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Worldwide, countries are gradually abolishing the death penalty, though many do still use it, for example China and the USA. Lethal injection is the most common method of execution in the USA.

Arguments for and against the death penalty

Secular arguments for and against the death penalty are given below. Religious believers use some of them alongside more explicitly religious points.



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Arguments in favour of restoring the death penalty:

- Society would be protected. 'Life imprisonment' is not usually lifelong.
- It would act as a deterrent.
- A victim's family can be satisfied that justice has been done and they can move on.
- The death penalty shows society's total abhorrence of murder and stops Britain from becoming uncivilised.
- It is a form of reparation. In a sense, the death of a murderer is compensation to society for the loss of one of its members.
- Improved forensic science makes it unlikely that innocent people will be executed.
- The death penalty is kinder to a murderer than a lifetime of prison and guilt.

Arguments against its restoration:

- Release from prison is always on licence, which means that murderers may be recalled at any time and their whereabouts are always known.
- The example of the USA shows that the death penalty does not deter.
- If terrorists were put to death they would be seen as martyrs.
- The death penalty too easily becomes a form of revenge.
- There is a possibility of innocent people being executed. Forensic science is only as good as the scientists using it.
- The death penalty prevents repentance and reform. Some 'lifers' have made an important contribution to society.
- The death penalty reduces society to the level of the murderer and shows a lack of respect for life.
- It harms others, encouraging feelings of revenge in the victim's family and punishing the family of the murderer (e.g. Ruth Ellis's son committed suicide).
- It is costly because the legal processes, such as appeals, are expensive.

Religious views on crime and punishment

Buddhism

The law

The second of the Three Refuges is the Dhamma. As well as referring to the Buddha's teachings, the term also refers to a Buddhist's duties to society. The law enables Dhamma to be practised, so Buddhists should keep the law, practising metta and karuna and living by the Eightfold Path.

Some Buddhists are involved in **Engaged Buddhism** which may entail acts of civil disobedience and non-violent resistance to the authorities. Such actions are always free from anger and hatred and are performed for purely selfless motives, sometimes involving considerable self-sacrifice.

Punishment of offenders

Buddhists believe that those who commit crimes create bad kamma, so offenders should be encouraged to want to change. Any punishment should therefore be

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aimed at reform, using 'skilful means'. For example, through following the Eightfold Path **Milarepa** became enlightened and famous for his virtues.

Protection is an acceptable aim of punishment. Reformed offenders are protected from even more negative kammic consequences and are able, like Milarepa, to have a positive future. The First Precept means that imprisonment may be necessary to protect society.

Retribution easily becomes revenge and may contradict the key principles of Buddhism. It may embitter and harm those who promote it.

The **Angulimala** organisation works with offenders in prisons and after release. It creates Buddha groves in prisons as places that encourage calm reflection.

Capital punishment

Some Buddhists claim that the death penalty acts as a deterrent and some Buddhist countries use it for serious offences. Most Buddhists, however, are totally against the death penalty. The Dalai Lama accepts that it is preventative, but points out that it is vengeful. A human life is taken away, and that person has no chance of righting what he or she did wrong, or of dealing with the negative kamma created by the crime. The death penalty contradicts the First Precept, metta and karuna. It is not an application of 'skilful means'.

Christianity

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Christians believe that God created humans with an inbuilt moral sense, the conscience, but that a wide range of factors lead to crime: **original sin**, abuse of free will, personality disorders and environmental influences.

All Christians believe that, to uphold a stable society, the law of the land should be obeyed unless it conflicts with the will of God, as revealed in the Bible, the teachings of the Church and conscience. In the New Testament Jesus himself said:

'...pay the Emperor what belongs to the Emperor, and pay God what belongs to God' (Mark 12:17). Jesus clearly thought that there were duties to the state.

When there is a conflict between duties to the state and to God, Christians have taken Jesus's words as meaning that God should come first. There are examples throughout history of Christians taking a stand against unjust governments, for example Desmond Tutu during apartheid in South Africa.

Punishment of offenders

Christians accept that punishment may be necessary. Crime hurts its victims, and offenders need to know that. They also need to learn respect for the law as guaranteeing the rights of others.

