gestures and facial expressions, the narration method is very convenient in terms of giving emotion and excitement. Its effect increases even more when it is used in the form of fairy tales and stories. In this respect, it can be said that it is the most appropriate method in religious education.

When the lecture (narration) method is used alone, it is criticized because it leaves the student motionless and does not lead to examination and research on their own or as a group. In order to eliminate the inconveniences in the application of the lecture method, the teacher must have good speaking skills, asking questions to the students during the lecture, and blackboarding. It may be beneficial to make the subject interesting by using the text, drawing shapes and diagrams, and using other tools and materials, adding an emotional tone to the narrator's speech (98).

b. Question & Answer Method:

The question-answer method is actually the study of the subjects by asking a set of questions to the students and criticizing the answers received. Based on what students know and their experiences, they reach new ideas through comparisons and make them think. Thus, by revealing the degree of their interest in the subject and how well they know the subject, it ensures that the teaching is adjusted according to the student's interest, needs and level. It also determines their view and attitude towards the subject. This method is called as "teksif-i usul" in the old language. In the

⁹⁸ Cavit Binbasioglu, Teaching Information in Secondary Schools, Ankara 1966, p. 123.

new language there are also those who say “Socratic method” as it is called “finding method” (99).

c. Lecture (Narration) Method of the Student:

In this method, which is also called the active method, students who collect information from various sources explain them in the lesson, and the teacher puts them in order and directs them at the end of the lesson. This method cannot be applied at the desired level in our schools.

d. Group Work and Discussion Method:

Group work is the gathering of three to five or more students to study a subject. The appropriate number of students is not to exceed five. These students prepare the topic by dividing it among themselves. They elect one of them as the president and the other as a secretary in order to carry out the work regularly.

Group work is valuable in terms of socializing the student, because in daily life, everybody has to cooperate with other people every day. Group work can be combined with the discussion method. The students who have studied the subject first discuss it among themselves, and then the students who listen to them join the discussion. This method can also be applied without preparation. A discussion begins on a subject to be brought forward by the teacher or students, and the students argue by putting forward their ideas in accordance with the rules. The subject is thus treated as a group.

When the discussion method is combined with the methods of learning by doing and experiencing, such as observation and experimentation, it is more useful than other

⁹⁹ Mehmet Zeki Aydın, Finding (Socrates) Method in Religious Education and Teaching, Ankara 1993 (Unpublished PhD Thesis), Ankara University Institute of Social Sciences.

methods. With this aspect, it is also suitable for religious studies. Events observed in daily life can be interpreted and discussed in terms of religion (100).

e. Study on Turkish Meaningful Quran:

In the current situation, it is seen that working on the Qur'an with a Turkish meaning is an extremely rare method in religious studies. In a study on this subject (101) only 3 of the 968 teachers who participated in the survey reported that every student in their class had a Koran with Turkish meaning. On the other hand, 160 teachers do their work to introduce the students who have the purchasing power to these books, through them, to the class. He reported that. However, 751 teachers sincerely stated that such a study has never been done.

f. Sightseeing and application studies:

One of the least used methods in religious studies is field trips and practice studies. It seems that the chance of applying this method is weak for various reasons. However, for example, it is possible to make observations by going to mosques close to the school in order to process the sociological and psychological effects of worship on people, and to make religion lessons interesting by making a field trip. In the Qur'an, people are advised to look at the things around them and draw some conclusions from them (102). According to the Qur'an, beings are verses that show the existence and might of Allah (103).

¹⁰⁰ On these methods, see also Leyla Küçükahmet, *Teaching Principles and Methods*, Ankara 1992, p. 37-58.

¹⁰¹ Beyza Bilgin, *Religious Education in Turkey. Religion Lessons in High Schools*.

¹⁰² Gashiye: 17, 29.

¹⁰³ Joseph: 105.

In a survey study conducted on the same subject, it was found that the teachers mostly used the narrative method in their answers to the questions about the method. It was stated that group work and discussion methods were observed to be used. In the same study, the teachers attributed their preference to the narration method to the characteristics of the subjects, that abstract subjects can only be explained with this method, they also said that they preferred this method in terms of using the time sparingly (104).

In general, almost all of the methods in education and religious education can be used in a religious education for criminals.

It can be said that the teaching method of the teacher will be the most preferred method in religious education for criminals. Because, the fact that the general interlocutors have a low level of education, they do not have the opportunity to do research on any subject, and they are also not ready for it psychologically, It may complicate the implementation of active methods such as the student's lecture method. However, a different method can be tried by combining the discussion and the student's explanation method.

The question-answer method is one of the methods that can be applied to criminals. Discussion of a question posed by both the teacher and the criminals and finally being answered by the expert who teaches the course adds to the vitality of the course and the training. It can be preferred from. On the other hand, the method of working on the Turkish Qur'an is a method that can be applied in religious education for criminals. Only when applying this method, the education level of the interlocutors should be determined and

¹⁰⁴Mualla Selcuk, Religious Motifs in Child Education, Ankara 1990, p. 155.

arrangements should be made accordingly. In addition, it may be necessary to provide the Turkish Qur'an to be used in the course by the prison administration. On the other hand, when working with this method, it may make this method more attractive if the verses in the Qur'an which are hopeful and tell about Allah's forgiveness for the criminals are specially treated.

A method in the form of field trips and practice studies is the least viable method for criminals. Because criminals don't have the opportunity to travel around. However, it may be possible for him to apply the limited experiences in the mosques to be created in the prison in the course. Like the practical explanation of performing ablution and performing prayers. Today, we see that the current religious officials in prisons mostly use the question-answer method.

Considering the psychological state of the criminals and the prison conditions, the best and most appropriate method for religious education to be applied to criminals is the teacher's explanation and question-answer. It can be said that it can be a method.

In the survey we conducted on this subject, the rate of 36% of the criminals in the religious education arranged for them, they preferred the teacher's explanation and the question-answer method in regular lessons, they demonstrated in the interviews. Just behind the method in the form of regular lectures, it was seen that the lectures of muftis and preachers took the second place with a rate of 22%, and one-on-one dealings took the third place with a rate of 19.33%. It is seen that the education and conference method via video and tape cassettes is not preferred much (105).

¹⁰⁵ See. Table-26

In the study, in which the subject of “education of maladjusted children”, which we think may be closely related to our subject, is examined, educational errors lie on the basis of behavioural disorders. He stated that the following conditions must be fulfilled in order for the methods to be applied in the education of maladjusted children to be successful:

1. Detailed individual diagnosis or recognition of non-compliant children,
2. The aims to be given in the education of non-compliant children, the changes that need to be made,
3. The content of knowledge and skills to be gained in order to achieve these goals,
4. Activities to be done,
5. Conditions that the training place should have,
6. Necessary treatment, therapy, academic work, occupation, profession and leisure activities during the education of non-compliant children,
7. Education and guidance services to be provided with the parents and relatives of mismatched children,
8. Systematic and continuous evaluation of the above-described elements of the training program.¹⁰⁶

It is possible to use such a work program in the correctional studies of criminals in cooperation with the prison administration.

¹⁰⁶ Dogan Caglar, *Mismatched Children and their Education*, Ankara 1981, p. 2001-202.

II. RELIGION IN PRISONS

A. Religious Education in Turkey

It would be useful to briefly review the historical development of religious education in Turkey, and to know what the problems, if any, are related to religious education without considering the situation of religious education in prisons.

The great importance given to science, education and training by the religion of Islam has made it necessary for Muslims to be involved in an intense education-training activity from the first period. It is possible to see that in every period of Islam, there was a class that was busy with education and training activities. We see that the activities that were limited to mosques, madrasas and houses in the early periods became institutionalized over time, that is, madrasahs were established. Turks have made a great effort in arranging education and training, developing them as institutions where existing sciences and scholars coexist, and establishing and preserving them as a public institution by the state. This tradition, which started in the Great Seljuks, continued, developed and expanded in the Anatolian Seljuks and Ottomans. Ibn-i Batuta, who passed through Anatolia in the 16th century, mentioned about those madrasahs was seen even in small towns, in his travel book.

It has been adopted as a principle to make children read the Qur'an from the age of kindergarten, and to memorize the religious, personal and social information directly related to daily life, which is called the catechism as they reach their senses.

In Madrasahs, which have an important place in the history of Religious Education and Teaching, not only religious sciences were taught, but also mathematics, astronomy, geometry, philosophy, etc., which are called positive sciences, lectures are also included. Then

the madrasahs that excluded the positive sciences from their curricula lost their former prestige over time due to other reasons as well.

In the modernization of education in Turkey (107) the most important of the steps taken is undoubtedly the Maarif-i Umumiye Nizamnamesi dated 1869. With this regulation, it was stated that religion lessons would be given in secondary schools, but it was not specified how and at what rate they would be given. These schools are now considered for non-Muslim subjects in order to develop a common Ottoman culture as a requirement of the Tanzimat understanding and the Reform Edict. It was enough to state that religious education would be done through the mediation of their own clergy. Courses related to religion were not included in both periods of *idadis* and *sultanis*, (names of a school system) which will provide education above the high school (108).

Later, secondary schools and high schools for three years were extended to towns, and Arabic and Persian courses were included in the programs in these schools, along with French. For the religious formation, 1-3 courses were taken the *Ulûm-u Diniye* (sciences of religious), *Akaid* (the fundamental rules and practices of the Islam) and *Fiqh* (Islamic law) lessons were taught in classrooms of 4-7, Their distribution is; It is 3-3-2, 1-1-1-1. It has been stated that reciting the Qur'an with *tajwid* (exact pronunciation) will also be included in the *Ulum-u Dini-ye* lesson. Afterwards, the name of the course was accordingly detected as "The Qur'an, with *tajwid* and *ulûm-u diniye*".

¹⁰⁷ For more information on the Modernization of Education in Turkey, see. Kocer, *The Birth and Development of Modern Education in Turkey*; Niyazi Berkes, *Contemporary in Turkey*, Istanbul 1973, p. 150–173, 396–406; Bayram Kodaman, *Abdulhamid Era Education System*, Ankara 1991; Bernard Lewis, *The Birth of Modern Turkey*, Trans: Metin Kiratli, Ankara 1988, p. 397 et al; C. Yalçın Bilim, *Contemporary Turkish Education in the Tanzimat Era (1839-1876)*, Eskisehir 1984.

¹⁰⁸ About the programs, see Hasan Ali Yücel, *Secondary Education in Turkey*, Istanbul 1938.

The distribution of the course has also changed from the first grade to 3-2-2-2-1-2. There were also applications where this course was taught in two separate courses as “Quran-ı Kerim maa tecvid” and “ulûm-u diniye”, and there were also practices where there was a “morality and knowledge on civilization” course. Sultanis, which was based on the Maarif-i Umumiye Nizamnamesi, which was published a year after the Mekteb-i Sultani started education, should be opened in every city and town. Since the Second Constitutional Era, it has taken the place of high schools in all provincial centers. In the order of the Sultanis' programs, which changed from time to time, in 1922, the religious lesson was determined as two hours a week in each class (109).

With the application of the West's understanding of science to Turkish life, modern education and training were allowed to enter the country, while madrasahs were not reformed and releasing the non-Muslim education and training of its elements, three kinds of people with different principles and worldviews were brought up. Thus, while the students of the school wanted to bring the hometown closer to the west, the madrasahs continued to protect the old order, while the foreign schools aimed to gain their independence by destroying and smashing it (110). There were arguments between these three generations to the point of accusing each other of being reactionary and infidel from time to time. In the face of these, Namik Kemal and Cevdet Pasha and a group around them believed that Islam and European civilization can be negotiated and should be reconciled. In their works, tried to reconcile the Ottoman State Law and the Western state understanding, and also tried to merge the Ottoman moral understanding and the Western worldview.

In the first years of the Republic, the subject of religious education was very controversial due to the inability to fully grasp the new system.

¹⁰⁹ Wma, p. 37–38.

¹¹⁰ Bilgin, wma, p. 34.

Beyza Bilgin summarizes the developments related to religious education in this period as follows:

Having lost its imperial character by coming out of the First World War with a defeat, Turkey established a new and national state under the leadership of Atatürk, neither eastern nor western, any political idea or economic, it aimed to develop an idea system that is suitable for its own social structure and conditions, regardless of doctrine. This system of ideas, which was later called Kemalism, has gradually become a national understanding that all kinds of intellectual currents can count themselves from, since it is flexible and open to new developments. However, the fact that every idea sees and presents itself as under the auspices of Kemalism has also revealed an uncertainty that not everyone can easily say. This uncertainty is felt more when it comes to religious education and training. As a matter of fact, the parliamentary debates during the introduction of religion classes in schools and the news and opinions that were reflected in the press during these dates generally revolved around whether Atatürk's principles would be damaged. This attitude not only caused the religious majority and those who do not care about religion to distance themselves from each other, but also played a role in delaying the adoption of Atatürk's principles by the majority of the society (111).

If we look at the developments in religious education in this period, Atatürk, the founder of the Republic, put religious education in the government program and in his first program on May 9, 1920, the government's ideal was "religious in every sense and a national upbringing"(112). We see that it is explained as, again, while the Sakarya War was still going on, Mustafa Kemal, the Speaker of the Grand National Assembly of Turkey and the Chief Commander, at the Education Congress convened on July 15, 1921, stated that the methods followed until that time were the main reason for our regression. We believe that a culture that is far from any influence from the East and West, appropriate to our national level and our history,

¹¹¹ Wma, p. 41.

¹¹² Nevzat Ayas, Republic of Turkey Education Institutions and Histories, MEB Ankara 1948, p. 187.

should create education programs (113) has said. Here, it is understood in the program of the government that he is the president, that religious upbringing is considered together with national character and history. We see that Atatürk used the same theme in his talks with teachers in Bursa on October 27, 1923, and in his speeches on the program.

In the days very close to the Sakarya war, the First Scientific Committee, which started meetings with Atatürk's directive and reconvened after the victory, ranked 26th in the program of "Tedrisat-i Diniye Esasati". He received religious education under the name of ". Şeriye and Evkaf Ministry, with an additional commission it established within its own body, determined a new order by trying to bring religious education to a level that would comply with the new conditions.

At the Istiklal Trade School in Samsun on September 28, 1925, Atatürk expressed his opinion on national education as follows:

“Sir, there are over 300 million Muslims on earth. All of them are in captivity. The religious upbringing they received is not enough to save these nations from captivity, because the target is not national. We will be based on national education. After taking the national upbringing as a basis, we will have to nationalize its method, language and tools. While developing and raising young people with national upbringing, it is necessary to avoid filling them with corrosive narcotic phantoms”. It is fixed by his other speeches that Atatürk's expression of imaginary zevait in this speech does not mean religion itself. In Izmit, he told a delegation from Istanbul, “Islam does not prevent religious freedom of thought.”

In his speech at the Sark Cinema in Bursa, the nation

¹¹³ Hifzirrahman Raflit Oymen, Turkey's Main Educational Problems, Ankara 1969 p. 44.

for "...Our nation who is enlightened and religious"(114). On the minbar of the Balikesir Pasha Mosque, "...our religion, which has given people inspiration and spirit, is the last religion, because our religion completely complies with reason, logic and truth. If he had not obeyed, there would have to be a contradiction between this and other natural and divine laws, because it is Almighty God who makes the kavanini and the kevnije" (115). It is obvious what Atatürk thought about religion and his understanding of religion and bigotry in the last period. Despite all this, we see that opposing ideas about religious education and clergy constantly clashed in the first periods of the Republic. For example, Ahmet Cevdet, who knows the East and the West very well, is the editor in chief of the *Ikdam* Newspaper and the representative of the conservative view, said that the religious education and training that would enable the young minds to develop and rise should not be hindered, he writes that religious education and national education can be given together. On the other hand, the group that opposes this is to destroy everything that belongs to the past as a condition of progress. They were advocating removing the madrasas rather than reforming them.

