Rules and views

There are two main ways in which religion influences the way some people think when they are trying to decide whether capital punishment is right or wrong. (See also page 165.)

1 Religions have rules or commandments which are believed to have absolute or divine authority. For example, "You shall not kill." In some religions death is prescribed for certain crimes.

2 Religions also have teachings or doctrines about what human beings are supposed to be like. They may say, for example, that human beings are in a special relationship with God.

In the Sikh scriptures it says:

"God lives in everything.
He dwells in every heart." [Guru Arjan]

Because of this, actions which hurt or kill human beings might be thought to be wrong. Decisions are affected by the view taken of the meaning and purpose of life.

So it is not just a matter of looking for rules written in scriptures that matters. We also have to try to understand what the important doctrines are. This is especially true of the question of putting people to death, because it is such an extreme thing to do. Putting someone to death judicially must mean at least having a philosophy about the position of an individual in society.

Followers of all the religions studied here are divided in their views. One difficulty is that the same statement can lead to different conclusions. For example, the statement that human beings are made by God, which appears in most religions, can lead to quite opposite conclusions about the death penalty. On the one hand some interpret it to mean that because God made human beings we should on no account take a life—even for murder. On the other hand it is argued that human life is so precious that anyone who kills deliberately must in turn be put to death! It is therefore important to remember when reading the texts from various sources that much will depend on the particular way it is understood.

Discuss in a small group which side you would take in the debate in the previous paragraph. That is, does the belief that God created human beings make the death penalty for murder more justified or less?

Another aspect which could influence decisions is what each religion believes happens after death. Some religions, for example, consider that our souls are reborn in new bodies. Others believe that there is a divine judgement which follows death.
Christianity

What Christianity has to say about right and wrong is not discovered simply by turning to a text in the Bible. The Bible gives an account of the 'central events' of the faith and does not deal directly with every single question which may arise.

Christian practice is also guided by a long tradition of teaching in the Church. Some of this teaching has been controversial and disputes have led to divisions of the Church into separate groups.

In the case of capital punishment, the Churches have themselves often pronounced the sentence of death. In perhaps more violent times there have been numerous executions for 'heretics', that is, those considered to be holding wrong or dangerous beliefs. Catholics and Protestants have both persecuted each other in this way. In the present time many Christians have come to hold the view that capital punishment is totally against the spirit of Christian teaching. In rethinking their attitude, Christians try to return to the central event of Christianity which is founded on the coming of Jesus Christ, whom Christians believe to be God. He was executed by the Romans by the method of crucifixion. His rising from the dead to eternal life is central to Christian belief.

What the scriptures say

During the period of the development of Christianity, capital punishment was an accepted part of the legal system and it was more or less taken for granted. Capital punishment continues to be supported by some Christians. There is no direct statement in Christian scriptures which forbids its use.

The Sermon on the Mount

Christians, in trying to make up their minds, take account of the teaching of Jesus, such as the Sermon on the Mount (Matthew 5–7). Here are short extracts:

"You have heard that it was said to the men of old, 'You shall not kill; and whoever kills shall be liable to judgement.' But I say to you that every one who is angry with his brother shall be liable to judgement; whoever insults his brother shall be liable to the council, and whoever says, 'You fool!' shall be liable to the hell of fire... You have heard that it was said, 'An eye for an eye and a tooth for a tooth.' But I say to you, Do not resist one who is evil. But if anyone strikes you on the right cheek, turn to him the other also; and if anyone would sue you and take your cloak, let him have your cloak as well; and if anyone forces you to go one mile, go with him two miles. Give to him who begs from you, and do not refuse him who would borrow from you.

You have heard that it was said, 'You shall love your neighbour and hate your enemy.' But I say to you, Love your enemies and pray for those who persecute you, so that you may be sons of your Father who is in heaven; for he makes his sun rise on the evil and on the good, and sends rain on the just and on the unjust.

[Matthew 5:21–2. 38–45]
Did Jesus give laws?

Many Christians think that Jesus came to do away with the idea of 'laws' in the usual sense. His words were certainly not meant to become part of the legal system of any country. These Christians argue that Jesus' sayings really express a 'spirit' or an 'attitude'. They were not meant to be used as laws. The Sermon on the Mount, they say, expresses an ideal situation, which is a hope for the future. So if you take this view, you cannot just take Jesus' words and say 'There is the Christian position.' You have to understand the spirit of them and work out what they mean for particular situations.

"Christ and the woman taken in adultery." Read John 8.1–11. The German words at the top of the picture are Jesus' words from verse 7: 'Let him who is without sin among you be the first to throw a stone at her.' Do you think these words have anything to do with how we should think of punishment? Why do you think the punishment was death by stoning? How do we view adultery today? It is unlikely that they would have brought a man taken in adultery to Jesus. What do you think about this? This sixteenth-century painting has some very precise portraits. Look carefully and discuss them with others.
Hinduism

Hindus believe that all humans have an immortal soul. 'Immortal' means that it does not die when the body dies. That soul, called atman, is then free to enter another body which is being born. Another belief is karma. This means that every action has a result. What happens to us is the consequence of our own actions. These actions can be ones which we have done in this present life or in a previous life. For many Hindus the immortal soul, atman, mentioned above, is part of Brahma, which is the word for 'ultimate reality' in Hinduism.

