Capital punishment – basic reasons: pro and anti

A list of arguments for and against the death penalty by Bruce A Robinson from the Religious Tolerance website

Common reasons in support of capital punishment

- The Bible: The Bible requires the death penalty for a wide variety of crimes, including sex before marriage, adultery, homosexual behaviour, doing work on Saturday and murder. It even calls for some criminals (e.g. prostitutes who are the daughters of priests) to be tortured to death by being burned alive. Most Christians, with the exception of those in the Reconstructionist movement, feel that many of these grounds for the death penalty no longer apply to Christian societies. However, Bible passages are still used to promote the retention of capital punishment for murderers; some advocate that homosexuals also be executed.

- Justice/vengeance: Many people feel that killing convicted murderers will satisfy their need for justice and/or vengeance. They feel that certain crimes are so heinous that executing the criminal is the only reasonable response.

- Deterrence: Many people feel that the death penalty will deter criminals from killing. This does not seem to be confirmed by an analysis of the available data. However, it feels intuitively correct for many people.16

- Value of human life: “It is by exacting the highest penalty for the taking of human life that we affirm the highest value of human life.” (Edward Koch).

- Cost: Once a convicted murderer is executed and buried, there are no further maintenance costs to the state.

- Safety: Once a convicted murderer is executed, there is no chance that he will break out of jail and kill or injure someone.

Common reasons against capital punishment

- The Hebrew Scriptures (Old Testament): Some Christians feel that they are no longer bound by the legal codes of the Hebrew Scriptures, and that the death penalty is no longer required. Since The Bible was written, as society became more tolerant, we eliminated the death penalty for pre-marital sex, practising a different religion, engaging in prostitution, homosexual behaviour, blasphemy, rebellion by teenagers, etc. We should eliminate it for murder as well.

- The Christian Scriptures (New Testament): Abolitionists often quote Jesus’ treatment of the adulteress in the Gospel of John as support for their position. (That passage, John 8:7, was probably not written by the author(s) of John). She had been sentenced to death by stoning, but Jesus used a clever ploy to gain her freedom. On many occasions, Jesus taught about forgiving people who have wronged you.

- The beliefs of the early Christian church: Some theologians believe that the early Church was closer to Jesus’ teachings than are the present-day churches. They were unalterably opposed to the death penalty.

- Playing God: Executing a person kills him before the time of their natural death. Some Christians believe that God places people on Earth for a purpose. If we kill them prematurely, then we may be thwarting God’s will.

- Effect on society: Some feel that permitting premeditated murder is totally unacceptable, even if done by the state. Capital punishment lowers the value of human life as seen by the general population and brutalizes society. It is based on a need for revenge. It “violates our belief in the human capacity for change ... [It] powerfully reinforces the idea that killing can be a proper way of responding to those who have wronged us. We do not believe that reinforcement of that idea can lead to healthier and safer communities.”17

- Lack of deterrence: The death penalty has not been shown to be effective in the reduction of the homicide rate. There are some indications that executions actually increase the murder rate.14

- Cost: The costs to the state of funding appeals by convicted murderers would be more than pay for their permanent incarceration.

- Value of human life: Human
The rules appear to be in flux: the highest appeals court in the state reversed about one out of every three capital sentences prior to 1995. Since 1995, this has reduced to less than 39%.

The operation of the Board of Pardons and Paroles in Texas is severely flawed. They do not meet as a group to study evidence and discuss a case. Individual members are sent stacks of documents, and make their decisions via telephone or fax. 11

> Chance of error: Many convicted murderers are later found innocent, and have been pardoned. It is impossible to pardon a corpse. In 1987, a study was published by the Stanford Law Review. They found some evidence that suggested that at least 350 people between 1900 and 1985 in America might have been innocent of the crime for which they were convicted, and could have been sentenced to death. 139 “were sentenced to death and as many as 23 were executed”.

> Horror: Some consider capital punishment to be cruel and unusual punishment.

> Sending a person to Hell: Some Christians believe that an individual who dies without being “saved” will go to Hell for eternal punishment. By killing the person before the time they would have naturally died, we are eliminating any chance that they might have for salvation.

> The family of the prisoner is victimised and punished by having their loved one murdered by the state. Yet the family is usually innocent of any crime.

> Lack of jury convictions: Some jury members are reluctant to convict in murder trials because of the possibility of executing an innocent person. Thus, many killers go free and are never punished.

> Uselessness: Killing a murderer does not bring his victim back to life. It achieves nothing but the death of still another person.

References

8. Alice Wolf, letter to constituents concerning her vote as a state representative for Mass. opposing the death penalty. See: http://alicewolf.org/death-penalty.htm
11. The Death Penalty in Texas, the Texas Civil Rights Project, issued September 2000.

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