One of the most important turning points of religious education in Turkey is tawhid-i tedrisat, that is, the teaching union law. In the motion submitted for this law, which was adopted on March 3, 1924.

"In the general knowledge and education policy of a state, in order to ensure the unity of the nation in terms of ideas and feelings, unification of education is the most correct, most scientific, modern, and beneficial hope everywhere. A nation's people can only see a kind of upbringing. Two kinds of education raise two kinds of people in a country" (116) is called.

¹¹⁴ Sevket Süreyya Aydemir, *One Man*, Remzi Bookstore, Istanbul 1965, p. 70.

¹¹⁵ Atatürk's Speeches and Statements, Ankara 1952, p. 94-95.

¹¹⁶ Hasan Ali Yücel, *Wma*, p.22

By connecting all the madrasahs and schools managed by the Ministry of Education and Foundations or private foundations to the Ministry of Education, perhaps putting an end to the dual system that started with the introduction of modern education in Turkey, He corrected the great mistake in Turkish education history. In addition, “The Ministry of Education will open a theology faculty in Daru'l-Funun to train high religious specialists and separate schools for the training of civil servants who will perform religious services such as imamate”. He also stated that the madrasahs that lost their functions were closed, but their place would not be left vacant. From now on, the Faculty of Theology and Imam Hatip Schools will be educational institutions that will meet the religious needs of the Republic of Turkey (117).

It is seen that the Law on the Educational Union cannot preserve its original spirit and scale in practice. Despite the defence of the formerly prime minister on religious education, a gradually developing negative trend has taken over the National Education. The 31 March incident and justified suspicions, the Sheikh Said rebellion, the Menemen incidents, etc. strengthened the idea that the state and politics should be completely freed from the influence of religion.

“The nationalist view first acted indifferent towards the problems related to religion, and then took an attitude towards it” (118). This attitude has resulted in the de facto closure of all ways for the training of clergy, and the propaganda of equating religiosity with reaction. After completing their education in the theology faculty of the Daru'l-Hilafeti'l-Aliye students and the Imam Hatip schools of the madrasah students, these institutions had difficulty in finding students.

¹¹⁷ Bilgin, *Religious Education in Turkey and Religion Lessons in High Schools*, p. 44.

¹¹⁸ Gotthart Joeschke, *Islam in the New Turkey*, trans. Hayrullah Ors, Ankara 1972, p. 108.

Nothing was done in the face of declining interest, and religious education in Turkey was automatically deleted from the official field. Thus, the unity that was wanted to be achieved and which was sorely needed, was faced with the danger of breaking down again. However, with the training of new members who would organize the religious life in the country and guide the people religiously, useful results could be expected in terms of ensuring the unity of the people in the modernization of Turkey and adopting the innovations brought to the people. In situations that will lead to development, the beliefs and wishes of the individuals participating in the situation are essential (119).

When the principle of developing modern education within a secular system was adopted by the National Education circles as keeping religion out of public schools, religion classes went through many stages until they came to the present day. These:

1. There was a transition period between 1928-1946. Between the years 1939-1946 of this period, religion lessons were not included in the schools.

2. With the transition to a multi-party system since 1946, we see that religious education has become a lively issue at the centre of politics.

Thus, in 1946, when it was proposed to teach religion lessons in schools as an effort to return to the spirit of the Education Union Law, this lesson was considered as a “morality and morale lesson”.

3. In 1948, the religious knowledge lesson for the 4th and 5th grades of primary schools was evaluated as a kind of “catechism” religious information about daily life. However, this catechism will be rearranged in line with the principles of the Qur'an. Thus, by the government, religion lessons were

¹¹⁹Fatma Varis, Program Development in Education, Ankara 1971, p. 203.

put into schools voluntarily with the help of the spirit.

4. After the opening of the Faculty of Theology in 1949, we see that religious education was considered as a “problem area”.

5. We see that since 1958 religion lessons have been considered as a “general culture and socialization tool”. The “National Education Commission”, which was established at this date to address the current situation of Turkish Education, expressed its views on religion in a report under the title of “education teaching about religion”. In this report, it is recommended that religion classes in teacher schools be reinforced with a more robust teaching, and it is stated as follows:

“In this way, the primary school teacher will be equipped with sufficient knowledge about the religion of the people to whom he will address, especially among the villagers. We believe that this will strengthen the work of teachers, their status and reputation in the community, and will be useful in meeting the harmful suggestions and tendencies in this field. ”

6. In 1960, the Department of Education and Discipline published a book it recommended for the second cycle of primary schools. This is the book named “Methodical Knowledge in Religious Education and Teaching” (Neda ARMANER-Zeki ÖKMEN, Istanbul 1960). Here, religion lessons are evaluated based on the fact that religion is “a manifestation of spiritual life”. During the work of the commission, which was assigned to prepare an education plan after 1960, an “Education and Training Committee on Religion” was formed, and the report was collected in 1962. The report was submitted to the seventh National Education Council. Thereupon, the target of religious education and training was determined by the Ministry of National Education as follows. “In accordance with the students’ development and understanding levels, it is to gain basic

knowledge about faith and worship with religious feelings in order to complete the character and morality.” Here, we see that the element of emotion has also been included in the goals.

7. In 1973, in the book “50th Anniversary” published at Ankara University Faculty of Theology on the occasion of the 50th anniversary of the Republic, he searched for an area related to the religion lessons taught in high schools. (Beyza Bilgin, Current State of Religious Education in High Schools). In this research, with the fact that religious education is a matter of conscience, the place of teaching religion in schools is based as follows;

“There is no compulsion in religion; it is a matter of individual conscience. But in order for a value to become a matter of conscience, its knowledge must be gained. In the absence of knowledge, what will be left to the conscience? The high school age, which combines the characteristics of childhood and youth, is an age when existing values are subject to criticism and especially those related to religion are hotly debated. If the needs of this age are not addressed properly and if they are not given national, religious and humanitarian interpretations, they will undoubtedly try to achieve this in other ways.”

The research comes to the following conclusion:

“Today, citizens of all ages and positions should at least be equipped with first-hand information. In this respect, in addition to the development of religious lessons in schools, the issue of preaching should be taken seriously, the publications should be controlled, and the publications that provide accurate information in a language that the public can understand, especially. These need to be reproduced.”

8. In 1981, with the "optional" nature of the religious studies taught in schools, on the principle of "Secularism" and freedom of conscience, the A.U. Huseyin ATAY, Dean of the Faculty of Theology, presented a report to the National Security Council. This report, titled “Report on Treating Religious Education and Teaching as a Integrity”,

The dean advocated a return to the first type of application of the Law of Unification of Education in religious education and teaching. The aforementioned report played an important role in the introduction of religion classes as compulsory subjects in schools.

Head of State Kenan Evren, who made a speech on the radio and television on September 12, 1981:

“...Religious education and training that is needed by the individual, family and society regularly, under the control and supervision of the State, in primary, secondary and high schools, has been compulsory since the academic year of 1982-1983, it will be started to be taught as a lesson”

He started the period of teaching religion as a compulsory course in schools by making a statement like this.

The most important and most discussed of the education and training principles of the Republic has been secularism. Discussions about secularism, which is one of the expressions borrowed from Western languages and cannot be put into place that started from the Tanzimat period continued as an important problem in the Republican period as well. After the Tanzimat, those who believe in the necessity of becoming Westernized and institutionalizing in a European way and giving education see religion as an obstacle to them at this point, and they should not associate religion classes in schools with secularism. Therefore, in the seventh article of the *Teskilat-ı Esasiye Kanunu*, which was enacted in 1921, when this mentality was dominant, there was a statement that “enforcement of the requirements of the Sharia is one of the duties of the Grand National Assembly”.

Later on, we soon see that these terms were removed from the *Teskilat-ı Esasiye*. Article 75 of the 1924 Constitution, which regulates the freedom of religion and conscience, stated in 1937: “No one can be subject to judgment because of the *ijtihad*, religion or sect to which he belongs. It is free to perform all kinds of religious rites

provided that they do not violate the provisions of the law.” arranged in the form (120).

In 1958, the “National Commission for Education” was established in order to address the current situation of Turkish Education. The commission also made an examination on religious education and gathered its opinions under the title of “education and training related to religion”.¹²¹ The report also states that although there is a suspicion that religious education can have a conservative effect on Turkey's modernization, it sees the need for an education that will regulate religious life as a result. Thus, the debate on secularism or conformity, which has been going on since the resumption of religious education and training, has resulted in a consensus at a certain point. Later on, we see that this situation gained a legal identity with the 19th paragraph of the 1961 Constitution.¹²²

Constitution and Religious Education:

Until the regulation in the 1961 constitution, there was no article in the Turkish Constitution regarding religion and teaching. While religion lessons have been given at different levels in schools since 1948, it has always been noted that such an application is in line with the Constitution, secularism, Atatürk's principles, freedom of conscience and modern life. It was being discussed whether it would be suitable for the conditions. This situation also negatively affected the teacher-student relationship.

After the September 12, 1980 movement, the studies on the new Constitutional arrangement in Turkey initiated comprehensive studies in the field of education and training. Kenan Evren, the President of the State at the time, made a speech during his country tours.

¹²⁰ Bilgin, Education Science and Religious Education, p. 64.

¹²¹ Report of the Education and Training Committee on Religion, Ankara 1971.

¹²² Bilgin, Religious Education in Turkey and Religion Lessons in High Schools, p. 65.

He mentions the issue of religion in his meetings and stated that he believes that people can benefit from their religious feelings and beliefs for the security of the state and the development of the nation. In his speech at the Grand National Assembly of Turkey on the occasion of the opening of Atatürk's Year (5 January 1981), he said the following regarding the relationship between secularism and religion:

“Secularism does not mean irreligion, secularism is freedom of conscience. Secularism is the demarcation of religion in state affairs. According to Atatürk, the religion of Islam is suitable for reason, science and scholarship. Atatürk said in 1923, “our religion is the most reasonable and natural religion, but because of this, it has become the last religion. For a religion to be natural, it must be in accordance with reason, logic, science and scholarship. Our religion fully complies with them”. It is irrational and illogical to use religion as a political tool in Atatürk's principle of secularism (123).

On July 24, 1981, in his speech in Erzurum, he declared that religious education should not be trusted in secret ways, and that religious education would be compulsory in public schools from now on (124). Under the title of “Freedom of Religion and Conscience” in article 24 of the 1982 constitution;

“Everyone has the freedom of conscience, religious belief and conviction.

No one can be compelled to participate in worship, religious rites and ceremonies, or to reveal their religious beliefs and convictions; cannot be condemned or blamed for their religious beliefs and convictions.

Education and training in religion and morality is carried out under the supervision and control of the state. Religious culture and moral education are among the compulsory courses taught in primary and secondary schools. Apart from this, religious education and training is only dependent on the will of the individuals and the demand of the legal representatives of the minors.

¹²³National Security Council General Secretariat, “Before and After September 12”, Ankara 1981, p. 273.

¹²⁴“Before and After September 12”, p. 292.

No one, for the purpose of basing the social, economic, political or legal order of the State, even partially, on religious rules or for political or personal interest or influence, cannot abuse religious feelings or things that are considered sacred by religion.” We see that it is in the form.

In secular countries other than Turkey, where religion is taught in public schools, sectarian differences are recognized. In religion class, students study in separate classes according to the denomination they belong to, and they practice in separate churches. In these countries, the differences between the sects have gradually grown and have taken the form of separate religions.

However, the changing conditions of the day and new needs have brought new orientations. The developments in Religious Sciences, especially in Religious Education Science, have rendered the current practice inadequate. Theologians and religious educators are working and developing models to legislate the new situation.

Regarding this issue, we see that there are two models that are being developed and focused on in Germany. These are the “Unifying Model” and “Pluralist Model”. There are those who interpret the unifying model as a non-sectarian religious lesson or a non-denominational religious lesson. Those who interpret it as a non-sectarian religion lesson say the following: In public schools, which are educational institutions that should not be under the influence of churches, in this country, schools are generally affiliated to churches, some of them are public schools. Its teaching should be of a quality that will respond to all students. Impartiality can only be achieved in this way. In other words, in the religion lesson, the essence of religion and its principles, which are not different, should be taught, and details about sects should not be entered.

According to those who consider it as a religious course, students from all sects and cultures should study together, but the differences between sects should not be erased or ignored. Sects should be introduced and brought closer together by making them the subject of examination. It should be emphasized that they are differences in understanding arising from the same single religion, living with faith. Thus, the integrity of religion is preserved. According to the pluralist model, the religion lesson should be a mirror of the society. In other words, this course should make all kinds of religion, worldview and moral understanding the subject of instruction, as it does every sect. This is what conforms to social reality (125).

It should be emphasized that these models really need to be emphasized in today's societies where many religions, sects and cultures have to live together. Today, the understanding that religions and cultures live together as an opportunity that will enrich our lives and broaden our horizons has started to dominate. Although there is basically only one religious belief, it has different religious beliefs, as well as in terms of denomination, religious culture and understanding. We can easily say that this understanding is also needed in Turkey, which is quite rich.

It is imperative that this understanding be taken into account, especially in the religious education to be given in prisons, which can accommodate people from all walks of life and all beliefs and understandings. Only in this way will it be possible to keep the interest and concern for religious education alive in prisons. Speaking of which, we can now examine the religious education in prisons.

¹²⁵ Bilgin, Education Science and Religious Education, p. 74–75.

B. Religious Education in Prisons

1. Punishment in the Prevention of Delinquency:

The main purpose of penal enforcement is prevention of delinquency and deterrence, but it is not possible to say that this is always possible. In other words, punishment may not be a factor or a deterrent on its own in most cases. The following example on this subject is very interesting: "When a man named Thomas Templemen was executed in Glasgow as the murderer of his wife in May 1840, the pickpockets stopped their activities to death. They continued in the shadow of the execution. Although the crime they committed required the death penalty, the pickpockets were convinced that the most favorable opportunity had been set for them while the hanged man hung over them; because at that time everyone's eyes were on the hanged man"(126). As we have seen in this example, even the most severe punishment, the death penalty, cannot fully act as a deterrent. There is currently no method that can scientifically measure the preventive effect of any punishment on a potential criminal. On the other hand, not everyone is equally affected by the fear of punishment. If we consider the weight of the feeling in the crime committed against the person, we see that some crimes are as uncontrollable and uncontrollable as other crimes.

For all these reasons, according to some authors, the death penalty lacks a definite deterrent feature. In that case, the application of this punishment is unnecessary. One writer, who wishes not to give much importance to the crime prevention effect of the death penalty, deals with the subject as follows,

The death penalty is a penalty that does not allow for correction in case of judicial error. The famous Italian punisher Beccaria,

¹²⁶Yucel, Wma, p. 189.

in an article he prepared in 1792, he wrote the following: “The death penalty is a punishment that does not allow correction in case of error, and cannot be compatible with the imperfection of human beings. The death penalty can be a just and preventive punishment, the application of this penalty to a certain criminal makes it necessary to determine that that criminal is guilty in any case and to prove that he cannot be innocent. When this procedure is followed, it cannot be thought that the death penalty can be applied.”