Punishment should always go hand in hand with forgiveness, which is central to Christianity. In the Lord's Prayer, Christians ask God to forgive their sins as they forgive those who sin against them. Jesus told Peter to be prepared to forgive unconditionally and without limit, illustrating this in his parable of the unforgiving servant (Matthew 18:21–35). Christians believe that an unwillingness to forgive damages offenders who are sorry for what they have done and those who are unable to forgive. Bitterness, hatred and the desire for revenge can easily consume a person. Those who are willing to forgive are more able to move on. For Christians, the most important aim of punishment is reform. People must work with offenders to enable them to change. Christians are conscious that crime is often the result of material or emotional deprivation, and the offender needs help as much as punishment.

The aim of punishment Christians are least happy about, therefore, is retribution. Some support it as enabling justice to be done and as giving criminals what



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they deserve. However, retribution can easily degenerate into a desire for retaliation and revenge. This is totally against the spirit of the New Testament. Paul told his fellow Christians never to seek vengeance. Reparation is important. It is part of the healing process for the offender, the victim and society as a whole.

Christians recognise the need to protect society from some individuals. These individuals may also need protection from their own worst instincts through restrictions placed on their freedom.

Attitudes to punishment as a deterrent vary. It seems sensible to have a punishment that will deter potential offenders but treating someone harshly to deter others seems a form of unjust exploitation.

Christians believe in giving people a second chance and offering them friendship. Some write to or visit people in prison, or offer support and friendship to prisoners' families. Christian employers may be willing to give a job to someone who has been in prison. All prisons have chaplains. There are discussion groups, Bible study and regular services.

Capital punishment

Some Christians support capital punishment, following the Old Testament teaching of an eye for an eye and a life for a life. They believe that only the death penalty shows that the law is to be obeyed and respected. The Catechism of the Catholic Church accepts the death penalty for what it terms 'grave offences', but prefers 'bloodless' solutions. Many modern Roman Catholic leaders are totally against the death penalty.

Anglicans and Quakers strongly oppose the death penalty because it serves no useful purpose and is inhumane. There is no possibility of reform or reparation. There is a story about Jesus being asked to pass judgement on a woman caught in the act of adultery, the penalty for which was to be stoned to death. Jesus said that someone who had committed no sin should throw the first stone. The woman's accusers left and Jesus told the woman that he did not condemn her, but she should not repeat her sin.

Hinduism

The law

The law exists to protect people and enable them to carry out their dharma, so must be respected and obeyed. It is a government's duty to protect society.

Where a government is unjust or corrupt, protest is acceptable. Gandhi's non-violent civil disobedience against the British rulers of India in the twentieth century was known as **satyagraha**, the force of truth.

Punishment of offenders

Punishment of crime is essential to deal with negative karma. Danda (punishment) has three elements:

- retribution
- restraint
- reformation

Ancient sacred texts provide a wide variety of punishments for offences. Despite the outlawing of the caste system, the status of the victim and the seriousness of the crime are considered. Physical punishments are allowed, though not given to Brahmins. Prison is also acceptable.

Capital punishment

The death penalty is used in India for murder and treason, though it depends on the intention behind the act and the status of the offender and victim. Brahmins may not be executed. Many Hindus support the death penalty as it achieves the aims of protection, retribution and deterrence and deals with the bad karma caused by the act. Some Hindus, e.g. Gandhi, oppose the death penalty since it goes against the principle of ahimsa.



Key word

Satyagraha
'The force of truth'; the non-violent civil disobedience adopted by Gandhi

Gandhi breaking the Salt Law in protest at British rule in India

Islam

The law

Islamic countries practise shari'ah law, at least in part, as the law of the land. Muslims who live in countries like Britain see it as important to obey the law of the land and respect the shari'ah. In the wake of recent terrorist attacks, British Muslim leaders have been keen to show that Islam is a law-abiding faith. Sometimes, however, there are tensions. If a secular government makes a law against the principles of Islam, Muslims see it as their duty to protest. If the state seriously threatened Islam, force would be allowed as a last resort.

Punishment of offenders

Muslims tend to think in terms of penalties rather than punishments because crimes are seen as going beyond the limits set by Allah for human actions. Penalties are referred to as **hudu** and they are intended to ensure the well-being of society.

Key word

Hudu
'Boundaries'; the name given to penalties for criminal offences

Crimes and the ways of dealing with them are divided into four groups:

- The most serious crimes, e.g. murder, have set penalties.
- Other serious crimes, e.g. wounding, also have set penalties.
- Sentences for less serious crimes are left to a judge.
- A judge sets the penalty for breaches of state law.

The principles of equality, justice and honour are central to Muslim thinking. All humans are equal in Allah's sight, and so all must be treated in the same way by the law.

