

CRIMINOLOGY UNIT 1: LO1 Understand social constructions of criminality

AC1.2 Explain the social construction of criminality

	ACT/ BEHAVIOUR	WHERE AND WHEN A CRIME	REASONS FOR THIS (1)	REASONS FOR THIS (2)
CULTURE	ADULTERY (BIGAMY)			
	POLGAMY (polygyny & polyandry)			
	HOMOSEXUALITY			
PLACE	CANNABIS LAWS			
	ADULTERY			
	OTHER E.G. JAY WALKING			
TIME	CAPITAL PUNISHMENT			
	HOMOSEXUALITY			
	VAGRANCY			

UNIT/YEAR	BULLET POINTED RESPONSE
<p>MAY 2017</p> <p>With reference to examples, analyse how laws change due to time, place, and culture.</p> <p>[9 Marks]</p>	<p>Attitudes toward behaviours change over time, vary between places, and are shaped by cultural values.</p> <p>Over time, societal views shift due to greater understanding and evolving priorities. Vagrancy, criminalised under the 1824 Vagrancy Act to remove beggars, became less prosecuted as homelessness was recognised as a result of poverty and mental health issues. Homosexuality, once illegal due to religious and moral beliefs, was decriminalised in England and Wales in 1967, with further progress lowering the age of consent to 16.</p> <p>Laws differ widely by place. In the U.S., jaywalking is strictly enforced, whereas in the UK, it is not a crime, allowing pedestrians to make their own decisions. Cannabis laws also vary. It remains illegal in England and Wales, while in the U.S., it is legal in some states for recreational or medical use. The Netherlands tolerates cannabis in coffee shops to control its use, and Portugal decriminalised all drugs to prioritise health and harm reduction.</p> <p>Cultural values significantly influence how behaviours are treated. Honour killings, seen in places like Afghanistan and Pakistan as a way to restore family honour, are treated as murder in Western nations. Similarly, while many countries have decriminalised homosexuality, others, such as Nigeria and India, have reinforced anti-LGBTQ+ laws, reflecting stark cultural differences.</p>
<p>MAY 2022</p> <p>(b) Explain why laws differ across cultures. [6 Marks]</p>	<p>Laws differ across cultures because they are shaped by the unique religious, societal, and historical influences within each society. Religion plays a significant role in shaping laws in many countries. In religious societies, laws often reflect the moral teachings of dominant faiths. For instance, acts considered sinful by religious texts, such as homosexuality or adultery, may be criminalised in countries like Saudi Arabia or Nigeria. However, in more secular societies where religion plays a lesser role, these acts may no longer be seen as crimes, as societal values shift away from religious doctrines.</p> <p>The status of women also influences laws, particularly in patriarchal cultures where men hold a higher status than women. In such societies, women are often perceived as subservient, which is reflected in laws and customs. For example, in cultures where bigamy is permitted, the right to have multiple spouses typically applies only to men. Similarly, practices like female genital mutilation (FGM) are seen in some cultures as essential for marriage, reflecting deeply ingrained gender inequalities. These differences illustrate how societal values and power structures influence legal systems worldwide.</p>