The deterrent idea of punishments can be reduced to the conditional proposition that "if I know that I will be severely punished, I will not commit a crime in the future". This idea is a product of logic that cannot be denied. However, considering the real life and crime world, the general preventive effect (deterrence) based on all punishments is often uncertain; its effect on future murderers is also far from being as clear as desired.”¹²⁷

Sulhi Dönmezer related to the subject; “The death penalty is gradually disappearing in the civilized countries of the world, whether it is explicitly abolished or not actually applied.... The death penalty is not compulsory. It should be ideal for all societies to reach a social structure in which they will live,” he says (128). As can be seen, even the death penalty is often not sufficient for deterrence. The death penalty in the Turkish Penal Code is almost the same as the abbreviated practice in the Islamic Criminal Law. In short, the conditions are aggravated because it is not seen as a deterrent factor on its own, and it is even short. It is seen that this practice is reduced to paying a diet if the parties consent. This means that the death penalty has not been a popular and frequently applied form of punishment in Islamic Criminal Law either. So, what should we do when we consider the concept of punishment in terms of preventing criminality?

¹²⁷ Wma, p. 192-193.

¹²⁸ Sulhi Donmezer, “İdaması”, Milliyet Newspaper, 6 October 1967.

In the studies on penal laws, the principle of emphasizing the humane approach without jeopardizing the public defense and considering the rehabilitation of the offender as the main purpose of the punishment has been preferred. For this purpose, in the draft law, which considers the re-socialization of the offender essential, provisions facilitating the realization of these issues are included. (129)

We understand from all these studies that reintegration of the person into society, that is, the rehabilitation of the offender, has an important place in addition to the deterrent factor in punishments. At this point, education, especially religious education, plays an important role.

On the other hand, we have writers who argue that there are other factors besides the function of punishments in preventing delinquency and reintegrating the criminal into society. According to one of our authors; "Among the most important issues in the prevention of crimes is the individuals' adoption of the right behavior and habits within the framework of the records, rather than the fear of punishment." Again, according to this author; "The clergy also explain that not everyone commits a crime not because of the fear of punishment, but because our conscience prevents us from acting in a criminal way. But this statement is far from showing a scientific basis about the origin and nature of the conscience." (130)

2. History of Religious Education in Prisons:

In the previous section, we saw that religious education in Turkey went through many different phases both before and after the Republic. In fact, we see that religious education is almost non-existent in certain periods. However, for a certain period we see that religion lessons, which are

¹²⁹ Rationale for the Preliminary Draft of the Turkish Penal Code, Ankara 1987, p. 10.

¹³⁰ Yucel, Wma, p. 190-191.

included in the education system on the condition of being committed, are among the compulsory courses in schools after 1981.

The issue of religious education in prisons could not be reviewed in the early periods, either, due to the fact that religious education in Turkey could not be established on a solid ground until recently. Therefore, the history of religious education in prisons does not go back to ancient times.

The official assignment of religious officials by the Presidency of Religious Affairs began in 1974 for religious education in prisons. In the Court of Appeals (in the decision of GK dated 28.1.1974 - 5/1), it is explained as follows:

“The letter numbered 74-28 and 9.2.1974 received from the Presidency of Religious Affairs regarding the appointment of clergy in prisons and its annexes have been sent.

As stated in the aforementioned circular of the Presidency of Religious Affairs and its annexes, in these days when the enactment of the general amnesty law is very close, the deceased will be returned to the society. - in order to prevent the convicts and detainees from returning to prisons by committing crimes again, and to ensure the adjustment of these compatriots to the society as useful people, Religious Affairs As a result of the agreement reached between your Presidency and your Ministry, distinguished clergymen have been appointed to give religious, moral and social conferences.

However, these conferences, which are observed to be giving positive results, are informed by some questions, even if their number is limited, that the prison managers do not show the necessary attention.

In this respect; delinquency to a large extent, and the victims of the fate in question are not allowed to commit crimes again, and their freedom is not to be restricted, and to benefit the society.

All convicts and detainees will be provided with the necessary close attention to the conferences that our clergy will come to the prisons in order to ensure their adjustment as a decent person. ensuring their presence at the conference, sending the conference text together with the monthly activity reports sent to the ministry, as was the case in our previous circulars.”¹³¹

Understanding the role of religious education in reintegrating convicts and detainees into society, the Ministry of Justice issued a circular in 1975 with all the necessary tools for religious education in prisons. It also took over the supply and financing of equipment. Under the name of "education and spiritual development in prisons", he revealed his stance on spiritual development, namely religious education, as follows:

“A great effort by the Prosecutors of the Republic and Prison Managers to benefit from all means in order to improve the morale of convicts and detainees and to increase their feelings of remorse they have to spend.

As stated in the 3rd article of the circular, although it is not possible to pay conference fees to clergy who come to prisons and give conferences on religious and moral issues, since it is their primary duty, they come to prisons located far from the city and town centre. Since it is possible to pay a fee for temporary assignment, it is possible for the clergy to come to the prison and give a conference at least once a week by contacting the mufti.

Again, for the morale development of convicts and detainees, educational and instructional cultural films will be provided and shown in prisons equipped with cinemas, and besides, books other than books to be sent from the Ministry. It is obvious that

¹³¹ Opinions and Circulars, Prisons and Detention Houses, Ministry of Justice. Arrow. New Serial No: 28, Semi-Open Prison Printing House, Ankara 1976, p. 149-150.

there are great benefits in getting in touch with other organizations and providing useful books and works from the neighborhood.”¹³²

3. The Current Situation of Religious Education in Prisons:

The issue of serious reconsideration of religious education in prisons coincides with the 1980s and 1981s, when religion classes began to be taught as a compulsory subject in schools.

In 1980, A.U. Dean of the Faculty of Theology Prof. Dr. Huseyin ATAY presented a report to the National Security Council under the title of “Report on Treating Religious Education and Teaching as a Integrity” and in this report, on religious education and teaching, he defended the necessity of returning to the first type of application of the Law of Unification of Education in the field of education. In other words, he emphasized the importance for national unity and integrity that religion lessons were removed from being "optional" in schools and taught as "compulsory lessons".¹³³

The “Religious Education and Teaching Working Group”, which was formed on 18.12.1980 within the Ministry of National Education, detailed its activities in the report it completed on February 6, 1981. After explaining, he listed his suggestions. One of these suggestions is; “The amendment to the relevant article of the Constitution was the removal of the provision of "voluntariness" in article 19 in order to comply with the spirit of the Unification of Education.

As a result, both Huseyin ATAY's report and Beyza BILGIN's studies on Religious Education in Turkey and Religious Lessons in High Schools in the same period have shown that religious education and religion lessons have a serious impact, revealed the necessity of dealing with it in this way.

¹³²Opinion and Circulars p. 176.

¹³³ Bilgin, Education Science and Religious Education, p. 70.

In addition, Kenan Evren, the head of state at the time, put forward the necessity of obligatory religion classes in his speeches addressed to citizens during his country tours in 1981. As a result of all these developments, religion lessons were made compulsory in the 1981 constitution.

At the time of these developments in Turkey's religious education and religious teaching in schools, the necessity of serious consideration of religious education in prisons became evident once again. During the period, this issue was brought to the agenda at the meetings of the National Security Council, and Moral Education and Spiritual Development meetings were held under the control of the council.

After all these developments, upon the thought of giving "Religion and Moral Knowledge" lessons by permanent religious officials in prisons, the General Staff of the General Staff was appointed on the day of September 16, 1981, and SYNT. KOOR: 7130-818-81/SVL. In accordance with the numbered orders; Opinions of the Presidency of Religious Affairs, numbered D/4-2/552, prepared by the Ministry of Justice "Education Unit" and "Scientific Committee" and of the General Staff, dated March 24, 1982, 1700-19-82/E/T. KRS (Education 194).

The "Religious and Moral Knowledge Curriculum", which is planned to be implemented in penitentiary institutions and detention houses, was published in Ankara Semi-Open Prison and sent to the relevant places.

Thus, the need for religious officials to implement this program in prisons came to the fore, and thereupon, in 1983, the Ministry of Justice recruited 214 religious officials from the Ministry of Finance, and transferred these cadres to the Presidency of Religious Affairs to make their appointments, but these cadres could not be filled.

According to the officials of the Presidency of Religious Affairs, when these positions cannot be filled, there is a community of religious servants who think differently about religion, even belong to different religions and are in very different psychological states. There is an impact of their inability to provide professional satisfaction from their job. Again, according to these officials, the success of religious education in prisons can be achieved by receiving a special psychology and guidance training for those who will serve there (134).

However, according to the revised Religious Affairs Directorate's Provincial Organization Duties and Working Directive, there is no requirement to be for those who will work in prisons have had a different education and preparation. In paragraph (b) of Article 28, it is stated that "according to the need to be shown by the relevant prosecutor's office, they will give lessons in prisons and detention centers and juvenile correctional houses (including E-Type prisons) against a fee, In Article 30 regarding prison preachers, matters such as leave and wages are stipulated.

In general, Articles 33 and 34, which determine those who have the authority to preach and those who can be given the authority to preach, do not state that separate educational qualifications will be sought for those who will be prison preachers (135).

As a result of the meetings held on Tuesday, March 11, 1986, with the Head of Religious Services Department and Deputy Director General of Prisons and Detention Houses, Huseyin TURGUT, common principles regarding prison preachers were determined (136). In these principles, measures to encourage working in prisons and religious education activities in prisons are determined as sermons, conferences, lectures and individual meetings:

¹³⁴These views are DIB. Taken from Abdurrahman Kahyaoglu, Head of Religious Services Department.

¹³⁵Duties and Working Directive of the Regional Organization of the Presidency of Religious Affairs.

¹³⁶Huseyin TURGUT, "Prison preachers' principles".

"1. Prison preachers are allocated a detached study room with necessary furniture such as desks and chairs in the prison where they work, in order to have individual meetings with the prisoners and detainees, to fill out their religious slips and to prepare for the lesson.

2. Despite the fact that prison preachers work more than the hours they are required to work in return for their salary, according to the relevant legislation of the Presidency of Religious Affairs, dated 13 October 1983 and numbered 18190. Additional course fees are paid in accordance with the provisions of the Law on the Ministry of Justice Course and Additional Course Fees, published in the Provincial Official Newspaper.

In addition, in-service training of personnel may be assigned as a lecturer. Remuneration for this duty is covered by the relevant article of the Budget Law.

3. Prison preachers work within the framework of the program prepared by the Republic Prosecutor's Office and the mufti together with the prison preacher. In this program;

a. To the sermon and the conference,

b. lesson,

c. Individual meetings are included. In addition, the time for preparation is determined.

4. Prison preachers work in prisons. However, on Fridays, they preach in mosques scheduled by the mufti. They work 6 hours a week for a salary. For other hours, they may charge additional course fees according to the relevant decree. Their permits are given by the mufti upon the positive opinion of the Republic Prosecutor's Office of the prison where they work."

Religious education, which is one of the various educational activities in prisons, was included as a compulsory course between 1981 and 1991 under the above-mentioned curriculum under the name of "Religious and Moral Knowledge Course". It has been carried out by a large number of permanent muftis or highly educated preachers, and has been continuing on demand since 1991.

Apart from this, sermons or religious conversations are held on religious holidays and religious days, and if there is a request from the prisoners during the month of Ramadan, an officer is provided to lead the tarawih prayer (137)

On the other hand, permanent religious officials in prisons said that the current religious education in prisons is insufficient, that all detainees and convicts cannot be reached, that religious education programs are reviewed and updated. They stated that it is necessary to teach the students, that the lessons should be given systematically and regularly (138).

4. Religion and Ethics Lesson in Prisons:

Today, Religion and Ethics lesson is held by the Chief of General Staff on 16.9.1981. The opinions of the Presidency of Religious Affairs dated 1.4.1982 and prepared by the Educational Unit of the Ministry of Justice and the Scientific Committee in accordance with the orders no. According to the "Religion and Morality Lesson Curriculum" implemented in Penitentiary Institutions and Detention Houses with the approval of the Chief of Staff dated 24.3.1982, two hours per week per ward, mufti or higher education It is given by preachers. This program;

- General principles to be considered in the implementation of the Religion and Ethics Program,
- Purposes,
- Explanations,
- Curriculum consists of program parts.

¹³⁷The interview I made at the General Directorate of Prisons and Detention Houses on 22.01.1997

¹³⁸Correspondence with religious officials in prisons.

In general principles, a few methodical issues have been focused on, with the training of the trainers to be assigned in prisons before the service and the provision and provision of places to teach.

The following cognitive, affective and psychomotor goals are included in the twelve-item objectives:

Cognitive Objectives:

- * To enlighten about religion, to complete the missing information, to correct the wrong information,
- * Religion and religion of Islam, believer, Muslim, etc. to comprehend concepts,
- * To make people comprehend the need for religion, to teach the relations of worship to be established between man and God
- * To teach the principles of faith, worship and morality of the religion of Islam,
- * To introduce our religious traditions,
- * To raise the awareness that man is a superior being, to teach the responsibilities that this entails, to protect the life of man and other living things. to grasp,
- * To teach the life of the Prophet as an exemplary person, his good morals and his advice on this subject.

Affective Purposes:

- * To go to the depths of the souls of the detainees and convicts, to raise them spiritually, to develop their feelings of regret and to ensure that they are reintegrated into the society,
- * To install a love of people, family, nation and homeland by developing religious feelings and thoughts,
- * To help transform the principles of worship and morality into behaviour,
- * To adopt their religious traditions,

- * Adopting the importance of preserving the lives of humans and other living things,
- * To enable detainees and convicts to acquire a balanced and harmonious personality.

Psychomotor Objectives:

- * To enable detainees and convicts to acquire skills such as praying and reading the Qur'an on their face.

In the Explanations part of the program, some educational principles and issues that should be emphasized in education are pointed out. These principles are expressed as;

Considering the general cultural level of the detainees and convicts, drawing their attention to the religious life lived in their immediate surroundings while the subjects are being covered, establishing a relationship with their daily lives and observations, appropriate stories, tales, anecdotes, mementos and the use of over-the-top texts; making use of tools and materials that appeal to the eyes and ears, such as libraries, mosques, films, slides, photographs, sound tapes, in the teaching of the lessons,

Also, it is desired to emphasize the main ideas such as;

- * The religion of Islam attaches importance to learning, that learning is a form of worship and what is learned in this course will not conflict with general culture issues,
- * The compatibility of worship with human nature helps the person to gain physical and spiritual health, to connect the members of the society with each other with mutual respect and love. It helps them to be in agreement and solidarity.

The Curriculum Program is organized in eight levels. The first two of these are at the basic education level, and the other six at the secondary education level (139).

¹³⁹See Annex - 5. Curriculum on Religion and Morals, Ministry of Justice Publications, Ankara, 1982, p. 6

5. Religious Education in European Prisons:

We see that the Churches organize the Religious Education in European prisons and that this education is tried to be given effectively by the prison priests.

In Articles 46 and 47 of the European prison rules, issues related to religious education are mentioned under the title of “Religious and Spiritual Assistance” for prisoners.

Article 46

Every prisoner should be allowed, as far as possible, to fulfil the requirements of his religious, spiritual and spiritual life by attending the services and meetings held in the institution and obtaining the necessary books and articles.