The offender can only be shown mercy when the victim of a crime has received justice. The primary aim of a penalty is therefore retribution. The ideal is honour tempered with mercy. It is important to show mercy, as a refusal to take revenge is consistent with honour.

Vindication of the law is a valid aim of penalties, especially in Islamic countries where the law is the shari'ah. Protection is also important. The well-being of society depends on the safety of its citizens. Deterrence is another key aim. Although

reform is not central it is important. Prisons may promote repentance and reform, but Muslims are concerned that the conditions in prisons may encourage the opposite. The Qur'an orders the just treatment of prisoners and Muslim chaplains give spiritual support.

Penalties in Islamic countries often take the form of public humiliation so that people can see that justice has been done. This is also intended as a deterrent. Some penalties seem extremely harsh, e.g. amputation for persistent stealing, but there are strict regulations surrounding them, which means that they are not often given.

Capital punishment

Shari'ah law sets the death penalty for two particular crimes:

- murder
- an open and dangerous attack on Islam from someone who was once a practising Muslim

The 'life for a life' approach to murder is in the Qur'an and was accepted by Muhammad. Although Muslims believe in the sanctity of life, murderers have forfeited the right to such respect because they have not shown it. Retribution with honour is vitally important for justice to be done and execution is often public. The victim's next-of-kin may, however, choose to show mercy and accept financial compensation ('blood money'). In this case, the murderer is given a life sentence in prison. Such an act of mercy is highly praised and will be rewarded by Allah.

Judaism

The law

In the Torah there are 613 mitzvot that should be obeyed. Apart from murder, idolatry and adultery, all may be broken in the interests of saving life.

Many Jewish communities have a beth din. This is a group of three rabbis who are highly expert in the Torah and deal with religious matters, but have no legal status. Jews are taught to accept the law of the land, though they may protest if it conflicts with Judaism's principles.



Punishment of offenders

Crime is seen as the abuse of free will, so punishment should be accepted as the working out of justice. The Torah law of 'an eye for an eye' is about fairness, justice and making reparation. Those who are victims of crime are not to feel hatred or bear grudges (Leviticus 19:17).

Deterrence and protection are important aims of punishment, as the well-being of society depends on law and order. Support is given to prisoners and their families by rabbis and Jews. Offenders who show they are genuinely sorry for their sins by accepting their punishment and seeking to make amends are forgiven by God.

Capital punishment

Although the Torah gives the death penalty for several offences and this is seen as a deterrent, capital punishment is rarely carried out in Israel, as it does not give the opportunity for repentance and change. The conditions that must be satisfied before it can be given are almost impossible to fulfil.

The only instance of execution in modern times was that of Adolf Eichmann, a Nazi responsible for policies of mass murder of Jews. Some rabbis think that even his death was one execution too many. Jews believe that the sins of a penitent murderer will be forgiven, and that reform is possible. Prison is accepted as a protection for society and a deterrent to offenders as well as a chance for their reform and rehabilitation.

Sikhism

The law

Sikhs believe that God created the world to be ordered. The law does this by protecting weak members of the community. Sikhs should always act with regard to the well-being of others, especially the vulnerable.

Sikhism teaches that the laws of the land in which Sikhs are living should be obeyed, unless they fundamentally oppose Sikh principles. In that case, Sikhs are entitled to protest and, as a last resort, use violence.



Sikhs protesting in Downing Street over their demand that Sikhism be recognised as a separate religion

Punishment of offenders

Sikhs believe that those who do wrong pay for it, either in this life or in a future existence. It is therefore important to create good karma. Offenders need to see where they have gone wrong and put it right.

Justice is important, so crime should be punished. Sikhs accept imprisonment to protect society and reform offenders. Forgiveness, rather than revenge, is encouraged, and the Guru Granth Sahib instructs Sikhs to respond to evil positively with good rather than retaliating (GGS 1378).

Capital punishment

Some Sikhs favour the death penalty for murder on the grounds of protection and deterrence. Those who take life have forfeited their own right to it. Nevertheless, execution should be carried out humanely and never out of the desire for revenge.

Many Sikhs oppose capital punishment, believing that everyone has a spark of God in them, and so life is sacred. The death penalty prevents any real chance

of repentance and reform, and so its karmic consequences are serious. Forgiveness, reform and restorative justice are preferable to destroying a life. Moreover, there is always the risk of wrongful execution.

Questions and activities

Sample questions and answers


- 1** Name two types of punishment for crime that might be given by British courts. (2 marks)

 Imprisonment, probation.

Commentary

Two words are sufficient.


- 2** Explain two reasons why people commit crime. (4 marks)

 Some people commit crime as a form of protest, for example when people trespass onto Ministry of Defence property in order to get their anti-war banners seen on television. A drug addict may steal something and sell it in order to pay for the drugs he craves.

Commentary

Two reasons are required here, and they must be developed. Often the easiest way of developing a point is by giving an example.


- 3** Explain why some religious believers are concerned about the state of British prisons. (4 marks)

 All religions uphold the sanctity of human life, and this includes the lives of even the worst offenders. All human beings should be treated with respect. For instance, Jews and Christians speak of people as being created in the image of God. Conditions in many prisons seem inhumane. In some, slopping out still occurs and people may be locked up for 23 out of 24 hours because there are insufficient prison warders. This prevents the social contact that humans need if they are to function properly, and encourages frustration. Imprisonment is meant to punish by removing a person's freedom; it is not meant to take away a person's dignity as a human being.

Commentary

It would be easy to give a purely secular answer to this question, but that would not be awarded full marks because of the phrase 'religious believers'. There is no need to specify a particular religion's approach, though you may if you wish, but there should be some religious content in the answer. That is found in the first few sentences of this answer. The principle of respect for human life is then applied to the particular issue of prison conditions.

- 4** Explain the difficulties that an offender might face on release from prison. (4 marks)

 An ex-prisoner might find it hard to get a job. This may be because employers are not prepared to trust him. It may be that, as he has served a long sentence, he is not familiar with new technology and other developments in his profession. He may find it difficult to adapt to everyday life again. In prison, his choices were limited. His day was structured and virtually every decision was made for him. On release, he is suddenly faced with any number of decisions. He may find the freedom and the responsibility impossible to cope with.

Commentary

Note the plural 'difficulties'. This means that you must write about more than one problem. At the same time, the command word 'explain' and the allocation of 4 marks require more than a simple list of four difficulties. Development is needed.

Further questions

- 1** When was the death penalty suspended in Britain? (1 mark)
- 2** Name two countries that still carry out the death penalty. (2 marks)
- 3** Name two crimes that are frequently committed in Britain. (2 marks)
- 4** Explain how the religious beliefs and teachings of two religions/Christian denominations that you have studied might influence the attitude of religious believers towards those who commit crimes. (8 marks, 4 for each religion/denomination)
- 5** 'Criminals should not be punished. Their genetic inheritance is responsible for what they do — they have a gene for crime.' Do you agree? Give reasons for your answer, showing that you have thought about more than one point of view. Refer to religious arguments in your answer. (5 marks)



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Punishment of offenders

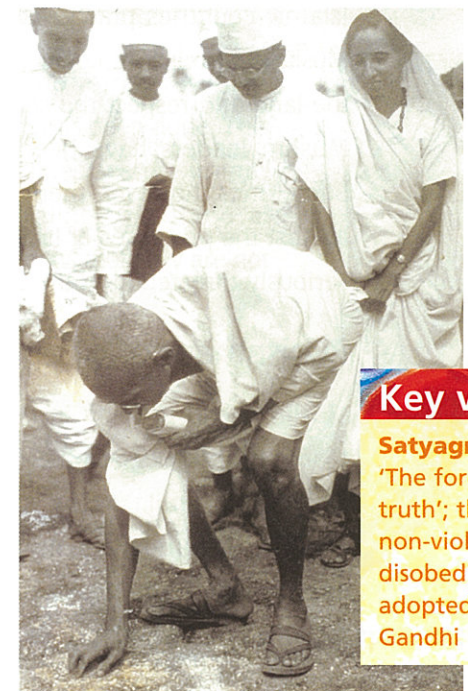
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Gandhi breaking the Salt Law in protest at British rule in India

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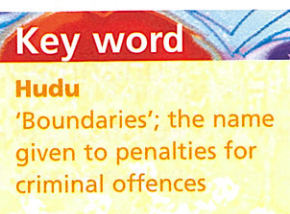
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Capital punishment

Although the Torah gives the death penalty for several offences and this is seen as a deterrent, capital punishment is rarely carried out in Israel, as it does not give the opportunity for repentance and change. The conditions that must be satisfied before it can be given are almost impossible to fulfil.