Article 47

1) When there is a sufficient number of prisoners belonging to the same religion in the institution, an authorized representative of that religion should be appointed and accepted. Where the number of prisoners is justified and circumstances permit, this arrangement should be based on a full-time basis.

2) An authorized representative appointed or accepted pursuant to paragraph 1 should be allowed to regularly hold religious services and activities and to visit his or her devotees in private at appropriate times.

3) Contact with an authorized representative of any religion should be denied to any prisoner. When the prisoner does not want the visitation of any religious representative, the prisoner should be allowed to refuse him (140).

¹⁴⁰ See. Appendix 6, European Prison Rules, trans. Mustafa T. Yucel, European Council Strasburg, 1987, p. 16.

CHAPTER TWO

FINDINGS AND COMMENT

I. PERSONAL INFORMATION

A. Age Conditions

In the study based on the age at the time they committed a crime, the criminals we surveyed were; before the age of 15, between the ages of 15-18, between the ages of 18-21, between the ages of 21-25, between the ages of 25-30, between the ages of 30-40, between the ages of 40-50 and above 50. We divided it into seven different periods as.

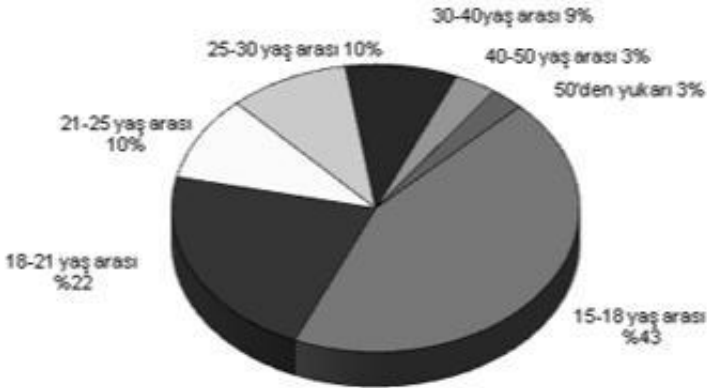
In this distinction, the period between the ages of 15-18, when the problems of adolescence are intense and the person feels the need to prove himself, is between the ages of 18-20.s entering the youth period, the period between the ages of 21-25 when youth and personality begin to settle in, the adulthood and mature age of 30-40 This is the period between the ages of 40-50, when signs of aging begin, some abilities and powers begin to be lost, and some problems may be experienced, and finally, over the age of 50. And it was thought to represent the old age period.

It will be more useful if the table below is analysed considering the periods represented by these age groups.

Now, let's examine the situation of the people we surveyed according to the age periods when they committed a crime;

TABLE 1
Distribution by Age

<u>Age Group</u>	<u>Age</u>	<u>Percent</u>
15-18	198	44
18-21	99	22
21-25	43	9.55
25-30	43	9.55
30-40	40	8.89
40-50	15	3.34
over 50	12	2.67
TOTAL	450	100



As can be seen, the age of 15-18, which we consider as the period when problems in transition to puberty can be intense, ranks first as the age of committing crime with a rate of 44%. Just behind it, with a rate of 22%, the age group 18-21, which can be considered the first period of youth, takes the second place. Then, we see that the rate of crime decreases with the increase in age.

When we examine the table, it is seen that the 15-18 age group is in the first place with a rate of 44%, and the 18-21 age group is the second with a rate of 22%. It is seen that they took the order.

When we look at the same table again, it is seen that the group aged 50 and above takes the last place with a rate of 2.67% in the distribution according to the age group.

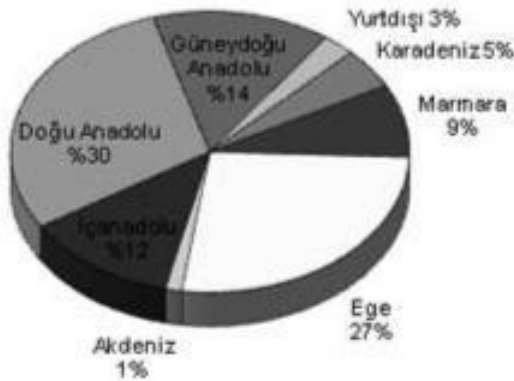
In the evaluation we will make according to these data, we can say that the age function is an important factor in committing crimes, and that especially young people between the ages of 15-21 are more inclined to commit crimes. Especially the high rate of crime at this age is due to the characteristics of this age. Even the types of crimes committed are determined by the characteristics of the youth period. For example, when a young person who knew an idealistic world from his elders before sees that such a world does not exist, he takes action to realize the idealist world order he was told. This can push him into political events. Or, young people who are affected by the living standards of their friends may turn to some crimes in order to reach such a standard of living.

B. Places of Birth

We thought that it would be more useful to examine the distribution of criminals by place of birth by considering them on the basis of regions rather than provinces.

TABLE 2

Distribution by Place of Birth		
<u>Region name</u>	<u>Number of Persons</u>	<u>Percentage</u>
Black Sea	21	4.67
Marmara	38	8.45
Aegean	120	26.67
Mediterranean	6	1.33
Central Anatolia	56	12.44
Eastern Anatolia	132	29.33
Southeast Anatolia	65	14.44
Overseas›	12	2.67
TOTAL	450	100



In the table, it is seen that 29.33% of the criminals were born in Eastern Anatolia and 26.67% of them were born in the Aegean region. However, considering that we conducted our survey in prisons in the provinces of Izmir and Mush, and that mild offenders are generally sent to the prisons where they are,

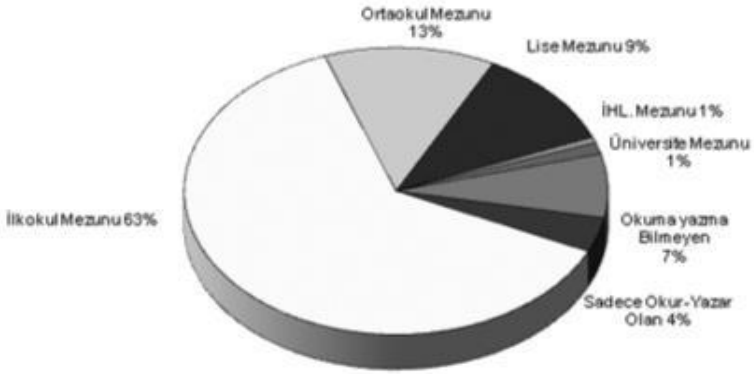
It should be admitted that an evaluation made according to birth places and regions of the people would not be very healthy.

However, we can say that the crime rate is also high in regions with high unemployment rates and in regions where large cities are exposed to a continuous wave of immigration.

C. Educational Status

TABLE 3
Distribution by Educational Status

<u>Education Status</u>	<u>Number of Persons</u>	<u>Percent</u>
Illiterate	33	7.33
The Only Literate	18	4.00
Primary School Graduate	288	64.00
Secondary School Graduate	60	13.33
High school graduate	52	9.33
<HL. graduate	3	0.68
Graduated from a University	6	1.33
TOTAL	450	100



As seen in the table, primary school graduates rank first with 64%, secondary school graduates rank second with 13.33%, and high school subjects rank third with 9.33% is receiving. Illiteracy rate is 7.33%, only literate 4%, university graduates 1.33, and Imam Hatip High School graduates 0.67%.

It is remarkable that primary school graduates take the first place with a rate of 64%. If we also add the rate of illiterate and only literate people to this, we see that the education level at primary school and lower level rises to 75.33%. On the other hand, the total percentage of secondary school, high school, imam-hatip and university graduates remains at 24.77%. Accordingly, it is clear that the low level of education is an important factor in committing a crime. In addition, the fact that the rate of Imam Hatip graduates is quite low compared to others indicates that religious belief has a direct positive effect on reducing the crime rate.

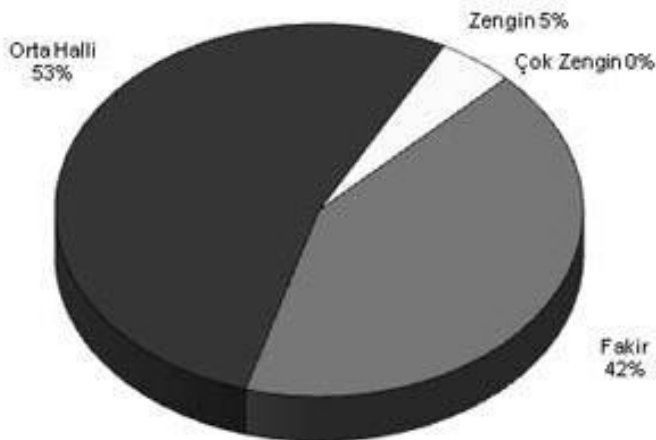
With this result, our assumption that the education level of the criminals is low is confirmed.

D. Economic Conditions

The economic status of the people we surveyed as of the time they committed a crime according to their own statements is as seen in the table below.

TABLE 4

Distribution by Economic Status		
<u>Economic Situation</u>	<u>Number of Persons</u>	<u>Percent</u>
Poor	189	42
Middling	240	53.33
Rich	21	4.67
Very rich	0	0
TOTAL	450	100



As can be seen, 53.33% of the criminals consider themselves middle class, and 42% consider themselves poor.

they identify as. While 4.67% of them say they are rich, no one defines themselves as very rich (141).

Again, as can be seen from the table, the middle class and poor people are in the first two places. The fact that the prisoners are rather poor confirms our assumption in this regard.

E. Employment Situations before Committing a Crime

Since the measures of poverty and wealth vary from person to person, considering that it will help the economic status of the respondents to be revealed more objectively, crime The following picture emerges in the studies we conducted regarding the work and occupational conditions before the processing.

TABLE 5

Distribution by Job Status before Committing a Crime

<u>Job Status</u>	<u>Number of Persons</u>	<u>Percentage</u>
employee	357	79.33
idle	93	20.67
TOTAL	450	100



¹⁴¹The poor, middle-class and wealthy measures in the survey were left entirely to the opinions of the respondents, and they were asked to express themselves as they felt.

As can be seen in the table, 79.33% of the convicts and detainees who have been imprisoned for any crime worked in a certain job before entering the prison, 20.66% It is understood that it is idling.

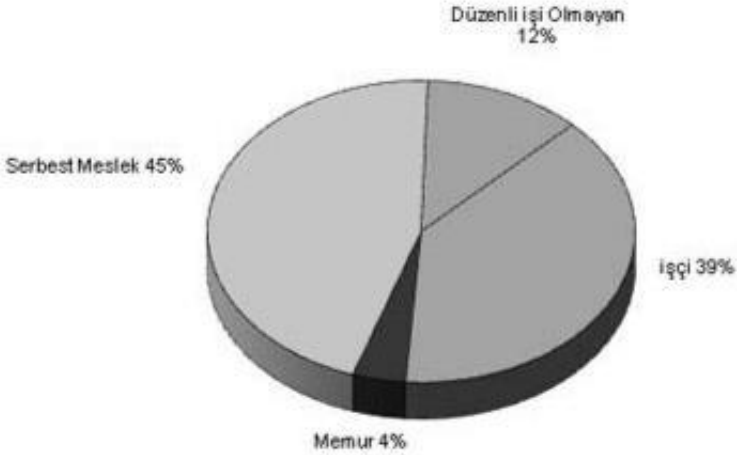
In this case, we can say that unemployment does not play an important role on its own in committing a crime. As can be seen from the tables above, the information about the educational status of the criminals seems to play a more effective role in this regard. Other personal information about the criminals can be said that a factor alone is not effective in committing a crime, but many factors together with the perpetrators of crime are effective in this matter.

F. Occupational Statuses before Committing a Crime

TABLE 6

According to their Occupational Status before
Committing a Crime distribution

<u>Occupation Type</u>	<u>Person</u>	<u>Percent</u>
Worker	174	38.67
Officer	18	4
Free Occupation	204	45.33
Not Regular Job	54	12
TOTAL	450	100



As can be seen in the table and graph, 45.33% of the criminals are self-employed, 38.67% are workers, and 12% can find a job and work occasionally. It is seen that those who are civil servants take the last place with a rate of 4%.

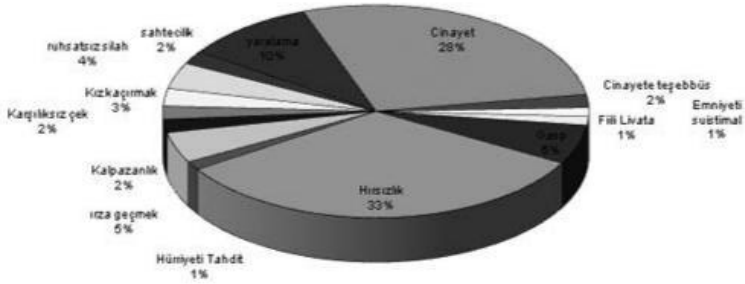
Considering that the self-employed, as well as those who do not have a regular job, may lose their jobs from time to time, according to the results in the table, we can say that not having a regular job and profession may increase the rate of crime.

G- Types of Crimes Committed

Our survey study, which we conducted in two different prisons, shows that almost every type of crime can be represented due to the different characteristics of the places where we work. As can be seen in the table and graph below, 14 different types of crime have emerged as a result of our study.

TABLE 7
Distribution by Types of Crimes Committed

<u>Type of Crime</u>	<u>Number of Criminals</u>	<u>Percent</u>
Murder	126	28
Attempted Murder	9	2
Breach of Trust	6	1.33
Actual Livata	6	1.33
Extortion	27	6
Theft	147	32.67
Restriction of Freedom	6	1.33
Rape	21	4.67
Counterfeiting	9	2
Bad Check	9	2
Kidnapping	12	2.67
Possession of an Unlicensed Weapon	18	4
Forgery	9	2
Injury	45	10
TOTAL	450	100



When we examine the table, we see that 32.67% of the criminals participating in the survey commit theft, 28% commit murder, and 15% injure. Other types of crime are at rates varying between 1% and 6%.

When we look at the crime types that take the first three rank, when we consider theft crime against property and murder and injury as a life crime type, it is seen that the % of crimes against property is calculated. We see that crimes against life take the first place with a rate of 32.67 and 43%. It is seen that the crimes of abuse of safety, de facto infidelity and restriction of freedom are in the last place with a rate of 1.33%.

In this case, in all kinds of training activities to be carried out, both at the point of preventing crime and delinquency and reintegrating the criminals into the society, the necessity of focusing more on the offenses of theft, murder and injury, is being seen clearly.

An interesting point here is that the crime of injury and murder and the crime of theft are almost equal. Crimes of injury and murder mostly occur when committing theft or other undesirable act out of honour. Again, with the fact that the perpetrators are mostly young people,

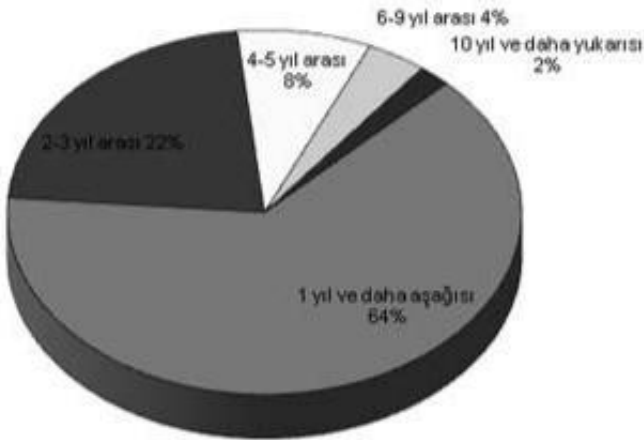
When we compare this with the relevant information, we understand that the young person cannot control his physical strength due to the characteristics of the period he is in. Again, the low level of culture indicates that it has not reached a sufficient level in order to jump in the social stratification, to gain a certain status and to raise the standard of living, because, the increase in the standard of living today is generally directly related to the education of the individual. In other words, the improvement of his economic situation and the increase in his standard of living are directly related to the level of education he has obtained. People who do not have this status and cannot receive adequate education try to obtain it illegally.

H. Duration of Being in Prisons

TABLE 8

Distribution by Length of Time in Prisons

<u>Duration</u>	<u>Number of Persons</u>	<u>Percentage</u>
1 year and less	287	63.78
2-3 years	99	22
between 4-5 years	38	8.45
between 6-9 years	17	3.77
10 years and above	9	2nd
TOTAL	450	100



When we examine the table, the majority of the criminals, with a rate of 63.77%, spend one year or less in prison.

In all educational activities for criminals, it is necessary to know how long they have been in prison and how long they will be in prison.

II. RELIGIOUS STATUS OF OFFENERS BEFORE ENTERING THE PRISON

Whether or not religious knowledge is effective in whether criminals commit crimes or not, the information the criminals give on this issue is important in order to start educational activities in this direction.

A. Belief in God's Existence before Committing a Crime

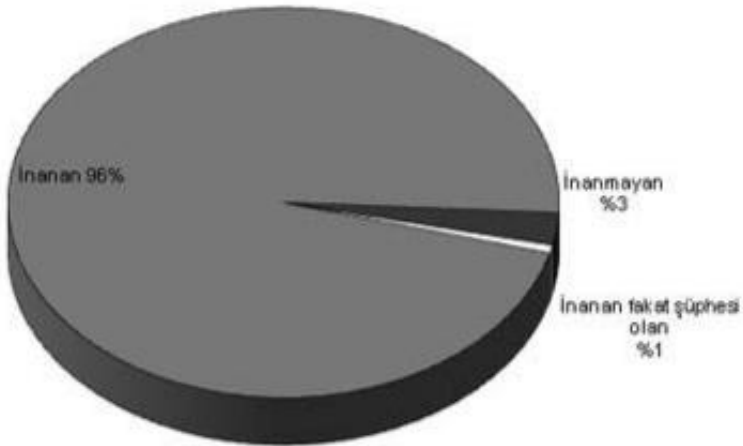
In order to reveal the religious feelings, thoughts and experiences of the people we surveyed before they went to prison, we first tried to learn about their belief in Allah, which is one of the basic elements of religion.

In this case, the table we see is as follows:

TABLE 9

Believing in God's Existence before Committing a Crime Distribution by Status

<u>State of Belief</u>	<u>Number of Persons</u>	<u>Percentage</u>
believer	435	96.67
non believer	12	2.67
believer but doubtful	3	0.66
TOTAL	450	100



As can be seen, 96.67% of criminals believe in the existence of Allah before committing a crime. While the percentage of non-believers was 2.67, the percentage of those who had hesitations remained at only 0.66.

Here, belief in the Existence of Allah alone does not play an effective role in preventing crime and guilt, is seen. Because believing in something and gaining

knowledge of it and reflecting the change in behaviour required by that belief and knowledge to your actions are two different things. A person knows that something is forbidden, but can still do it. The important thing here is not only to give information, but also to ensure that this information is transformed into behaviour.

In Peker's research, 83.53% of criminals firmly believed in the existence of Allah before committing a crime, 2.45% did not, 5% It was determined that ,15 of them were in doubt and 5.89% of them were not interested in the subject (142).

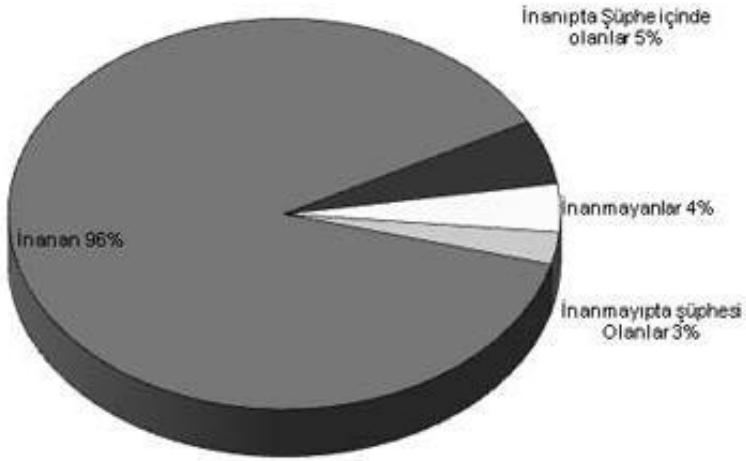
B. Beliefs in the Hereafter before Committing a Crime

TABLE 10

Belief in the Hereafter before Committing a Crime
Distribution by

<u>Faith Status</u>	<u>Number of Persons</u>	<u>Percent age</u>
Believers	396	88
Those who believe and are in doubt	24	5.33
Non-believers	18	4
Those who do not believe but have doubts	12	2.67
TOTAL	450	100

¹⁴²Peker, Religious Behaviours of Criminals, p. 58.



As can be seen in the table, those who have a belief in the afterlife before the crime ranks are first with a rate of 88%. As in the case of belief in Allah, the rate of belief in the Hereafter is quite high. While the percentage of those who do not believe is 4%, the percentage of those who are hesitant, whether they believe or not, reaches 8%.

The evaluation we made above regarding the state of belief in Allah before the crime is also valid for belief in the Hereafter. In other words, about the both for the prevention of crime and guilt and for the correction of criminals, believing in the hereafter is not enough for the people itself to regulate their behaviour in this world according to the punishment or reward they believe they will face in the hereafter

In Peker's study on this subject, 82.86% of criminals believe in heaven and hell. The rate of not believing in heaven and hell is higher for those who commit the crime of drug use, theft, extortion and rape (143).

¹⁴³ Wma, p. 62.

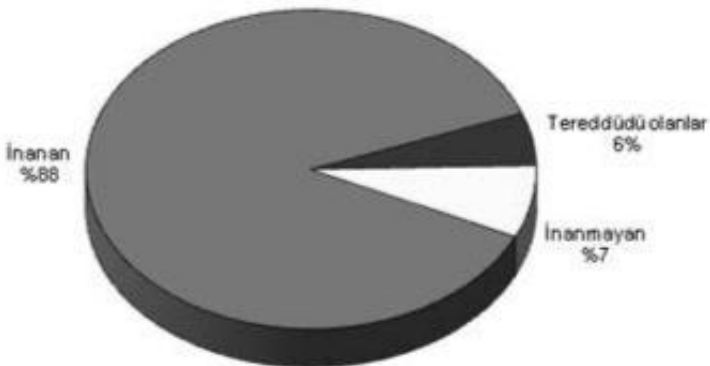
C. Beliefs in Fate before Committing a Crime

Most of the prisoners in prisons consider themselves as prisoners of destiny. When we look at the table showing the states of believing in fate, we see that the rate of believing is high.

TABLE 11

Beliefs in Fate before Committing a Crime
Distribution by

<u>Faith Status</u>	<u>Number of Persons</u>	<u>Percent age</u>
Believer	393	87.34
Those with hesitation	24	5.33
Non believer	33	7.33
TOTAL	450	100



Regarding belief in destiny, besides the high rate of belief, it should be considered that among those who believe in destiny, there are also those who rebel against destiny. This situation emerged in the bilateral meetings held with the criminals after the survey.

It can be thought that religious education will be beneficial in studies aimed at reconciling the resentful of fate with their fate in this way of reintegrating criminals into society.

In fact, what is wrong in this regard is that belief in fate turns into fatalism. Fatalism has a negative effect not before the crime is committed, but afterward. Because the perpetrator sees this as a predestination of Allah, and this hinders the efforts to be made to reintegrate him into society. This is one of the issues to be considered about the religious education to be given to criminals.

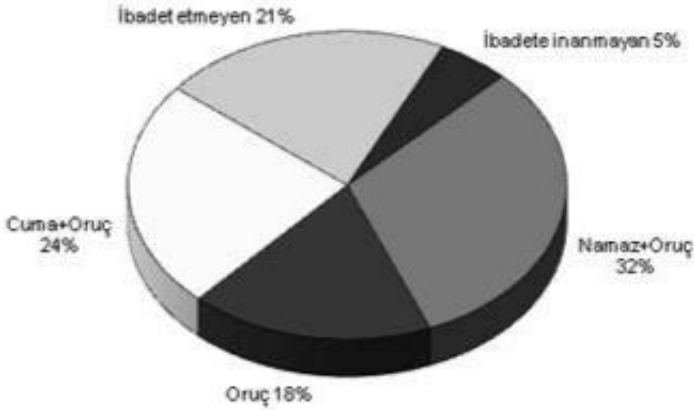
D. Conditions of Worship before Committing a Crime

The table showing the status of criminals in terms of worship, which is accepted as an indicator of religious life, is as follows:

TABLE 12

Conditions of Worship before Committing a Crime Distribution by

<u>form of worship</u>	<u>Number of Persons</u>	<u>Percent age</u>
Prayer+Fasting	141	31.34
Fast	81	18
Friday+Fasting	108	24
Non-praying	96	21.33
Non believer in worship	24	5.33
TOTAL	450	100



As can be seen, 31.34% of the people we surveyed before the crime both pray and fast. 18% of them only fast and do not perform Friday and daily prayers. 24% of them fast and only perform the Friday prayer. 21.33% do not worship at all. 5.33% do not believe in the necessity of worship. The rate of those who do not worship despite believing in the necessity of worship is 21.33%. On the other hand, it is remarkable that the rate of those who perform their worship only as fasting and Friday prayers is 24%.

When we consider all these together, we can say that the rate of committing a crime is lower among those who pray regularly before the crime.

In Peker's research, 13.75% of the criminals performed five daily prayers before committing a crime, 22.35% performed Friday and Eid prayers, 30.71% it was determined that they only prayed for Eid prayers or occasionally, and 33.16% of them did not pray at all.

Again, in the aforementioned study, it was investigated whether the criminals committed the behaviours prohibited by religion or not, and as a result of this survey study conducted on 407 criminals; It was revealed that only 18.91% of the criminals never drank, and 69.04% of them drank frequently, and 12.03% from time to time.

This shows that the rate of drinking among criminals is high. On the other hand, they stated that 56.61% of them gamble for entertainment purposes only. The rate of those who gamble occasionally is 27.27%, the rate of those who gamble frequently is 4.66%, and the rate of those who never gamble is 13.75% (144).

E. Situations of Obtaining Religious Information before Committing a Crime

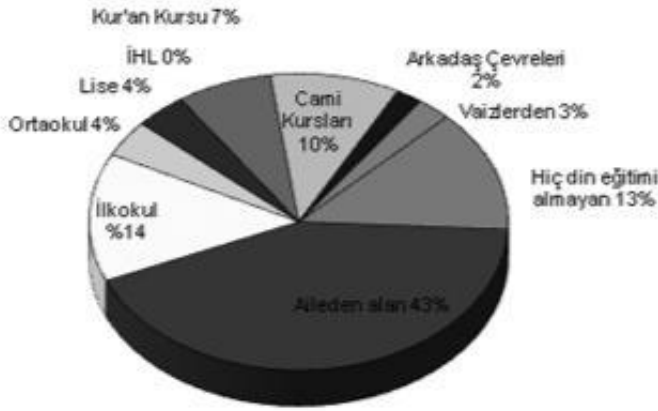
While examining the pre-criminal religious education situation, those who had no religious education were considered as a group, and those who received religious education were grouped according to the sources they received their education from.

TABLE 13

Distribution by Status of Obtaining Religious Knowledge
before Committing a Crime

<u>Status of Religious Education</u>	<u>Number of Persons</u>	<u>Percent</u>
Never had a religious education	60	13.33
Family area	192	42.67
Primary school	63	14
Middle School	18	4
High school	18	4
Religious High School	0	0
Quran course	33	7.33
Mosque Courses (On Summer Vacations)	45	10
Friend Circles	9	2
From preachers	12	2.67
TOTAL	450	100

¹⁴⁴ PEKER, Wma, p. 72



As can be seen in the table, the percentage of those who have received no religious education is 13.33%, and the total percentage of those who have received more or less religious education from various sources is 86.67%. Of these, 42.67% stated that they received religious knowledge from their families, 22% from schools, 19.67% from mosques and Qur'an courses, and 2% from their circle of friends.

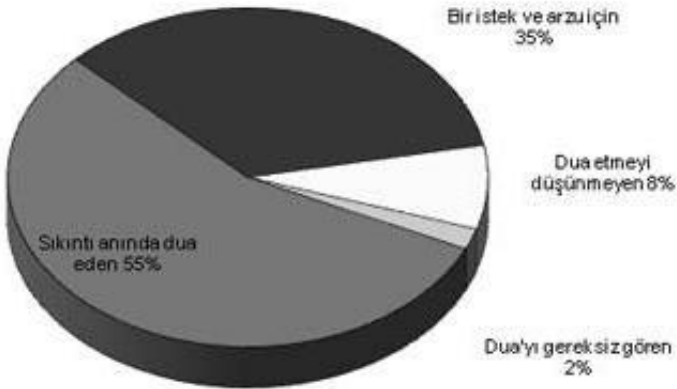
It can be said that having a religious education in any way is not sufficient on its own in the prevention of crime and delinquency. However, a point to be noted here is that religious education is mostly received from families. It is out of the question to accept that the religious information received from the family is sound and sufficient, and accordingly, that religious education in this form will have a positive effect on criminals.

F. Situations of Praying Before Committing a Crime

TABLE 14

Situations of Praying Before Committing a Crime
Distribution by

<u>Praying Status</u>	<u>Number of Persons</u>	<u>Percent age</u>
One who prays in times of distress	249	55.33
For a wish and a desire	156	34.67
Not thinking of praying	36	8
Who sees prayer as Unnecessary	9	2
TOTAL	450	100



In the table, 55.33% of the criminals prayed when they had any trouble before the crime, 34.67% prayed for a wish and wish to come true, 10% It is seen that only a small percentage consider prayer unnecessary or do not believe in prayer. In fact, prayer is a very different way of belief and worship.

However, although praying is accepted as a sign of belief, it is difficult to accept it as a direct factor in behaviour change, because it may be done as a habit. As a result of cultural interaction, people who have no belief at all use religious concepts frequently. However, a person who prays and asks for Allah's help is likely to see a more positive change in behaviour than a person who does not have this characteristic. The important thing here is that the prayer is conscious and turns into an actual prayer. It is stated in religious texts that such a prayer will be effective. This should also be taken into account in religious education for criminals.