The only instance of execution in modern times was that of Adolf Eichmann, a Nazi responsible for policies of mass murder of Jews. Some rabbis think that even his death was one execution too many. Jews believe that the sins of a penitent murderer will be forgiven, and that reform is possible. Prison is accepted as a protection for society and a deterrent to offenders as well as a chance for their reform and rehabilitation.

Sikhism

The law

Sikhs believe that God created the world to be ordered. The law does this by protecting weak members of the community. Sikhs should always act with regard to the well-being of others, especially the vulnerable.

Sikhism teaches that the laws of the land in which Sikhs are living should be obeyed, unless they fundamentally oppose Sikh principles. In that case, Sikhs are entitled to protest and, as a last resort, use violence.



Sikhs protesting in Downing Street over their demand that Sikhism be recognised as a separate religion

Punishment of offenders

Sikhs believe that those who do wrong pay for it, either in this life or in a future existence. It is therefore important to create good karma. Offenders need to see where they have gone wrong and put it right.

Justice is important, so crime should be punished. Sikhs accept imprisonment to protect society and reform offenders. Forgiveness, rather than revenge, is encouraged, and the Guru Granth Sahib instructs Sikhs to respond to evil positively with good rather than retaliating (GGS 1378).

Capital punishment

Some Sikhs favour the death penalty for murder on the grounds of protection and deterrence. Those who take life have forfeited their own right to it. Nevertheless, execution should be carried out humanely and never out of the desire for revenge.

Many Sikhs oppose capital punishment, believing that everyone has a spark of God in them, and so life is sacred. The death penalty prevents any real chance

of repentance and reform, and so its karmic consequences are serious. Forgiveness, reform and restorative justice are preferable to destroying a life. Moreover, there is always the risk of wrongful execution.

Questions and activities

Sample questions and answers

- 1** Name two types of punishment for crime that might be given by British courts. (2 marks)

Answer Imprisonment, probation.

Commentary

Two words are sufficient.

- 2** Explain two reasons why people commit crime. (4 marks)

Answer Some people commit crime as a form of protest, for example when people trespass onto Ministry of Defence property in order to get their anti-war banners seen on television. A drug addict may steal something and sell it in order to pay for the drugs he craves.

Commentary

Two reasons are required here, and they must be developed. Often the easiest way of developing a point is by giving an example.

- 3** Explain why some religious believers are concerned about the state of British prisons. (4 marks)

Answer All religions uphold the sanctity of human life, and this includes the lives of even the worst offenders. All human beings should be treated with respect. For instance, Jews and Christians speak of people as being created in the image of God. Conditions in many prisons seem inhumane. In some, slopping out still occurs and people may be locked up for 23 out of 24 hours because there are insufficient prison warders. This prevents the social contact that humans need if they are to function properly, and encourages frustration. Imprisonment is meant to punish by removing a person's freedom; it is not meant to take away a person's dignity as a human being.

Commentary

It would be easy to give a purely secular answer to this question, but that would not be awarded full marks because of the phrase 'religious believers'. There is no need to specify a particular religion's approach, though you may if you wish, but there should be some religious content in the answer. That is found in the first few sentences of this answer. The principle of respect for human life is then applied to the particular issue of prison conditions.

- 4** Explain the difficulties that an offender might face on release from prison. (4 marks)

Answer An ex-prisoner might find it hard to get a job. This may be because employers are not prepared to trust him. It may be that, as he has served a long sentence, he is not familiar with new technology and other developments in his profession. He may find it difficult to adapt to everyday life again. In prison, his choices were limited. His day was structured and virtually every decision was made for him. On release, he is suddenly faced with any number of decisions. He may find the freedom and the responsibility impossible to cope with.

Commentary

Note the plural 'difficulties'. This means that you must write about more than one problem. At the same time, the command word 'explain' and the allocation of 4 marks require more than a simple list of four difficulties. Development is needed.

Further questions

- 1 When was the death penalty suspended in Britain? (1 mark)
- 2 Name two countries that still carry out the death penalty. (2 marks)
- 3 Name two crimes that are frequently committed in Britain. (2 marks)
- 4 Explain how the religious beliefs and teachings of two religions/Christian denominations that you have studied might influence the attitude of religious believers towards those who commit crimes. (8 marks, 4 for each religion/denomination)
- 5 'Criminals should not be punished. Their genetic inheritance is responsible for what they do — they have a gene for crime.' Do you agree? Give reasons for your answer, showing that you have thought about more than one point of view. Refer to religious arguments in your answer. (5 marks)