III. RELIGIOUS STATUS AFTER THE OFFENERS ENTERED THE PRISON

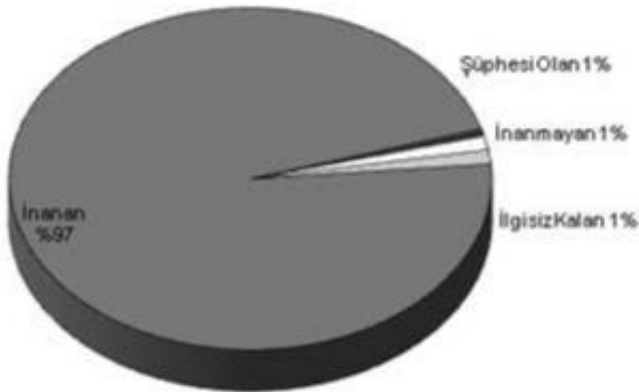
A. Beliefs in the Existence of Allah after Going to Prison

In order to determine whether there has been any change in the religious feelings, thoughts and behaviours of the people we surveyed after they entered prison, and to determine the extent of any change. Tables arranged according to the answers we received from the questions we administered are given below.

TABLE 15

Distribution According to Their Belief in the Existence of Allah after Going to Prison

<u>Faith Status</u>	<u>Number of Persons</u>	<u>Percent age</u>
Believer	435	96.67
In doubt	3	0.67
Non believer	6	1.33
Irrelevant	6	1.33
TOTAL	450	100



In terms of belief in Allah, the situation before and after the crime is almost the same (Believers are 96.67%, non-believers are 1.33%, irrelevant 1.33%).

There is no change in belief status after the crime. This means that prison conditions do not play such an important role as to positively or negatively affect the belief status of the criminals, or there is no education or training in this direction is insufficient.

We can say that the effect of religious education on the criminal is primarily related to whether the criminal has a religious belief or not. For this, it would be useful to first determine the religious belief status of the criminals in prison today. In a study conducted on this subject, the states of criminals believing in the existence of Allah appear as follows.

Firmly believing:	40	83.53%
Believing but doubting:	11th	2.70%
Absolutely unbelievable:	10	2.45%
Those who do not believe but have doubts:	one	0.24%
Not interested in this topic:	24	5.89%
TOTAL:	407	100

As it can be seen, 83.53% of criminals generally believe in the existence of Allah before committing a crime, while 2.45% do not believe. The rate of those who are suspicious about this issue is 5.15%, and the rate of those who do not care about this issue is 5%. It is 89 (145).

If the belief of criminals in Allah is considered in this way, we can say that religious education can have a positive effect on them.

Again in this study, the majority of the crimes (73.71%) stated that they believed that crime was a sin at the time of committing a crime, the ratio of those who did not believe that the crime they committed was a sin. 19.65%, and the rate of those who do not believe that there is a sin is 6.63% (146).

What is important in terms of our subject is why the criminal commits a crime when he believes that the crime he has committed is a sin.

¹⁴⁵ Peker, Religious Behaviours of Criminals, (Unpublished Associate Professor Thesis), Sam-sun 1987, p. 61.

¹⁴⁶ Peker, wma, p. 88.

Again, according to this research, 47.07% of the criminals who believe that the crime is a sin stated that they were “forced to commit this crime and they had no other choice”. The rate of those who believe that they have not committed a sin because they are not wrong is 21.84%, while the rate of those who state that they have committed this crime without thinking too much due to the influence of their environment is 22.46%. The rate of those who believe that the crime itself is a sin, but maybe not a sin but maybe a good deed by committing this crime, is 8.61% (147).

As can be seen, the majority of criminals in prison today accept their crime as a crime (sin). Therefore, it is more appropriate to regard them as accidental criminals (victims of fate) rather than as habitual criminals. It was stated that it would be easier for such criminals to be reintegrated into society.

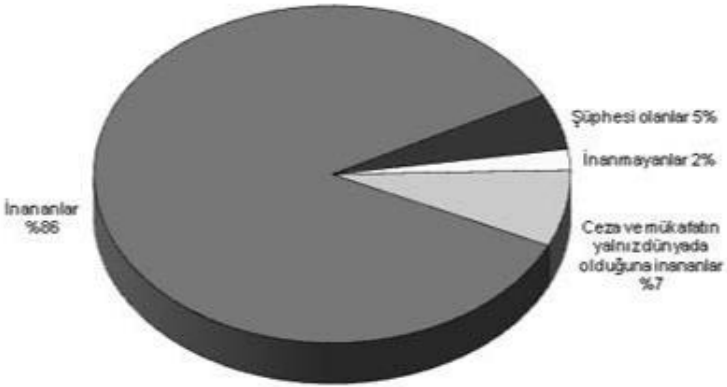
B. Beliefs in the Hereafter after Going to Prison

TABLE 16

Distribution by State of Belief in the Hereafter after Going to Prison

<u>Faith Status</u>	<u>Number of Persons</u>	<u>Percent</u>
Believers	384	85.34
Those with doubt	24	5.33
Non-believers	9	2nd
Punishment and reward only		
Those who believe in the world	33	7.33
TOTAL	450	100

¹⁴⁷ Wam, p. 89.



Here, too, we see that the rate of believers is high. However, the percentage of those who do not believe in the Hereafter is slightly higher than those who do not believe in Allah. Although there seems to be a contradiction here, in fact there is no contradiction, because the belief in destiny is the element most affected by the traditional culture.

Again, we can evaluate this situation as the efforts of criminals to escape and escape a punishment that they may encounter in the Hereafter due to the crimes they have committed.

C. Beliefs in Fate after Going to Prison

We have previously stated that belief in fate is of great importance for criminals.

TABLE 17

Distribution by State of Belief in Fate after Entry to Prison

<u>Belief in Fate</u>	<u>Number of Persons</u>	<u>Percentage</u>
Believers and those who surrender	360	80
Angrier, those who are offended by fate	60	13.33
Non-believers	30	6.67
TOTAL	450	100



As seen in the table, the rate of those who believe in and surrender to fate is 80%, the rate of those who angry against their fate is 13.33%, and those who do not believe in fate are 6.67%.

Here, the ratio is remarkable when those who believe in destiny but angry because of the situation they are in and those who do not believe in destiny are considered together.

The resentful of fate should be handled with special care, so that criminals can be reconciled with society.

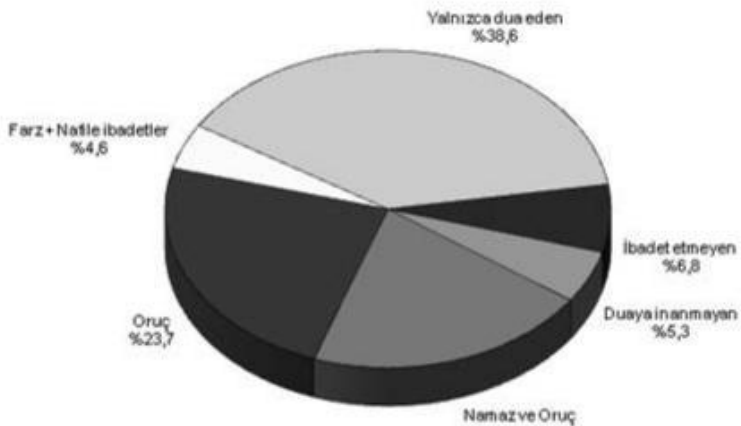
D. Situations of Worship after Entry to Prison

Below are the answers to the questions asked to determine whether positive or negative changes may occur in the post-criminal worship status due to both the physical conditions of the prison and the psychological conditions of the individuals?

TABLE 18

Distribution by Status of Worship after Entering Prisons

<u>Worship Status</u>	<u>Number of Persons</u>	<u>Percentage</u>
Prayer and fasting	93	20.67
Fast	107	23.77
Obligatory and voluntary prayers	21	4.67
Just praying	174	38.67
Non-praying	31	6.89
Non believer in prayer	24	5.33
TOTAL	450	100



As can be seen, the rate of those who perform prayers and fast 20.67, the rate of those who fast only 23.77%, the rate of those who perform voluntary prayers in addition to the obligatory prayers 4.67%, the rate of those who only pray 38.67%, those who do not pray and pray rate is .89%, the rate of those who do not believe in worship and prayer is 5.33%.

The rate of those who pray five times a day in the difficult conditions of the prisons is 20.67%, on the other hand, the total ratio of those who do not pray and those who do not believe in their necessity. The fact that it is only 12.21% can be considered as a sign of the criminals' inclination to religious life.

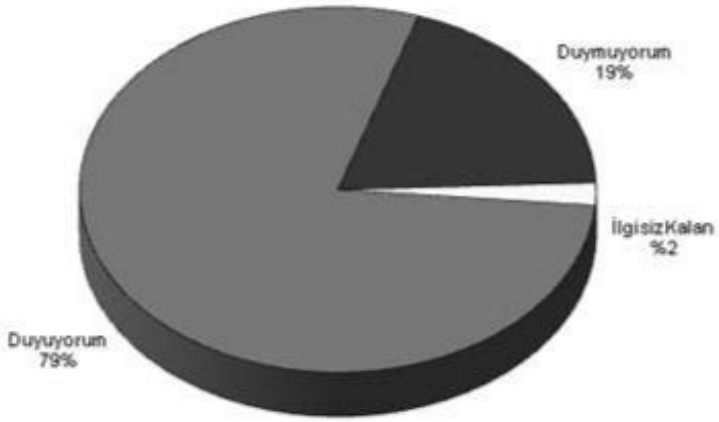
E. Situations of Needing to Pray After Being in Prison

Do criminals need to pray in difficult circumstances? The answers to this question are given below.

TABLE 19

Distribution According to the Situation of Needing Prayer after Entry to Prison

<u>The Need to Pray</u>	<u>Number of Persons</u>	<u>Percent</u>
I need	354	78.67
I don't need	87	19.33
Irrelevant	9	2
TOTAL	450	100



As can be seen, a great majority of criminals (78.67%) feel the need to pray, while 13.33% do not. As stated in the Qur'an, people sincerely beg Allah in difficult situations and want to get rid of this situation.

We can think of the high rate of need to pray as the high desire of the offenders to reconcile with society.

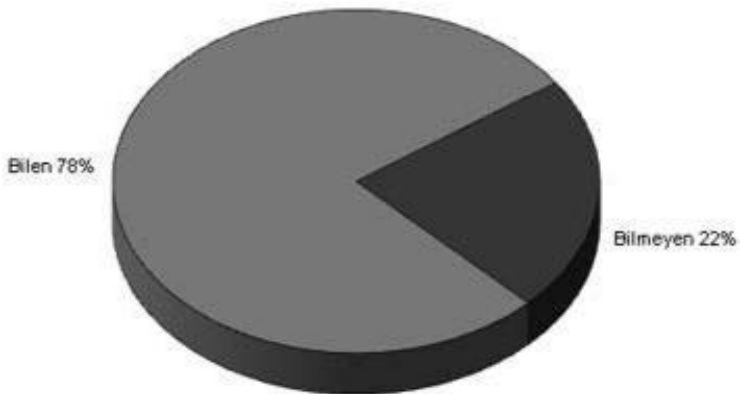
IV. SITUATIONS OF BELIEVING THAT THE CRIME COMMITTED IS A SIN

A. Their Belief That the Crime They Have Committed is a Sin

TABLE 20

Distribution by State of Knowing that the Crime They
Committed is a Sin

<u>State of Knowing</u>	<u>Number of Persons</u>	<u>Percentage</u>
Knowing	350	77.77
Unknowing	100	22.33
TOTAL	450	100



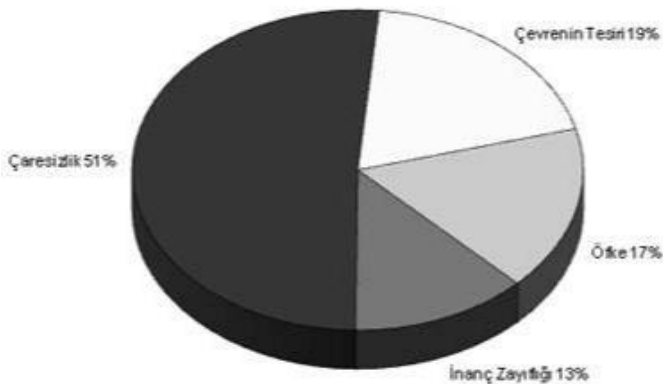
In this table, it is seen that knowing that the crime they have committed is a sin does not play an active role in preventing crime and guilt. Considering this situation in the religious education to be given in order to reintegrate criminals into the society, the behaviours that are criminal in the programs to be carried out,

It will be useful to review the environmental factors that encourage the process.

B. Factors Causing Their Commitment Although They Believe That the Crime They Have Committed is a Sin

TABLE 21
Distribution by Factors That Caused Their Committed Crime Although They Believe That the Crime They Committed is a Sin

<u>Factors</u>	<u>Persons</u>	<u>Percentage</u>
Weakness of Faith	57	12.66
Despair	231	51.33
Influence of the Environment	87	19.33
Anger	75	16.66
TOTAL	450	100



Even though they knew that the crime they committed was a sin, they did not work with 51.33% of the factors that caused them to commit crimes.

It is seen that the low level of education of the offenders, the influence of the traditional environment and the factors of anger are effective in the first rank of the dissatisfaction. Although there are many harmless ways out for solving a problem or obtaining a request, people who are prone to crime easily prefer a solution with a criminal nature.

V. SITUATIONS OF RECEIVING RELIGIOUS KNOWLEDGE OF CRIMINALS IN THE PRISON

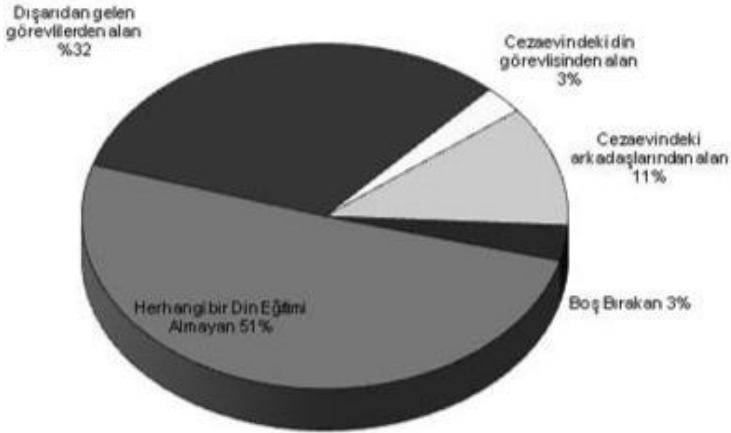
A. Conditions of Obtaining Information in Prison

We tried to determine whether the criminals received religious education during their stay in prison, and if so, in what way.

TABLE 22

Distribution by Receiving Religious Information in Prison

<u>Status of Receiving Religious Education</u>	<u>Number of Persons</u>	<u>Percent</u>
No Religious Education	228	50.66
Receiving from outside officials	144	32
Receiving from the clergy in prison	12	2.66
Receiving from his friends in prison	51	11.33
Blank	15	3.35
TOTAL	450	100



As seen in the table, the rate of those who have not received any religious education in prisons is 50.66%. In addition, the rate of those who received religious education, albeit in different ways, is 49.34%. However, here, too, while the rate of those who received religious education from outside religious officials was 32%, it is remarkable that the rate of those who received this education from the permanent religious staff of the prison was 2.66%.

On the other hand, it can be said that the circle of friends in the prison environment is important in terms of religious education (11.33%).

Accordingly, the importance of religious education, which will be given by religious officials, who are permanent and experienced in prisons and approach them like friends, becomes apparent in the correction of criminals and their reconciliation with society.

B. Needs to Learn Religious Knowledge in Prison

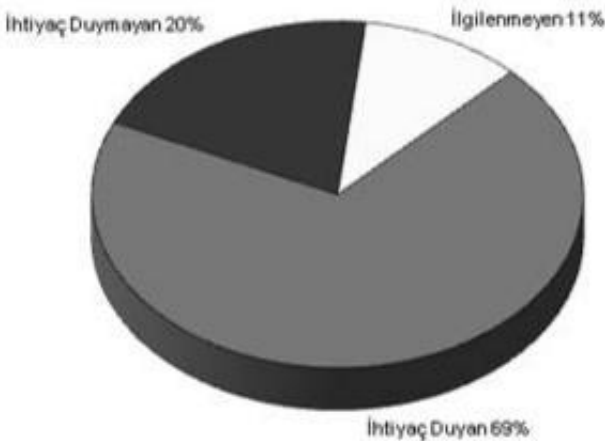
We think that it would be useful to determine the rate of needing religious education among the people we surveyed.

The following findings emerged as a result of the study we conducted with

TABLE 23

Distribution of Need to Learn Religious Knowledge in Prison

<u>Need Status</u>	<u>Number of Persons</u>	<u>Percentage</u>
In need	312	69.33
Unneeded	90	20
Not interested	48	10.67
TOTAL	450	100



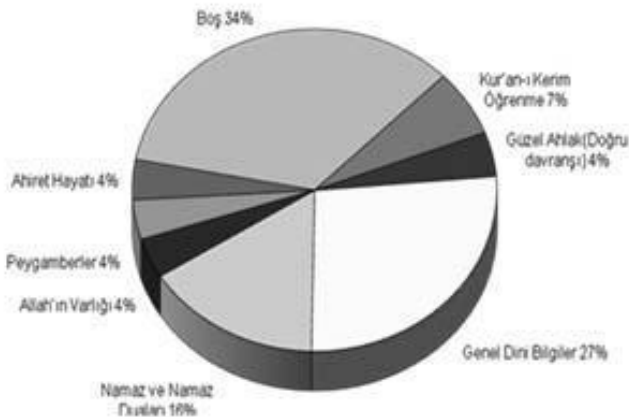
As seen in the table, the number of people we surveyed % 69.33 need religious education. The total percentage of those who do not need and are not interested in religious education is 30.67%. Here, it is seen that religious education for criminals is an inevitable need.

The fact that the majority of criminals need religious information confirms our assumption in this regard.

C. On Which Religious Subjects They Want to Get Religious Information

TABLE 24
Distribution by Subjects They Want to Get Religious Information

<u>Subject</u>	<u>Number of Person</u>	<u>Percentage</u>
Learning the Quran	30	6.67
Good Ethics(Right behaviour)	20	4.44
General Religious Information	120	26.67
Prayer and Prayer Prayers	71	15.78
God's Existence	18	4
Prophets	18	4
Life in the Hereafter	18	4
Blank	155	34.44
TOTAL	450	100



What topics do criminals want to learn? A significant percentage of criminals, such as 34.44%, left the answer to this question blank (155).

In the previous table (table-24), we saw that the total of those who did not need and were not interested in obtaining religious information was 120. The difference of 35 people here needs religious information, but they do not know which religious subjects they need to receive information on or the names of religious subjects. We can accept these people as people who believe that religious knowledge is good and necessary, but stay away from these issues so much that they do not know what they are.

When we look at the distribution of the subjects preferred by those who need religious information, it is seen that those who want general religious information come first with a rate of 26.67%. we see that those who want to learn prayer and prayer prayers take the second place with a rate of 15.78%.

Few are those who need to be informed about such matters as the existence of Allah and the life of the hereafter. In this case, we can say that matters related to the practice of religion should be given more places in religious education programs for criminals.

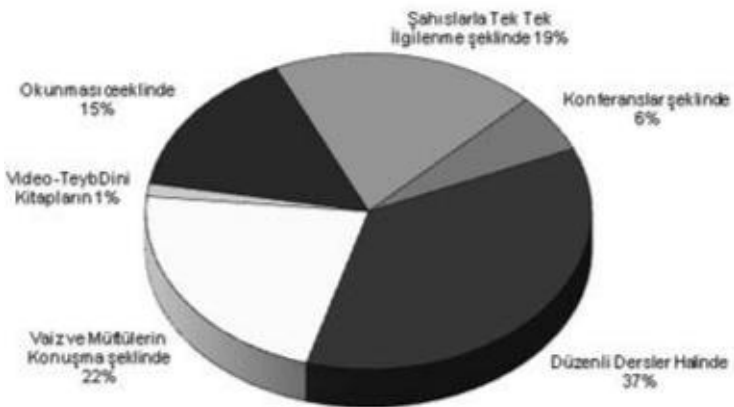
D. How They Want Religious Information to Be Given

While giving religious education to people in the peculiar conditions of the prison, their expectations and wishes regarding the method should also be taken into consideration. Requests in this regard are shown below.

TABLE 25

Distribution According to How They Want to Provide
Religious Information

<u>Desired Method</u>	<u>Number of Persons</u>	<u>Percentage</u>
In the form of conferences	27	6
In Regular Lessons	162	36
Preachers and Muftis	99	22
In conversational form		
Video-Tape	6	1.33
Religious Books as read	69	15.34
One by One with Individuals in the way of caring	87	19.33
TOTAL	450	100



As can be seen, the highest rate (36%) is the desire for religious education to be given as regular lessons.

The method of speaking by preachers and muftis was preferred in the second place with a rate of 22%. Dealing with individuals one by one was requested by 19.33% and the type of religious education in the form of reading religious books was requested by 15.34%.

Giving religious education in the form of conferences and via video-tape cassettes was not popular among the criminals we surveyed.

It seems that giving religious education to criminals as regular lessons can be more effective.

E. How often they want religious information to be given

TABLE 26

Distribution According to How Often They Want to Provide Religious Information

<u>Frequency Degree</u>	<u>Number of Persons</u>	<u>Percent age</u>
One Hour Every Day	150	33.33
Two or Three Hours a Week	187	41.56
One Hour a Week	65	14.44
Once a Month Conference	38	8.45
empty	10	2.22
TOTAL	450	100



It is seen in the table that religious education to be given to criminals in prisons is given as two or three-hour lessons a week, with a rate of 41.56%, in the first place.

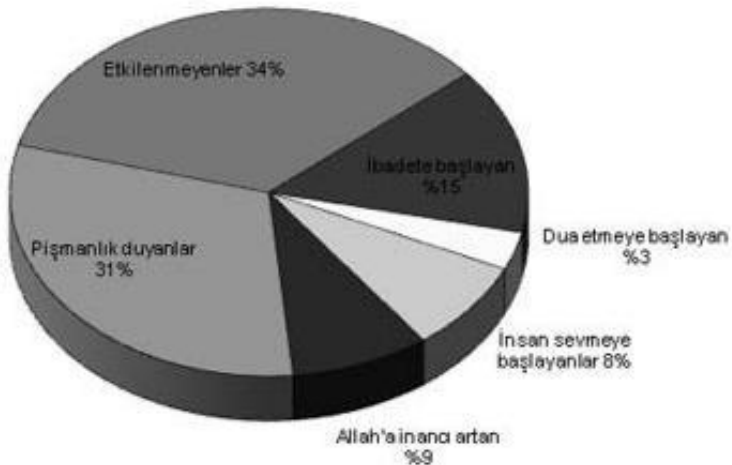
VI. CHANGES IN RELIGIOUS FEELINGS, THOUGHTS AND BEHAVIORS IN PRISONS

A. Changes in Religious Feelings, Thoughts and Behaviours

TABLE 27
Distribution of Changes in Religious Feelings, Thoughts and Behaviours in Prisons

<u>Effect Status</u>	<u>Number of Persons</u>	<u>Percent age</u>
Unaffected	156	34.67
Beginning to worship	66	14.67

Begin to pray	15	3.33
Those who start to love people	36	8
Increasing faith in God	39	8.67
Those who regret	138	30.66
TOTAL	450	100



As can be seen, the rate of those who say that religious education in prison has no effect on their feelings, thoughts and behaviours is 34.67%. However, it should be remembered that there is also a rate of 50.66% in prisons who do not receive religious information. In addition, this ratio should be understood as those who do not have religious feelings, thoughts and behaviours. These should be understood as those who say that there is no additional influence on their current religious behaviour.

When we look at the situation of those who say that the religious education they received in prisons has had an effect, it is seen that the percentage of those who started worshipping under the influence of this education.

14.67, 3.33 percent of those who started to pray, 8 percent of those who started to love people, 8.67 percent of those who said that their belief in God has increased, and those who regret the crimes they have committed It is seen that the percentage of this is 30.66.

Regarding the effect of religious education in prisons, it is noteworthy that the rate of those who started to feel remorse for the crimes they committed is high.

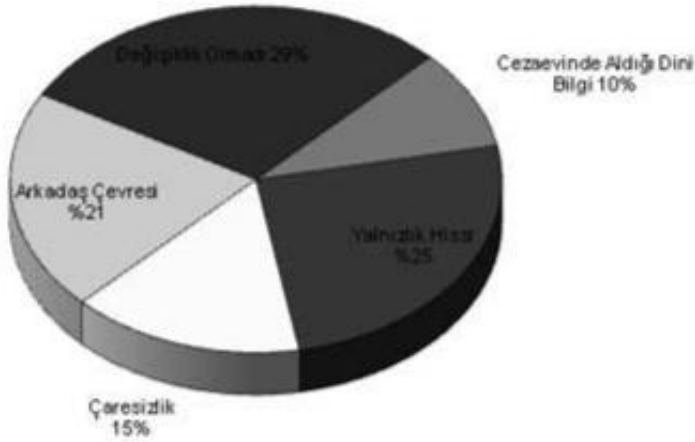
With this conclusion that religious education leads to regret, our assumption in this matter has been partially confirmed.

B. Factors Causing Changes in the Religious Feelings, Thoughts and Behaviours of Criminals in Prisons

TABLE 28

Distribution by Factors Causing Changes in Religious Feelings, Thoughts and Behaviors of Criminals in Prisons

<u>Change Factor</u>	<u>Number of Persons</u>	<u>Percent age</u>
Religious Knowledge Obtained in Prison	42	9.33
Feeling of Loneliness	114	25.33
Despair	69	15.33
Friend Circle	93	20.67
No Changes	132	29.34
TOTAL	450	100



When we look at the table, 70.76% of those who say that there is no change in their religious feelings and thoughts of 29.34% of those in prison and that there is a change for any reason. We see that it constitutes the majority with a ratio of.

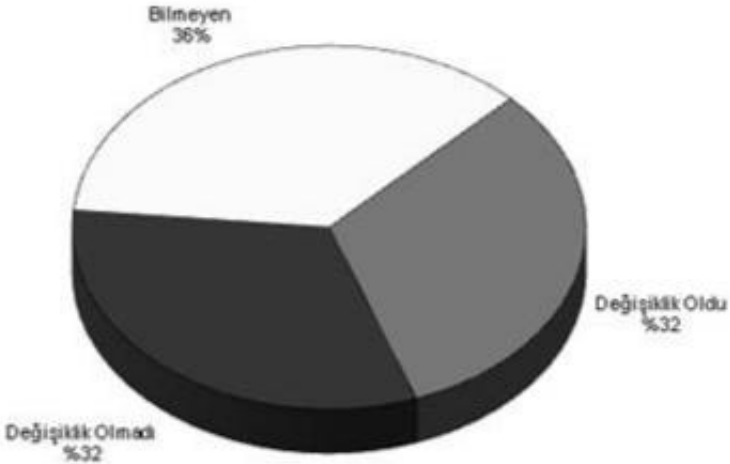
When we look at the distribution of the factors that cause change, the feeling of loneliness is in the first place with a rate of 25.33%, and the feeling of loneliness is in the second place with a rate of 20.67%. appears to be ranked.

With this result, our assumption that the religious education they receive will lead to improvement in their feelings and thoughts is confirmed. This shows that a complete religious education was not given.

C. The Influence of Religious Knowledge Acquired in Prison

TABLE 29
Distribution According to the Influence of Religious Knowledge Received in Prison

There has been a change	:	144	32%
No Changes	:	144	32%
Unknowing	:	162	36%
TOTAL	:	450	100



When we consider this picture together with the previous picture, there may be some changes in the religious feelings and thoughts of the criminals in prison during the time they are in prison.

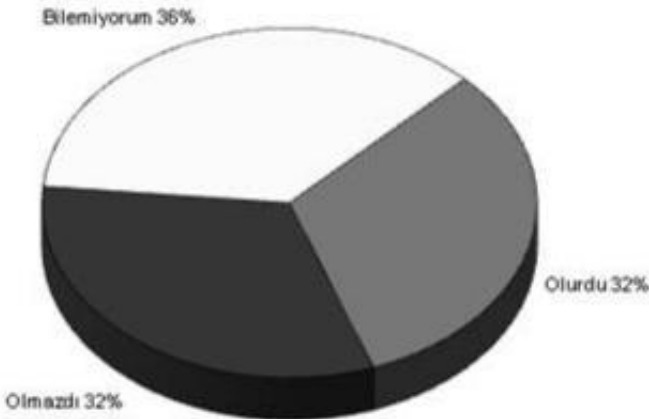
We have seen that the function of the religious knowledge they received in prison in the formation of these changes was 9.33%.

D. If they had not received religious knowledge in prisons, whether there would be positive change in behaviours or not

TABLE 30

Distribution according to whether there would be a positive change in their behaviour if they had not received religious information in prison

<u>Change Status</u>	<u>Number of Persons</u>	<u>Percent age</u>
Would be	144	32
Would not be	144	32
I do not know	162	36
TOTAL	450	100



It should be remembered that the results in this table are only a guess and a wish. It is seen that these results are in accordance with the situation seen in the previous table, and that the subjects thought that religion would not have a significant effect on their changes.

E. Religious Behaviours Acquired in Prison Continuation after Release from Prison

The answers given to the questions asked in order to determine their thoughts about whether the religious education in prisons will have an impact on the life outside after they are released from prison are shown below.

TABLE 31

Distribution of the Religious Behaviours Acquired in Prison
by the Status of Continuing After Getting Out of Prison

<u>External Attendance Status</u>	<u>Number of Persons</u>	<u>Percent age</u>
Yes	291	64.67
No	51	11.33
May be	108	24
TOTAL	450	100



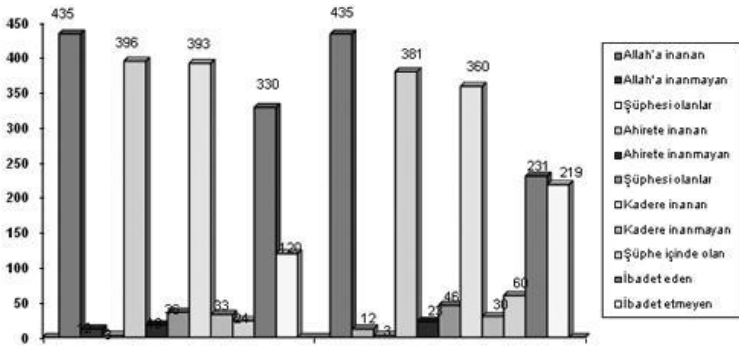
As can be seen, 64.67% of the criminals we surveyed have religious feelings, thoughts and behaviours that they have gained due to some other reasons, including religious education they received in prison. They say that they intend to continue it after they go out. 11.33% of them state that they will not continue their religious behaviour after they are released from prison. On the other hand, 24% answer that maybe we can continue. Thus, our assumption in this regard is also confirmed. However, it should be noted that the findings on this subject show predictions and wishes. In order to obtain a healthier result in this regard, it is necessary to gather information from ex-convicts who have been released from prison.

VII. COMPARION OF THE RELIGIOUS
BELIEF AND BEHAVIORS BEFORE
AND AFTER CRIME

Now, let's see a comparison of the religious beliefs and behaviours of the criminals before the crime and their post-crime status in tabular form.

TABLE 32
Pre-Crime and Post-Crime Religious Beliefs and
Behaviours (Comparison)

Religious Beliefs and Behaviours	Pre-Crime	Post-Crime	Rate (%)
Believer in God	435	435	0
Non believer in Allah	12	12	0
Those with doubt	3	3	0
Believer in the Hereafter	396	381	-9.62
Who does not believe in the Hereafter	18	23	12.77
Those with doubt	36	46	12.77
Believing in Fate	393	360	-9.16
Don't Believe in Fate	33	30	-9.09
In doubt	24	60	25
The worshiper	330	231	-7
Non-praying	120	219	18.25



It is seen that there is no change in belief in Allah before and after the crime in criminals.

When we look at the belief in the afterlife, we find that there is a 9.62% decrease in the number of believers compared to the pre-crime, on the other hand, those who do not believe and doubt it. We see that there is an increase in the number of those who do.

In the case of believing in fate, there are 9.16% and 9.09% reductions in the number of believers and non-believers after the crime, on the other hand, those who are in doubt It is seen that there is a big increase of 25% in the number of people.

As for worship, there is a 7% decrease in the number of worshipers after a crime, and an 18.25% increase in the number of non-prayers. Accordingly, we can say that the prison environment has negative effects on the religious feelings, thoughts and behaviours of criminals.

CONCLUSION AND RECOMMENDATIONS

I. SUMMARY

In the Introduction part of this study, the problem situation and the subject of the method and the concepts of crime, punishment, criminal, religion and education are explained.

In the First Chapter, answers are sought for two main questions that were raised as problems in the Introduction. One of them is what the legal basis and programs of religious education in prisons are; the second is to determine how effective the religious education in prisons is in the recovery of criminals.

In the first part, the historical development and legal bases of religious education in prisons, the program of religion and ethics lesson, and who performs this task are discussed. Before going on to this subject, two aims of religious education that are considered important in terms of the improvement of criminals are emphasized, and the expected goals of religious education in criminals or positive changes are discussed theoretically. Here, it is tried to be stated that religious education is functional in preserving the integrity of the society and in the correction of criminals, especially the importance of repentance in this regard.

According to the information obtained, it is theoretically accepted that religious indoctrination will have a positive effect on criminals. In line with this view, religious education is provided by highly educated staff in the Presidency of Religious Affairs, in the form of conferences, sermons and religion and morality lessons within a program in prisons in parallel with the religious education given in schools. and education was carried out.

In the second part, the degree of success of religious education in the way it is practiced today in rehabilitating criminals and ensuring their re-joining as a positive element in society is a formed determination was made with a measurement tool (questionnaire). The results of the research in this section can be summarized as follows:

A. Personal Information:

According to the research results; 44% of the respondents are between the ages of 15-18 and 22% are between the ages of 18-21. Also, as their age increases, their crime rate decreases.

29.33% of the criminals are from Eastern Anatolia and 26.67% from the Aegean region. On the other hand, 2.67% of them were born abroad.

When we look at their education levels, 64% of the criminals participating in the survey are primary school graduates, 13.33% are secondary school graduates, 1.33% are university graduates and 0.68% are imam hatip high school graduates, % 53.33% of them are middle class and 42% of them are poor. Among the respondents, there was no criminal who considered himself wealthy.

79.33% of the criminals were working in a certain job before the crime and 20.67% of them were idle. According to occupational groups, 38.67% are workers and 45.33% are self-employed.

Theft is 32.67%, murder is 28% and injury is 10% of the crimes committed. 32.67% of the crimes are against property and 43% against life.

63.78% of the criminals are imprisoned for one year or less, 22% for a period of two to three years, and 2% for more than ten years.

B. Before Prisoners Entered Prison Religious Situations:

96.67% of the respondents believe in the existence of Allah before committing a crime, while 2.67% do not. The rate of those who are in doubt is 0.66%. The rate of those who believe in the Hereafter is 88%, the rate of those who do not believe is 4%, and the rate of those who are in doubt is 8%. Those who believe in destiny are 87.34%. Those who do not believe are 7.33%, those who have doubts about this matter are 5.33%.

In terms of religious life, 31.34% of the respondents performed prayer and fasting before the crime, 18% only fasting, 24% only Friday prayers and fasting. While stating that, 21.33% of them stated that they have never worshiped and 5.33% of them stated that they do not believe that worship is necessary.

It is seen that the rate of committing a crime is lower in those who regularly worship before the crime.

It is seen that most of the criminals have not received an adequate religious education. 42.67% of them received religious knowledge in their family, 14% in primary school, 10% in mosque courses during summer holidays, 13.33% of them did not receive any religious education until they entered prison. n stated. Having a religious education does not play an active role on its own in the prevention of crime and delinquency.

It is seen that prayer is common among criminals. 55.33% of them pray in case of any trouble, 34.67% of them pray for a wish or wish to come true, and 10% of them consider it unnecessary to pray.

C. Religious Status of Criminals after Entry to Prison

96.67% of the criminals who participated in the survey believe in the existence of Allah after they entered prison, as before the crime.

1.33% do not believe, 1.33% are not interested in the subject, and 0.67% are in doubt. Majority believe in the hereafter (85.34% believe, 2% do not believe, 7.33%) that punishment and reward happened in this world, not in another world. believes it).

80% of criminals believe in and surrender to destiny, 13.33% of them believe in destiny but rebel against it and 6.67% do not believe in destiny.

Despite the prison conditions, 20.67% of the criminals perform prayers and fasting, 23.77% only fast, and 38.67% only pray.

78.67% of the criminals entering the troubled environment of the prison feel the need to pray, 19.33% do not, and 2% are indifferent to prayer.

D. The Cases of Criminals Knowing that Their Crime is a Sin:

77.77% of the criminals know that the crime they have committed is a sin, while 22.33% say they do not know. Those who commit crimes knowing it is a sin attribute the reason for this to helplessness (51.33%), the influence of the environment (19.33%), anger (16.66%) and a weak belief (12.66%).

E. Situations of Criminals Receiving Religious Information in Prison:

Of the respondents, 32% received religious information from foreign officials, 11.33% from their friends in prison, 2.66% from religious officials in prison, 50.66%, while they were in prison, they did not receive any religious education, and 3.35% did not want to answer this question.

69.33% of criminals need to learn religious knowledge in prison. 20% do not need and

10.67% of them are not interested in this issue. It has been observed that the need for religious information in prison is high.

Of the criminals who want to get religious information in prison, 26.67% of them have general religious knowledge, 15.78% of them pray and pray, 6.67% of them learn the Qur'an, 4% of them Allah exists. 4% want to receive information about the prophets and 4% about the life in the hereafter. 34.44% of the criminals did not want to answer this question. Information about the practice of religion is more preferred.

Of those who want to receive religious information, 36% say this information is in the form of regular lectures, 22% in the form of preachers and muftis, 19% in the form of individual attention, 6% in the form of conferences and 1.33% in the form of videos He wants it to be given via tape. Religious knowledge to be given in regular lessons was more preferred. The majority (41.56%) wanted the lessons to be two or three hours a week. The rate of those who want one hour of lessons every day is 33.33%. Religious lessons in the form of conferences are not preferred much.

F. Changes in Religious Feelings, Thoughts, and Behaviours

30.66% of the criminals who received religious knowledge in prison started to feel regret as a result of the religious knowledge they received, 14.67% started to worship, 8% started to love people, 34.67% 20 of them stated that they were not affected by the religious information they received in prison.

25.33% of the criminals are lonely, 15.33% of them are helpless, 20.67% of them are influenced by their friends and 9.33% of them are religious feelings and thoughts as a result of the religious information they received in prison and there have been positive changes in their behaviours. 29.34% were in prison after the crime.

They stated that there was no change in their religious feelings, thoughts and behaviours during their stay.

In the study on the effect of religious information received in prison on criminals, 32% of the criminals found no effect, 32% had an effect, and 36% had any effect. They stated that they did not know.

If they did not receive religious information in prison, the estimation of the criminals as to whether there would be a positive change in their religious life only due to the conditions of the prison, is that there would or would not have been It is the same result as above.

64.67% of the respondents stated that they would continue their religious behaviour after they were released from prison, 11.33% stated that they would not continue, and 24% did not express their opinion on this matter.

G. Pre-Crime and Post-Crime Religious Beliefs and Comparison of Behaviours:

There has been no change in belief in Allah for criminals before and after the crime. In terms of belief in the Hereafter, there has been an increase in the doubts and hesitations of criminals after they entered the prison. Similarly, there was a negative increase in the belief in fate after being imprisoned. There is a 7% decrease in the number of worshipers after a crime. In general, it has been observed that there are negative changes in the religious feelings, thoughts and behaviours of the criminals after the crime, with the effect of both their psychological state and the prison environment.

II. GENERAL EVALUATION

In order to reveal the relationship between individual, crime and society on the axis of religious education, first

of all, this study was conducted when there was a need for a study that could reveal the role of religious education in the misconception.

The aim of this study is;

1. First of all, what are the legal and official grounds for benefiting from religious education and training in the education, rehabilitation and reintegration of criminals in Turkey, and what are the current to determine the status of the applications in progress,

2. To reveal whether the current situation and the legal basis, programs and practices are sufficient in terms of the moral development, rehabilitation and reintegration of criminals into society,

3. Based on these findings, it was determined to offer suggestions for the success of religious education given to criminals.

In this context, when a general evaluation is made;

As seen in the first part of the research, it cannot be said that religious education is given within the scope of a serious program under prison conditions today, and that those who perform this duty have undergone a special formation education. Both the inadequacy of the educational infrastructure in prisons and the failure to take measures to provide the formation required by this duty, the education provided will be successful. It prevents the heat to a great extent. The important effect of religious education in providing social cohesion, personal mental health and improvement is not properly utilized.

As seen in the second section, most of the criminals are composed of primary school graduates who consider themselves middle class or poor and have certain jobs. Since they usually started a job after primary school, their religion

knowledge consisted of what they learned in family and primary school. According to the findings, there is a partial increase in belief in Allah, the hereafter, and destiny before and after prison, although there is a partial increase in the issues of afterlife and destiny, but there is no significant difference. Compared to the pre-crime, there was a relative decrease in the rate of those who prayed, while there was an increase in the rate of fasting and especially praying.

The majority of detainees admit that committing a crime is a sin, but a significant portion of them do so due to helplessness, others to a lesser extent due to environmental influence, anger and disbelief he's trying.

Although the rate of those who need religious education in prison is quite high (around 70%), it is around 50 % who actually receive religious education. It is possible to attribute this to the inadequacy of the current religious education style.

Do religious suggestions received in prison have a positive effect on criminals? This is one of the main questions this study seeks to answer. According to the findings, approximately 30% of those who received religious knowledge said that religious indoctrination increased their feelings of regret, and some (about 15%) did not start the prayer. However, 35% of the criminals stated that they did not see any positive effect of this, which is due to both the improvement effect of religious education and the existing religious education. It should be evaluated in terms of the inadequacy of its shape. In addition, the comparison of the conditions of the criminals before and after the prison shows that there is a decrease, albeit partially, in terms of religious belief and worship. An interesting point is that religion lessons have little effect on the orientation of criminals to religion (9.33%).

The rate of those who have not awakened their interest in religion for any reason is not low (29.34%). In this case, it would not be wrong to generalize as follows: If religious education in prisons is provided by officials with special formation, prisons will lead to positive changes. If it is turned into an educational environment that will open up, it will be possible to awaken an important motivation for improvement and socialization in criminals.

III. CONCLUSION

Our aim in preparing this study is to reintegrate criminals into society in the context of revealing the relationship between individual, crime and society on the axis of religious education. We stated that the purpose of the study is to determine the role of religious education.

First of all, it should not be ignored that this study, which is the subject of the book in your hand, was carried out in the 1990s. From that date to the present, especially since the beginning of the 2000s, religious education has been improved by the Ministry of National Education and the Presidency of Religious Affairs in Turkey. It has been observed that various changes have been made in order to sustain it in a sustainable way and that this has created positive effects on society, as we have pointed out in our study. The foremost of these changes is undoubtedly the termination of uninterrupted education with the inauguration of the new Minister of National Education, right after the general elections in 2011. the 4+4+4 system has been put into practice. Parallel to this change, in addition to Religious Education and Moral Knowledge, Quran and Siyer-i Nebi courses were started to be taught as elective courses. In addition, with the programs put into practice by the government and the Presidency of Religious Affairs,

parents and children are encouraged to choose these courses.

The primary purpose of these programs is, of course, to contribute to raising students as young people who are loyal to their national and moral values and who love their homeland and nation. From the first stages of their education-teaching life, students get to know the Qur'an and our Prophet correctly and learn the fundamentals of our religion from competent people. It is a necessity for them to learn, to achieve the goals we have mentioned above, and for them to apply this knowledge correctly for the rest of their lives. In short, all studies and efforts are for the purpose of teaching religion to the youth correctly and by the right people.

Although it is not up-to-date, in our evaluations of the research conducted for this study, religious education and It must have been observed that the necessity of educational regulations is sometimes emphasized. The situation that emerged as a result of this study is the role of religious education and training not only in the prevention of crime but also in reintegrating the perpetrators into the society. that it is extremely important. As a matter of fact, it is understood that a large part of the criminals are people who were deprived of the correct religious knowledge before the crime. Especially today, the high number of people involved in crime by exploiting their religious feelings in prisons makes this fact even more important. Here, it is seen how important is not only the learning of religious knowledge, but also the transfer of this knowledge by the right people and through the right channels. The construction of a healthy society is the key to living together in peace, security and peace with religious values.

Those who are aware that religion can be used as a manipulation tool by malicious groups, communities and even states that mean the existence of our state, which is its guarantee, who realize that our religion is a religion of peace, and who It should be kept in mind that it can only be possible by raising individuals who set a barrier to the iron.

IV. RECOMMENDATIONS

With its current situation, it can be said that the religious education given in prisons does not have a significant effect on criminals. However, this should not lead to the conclusion that the expected effect of religious education in terms of social cohesion and improvement is a mistake. Considering the results of this study, some suggestions that will increase the success of religious education in prisons can be emphasized:

1. Prisons should be provided with favorable conditions for religious education.

2. Law, sociology, criminal psychology, prison special education methods, guidance and psychological counselling etc. importance should be given to the preparation of information in terms of information and to pass an application period before the task. The success of religious education largely depends on having the profession and personality traits that will enable the person who will do this duty to be liked and respected by the criminals. From time to time, a religious education in the form of a speech or a sermon alone will not be enough to arouse interest in religion and to bring about a change in behaviour.

3. It should be ensured that the program to be applied to criminals is scientifically developed with the cooperation of experts in various related branches (educators, sociologists, psychologists, psychiatrists, theologians, lawyers.) and prison administrators.

The realization of the desired goals in prisons and the emergence of positive behavioral changes in the criminals require a program designed in accordance with the realization of this purpose.

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