Below is a brief quotation from a Hindu scripture called the Vaishnava-dharma-shastra.

The Indestructible self

"Kala [time] is no one's friend and no one's enemy: when the effect of his acts in a former existence, by which his present existence is caused, has expired he snatches a man away forcibly. . . .

As a man puts on new clothes in this world, throwing aside those which he formerly wore, even so the self [atman or soul] of man puts on new bodies, which are in accordance with his acts [in a former life].

No weapons will hurt the self of man, no fire burn it, no waters moisten it, and no wind dry it up.

It is not to be hurt, not to be burnt, not to be moistened, and not to be dried up; it is imperishable, perpetual, unchanging, immovable, without beginning.

It is further said to be immaterial, passing all thought, and immutable. Knowing the self [atman] of man to be such, you must not grieve [for the destruction of his body].

[20:43,50-3]

Read this passage again carefully and write down what it says about the 'self' or 'atman'. What effect might this have on a view of capital punishment?

Non-violence

Many Hindus believe in non-violence. This view was greatly strengthened by the teaching and example of Mahatma Gandhi (see pages 130-1). The way in which Hindus decide about right and wrong comes from something called dharma. This is sometimes translated as 'law'. But it is a little more complicated than that. Each person is born in a particular caste and is therefore expected to live by the laws of that caste. So if you are born in a soldier caste you will be required to kill under certain circumstances. In the famous book, the Bhagavad Gita, this was the dilemma facing Arjuna as he prepared for battle. His instincts told him not to kill but his dharma required him to do it (see pages 128-9).

Here is something Gandhi wrote about non-violence:

"When a person claims to be non-violent, he is expected not to be angry with one who has injured him. He will not wish him harm; he will wish him well; he will not swear at him; he will not cause him any physical hurt. He will put up with all the injury to which he is subjected by the wrong-doer. . . . Non-violence is therefore in its active form goodwill towards all life. It is pure Love. I read it in the Hindu scriptures, in the Bible, in the Qur'an.
Judaism

One of the most important ideas in Judaism is the sense of a 'people' or nation. The sacred books of Judaism contain much about the conduct of a nation, as well as laws about how people are to work together and how they should settle their differences. Jews will study these texts carefully and try to apply them to modern situations.

The basic rules

"If there is found among you, within any of your towns which the Lord your God gives you, a man or woman who does what is evil in the sight of the Lord your God, in transgressing his covenant, and has gone and served other gods and worshipped them, or the sun or the moon or any of the host of heaven, which I have forbidden, and it is told you and you hear of it; then you shall inquire diligently, and if it is true and certain that such an abominable thing has been done in Israel, then you shall bring forth to your gates that man or woman who has done this evil thing, and you shall stone that man or woman to death with stones. On the evidence of two witnesses or of three witnesses he that is to die shall be put to death; a person shall not be put to death on the evidence of one witness. The hand of the witnesses shall be first against him to put him to death, and afterward the hand of all the people. So you shall purge the evil from the midst of you.

[Deuteronomy 17:2-7]

Deciding difficult cases

"If any case arises requiring decision between one kind of homicide and another, one kind of legal right and another, or one kind of assault and another, any case within your towns which is too difficult for you, then you shall arise and go up to the place which the Lord your God will choose, and coming to the Levitical priests, and to the judge who is in office in those days, you shall consult them, and they shall declare to you the decision.

[Deuteronomy 17:8-9]

Torah and Talmud

These words are taken from the Torah, which is the basic authoritative text for Jews. Another book which has great authority in Judaism is the Talmud. It contains commentaries made by rabbis over a wide range of matters, interpreting the Torah.

The method of execution mentioned in Deuteronomy is by stoning. Other methods mentioned in the Bible are burning and strangling. The Talmud adds slaying by the sword.

Capital crimes

The Torah prescribes the death penalty for murder.

"Whoever strikes a man so that he dies shall be put to death.

[Exodus 21:12]

It also allows it for insulting or beating one's parents, adultery, incest, kidnapping, and working on the Sabbath.
Sikhism

The Sikh religion lays great stress on the divine dignity of human beings.

"In every heart there is light:
That light are Thou.
By the light that is of God Himself
Is every soul illumined.
"

There is no clear instruction on capital punishment in the scriptures. Sikhs, like many other people, have lived mostly in States where the death penalty is part of the legal system.

Sikhism gives guidance in principles of behaviour and looks to the historical interpretation of the way of life of the Gurus. The Sikh view of capital punishment comes from their view on the use of violence in general. For Sikhs, the resort to arms is only justified under clear conditions. For example, it is permitted to fight against oppression or injustice - and not only injustice towards Sikhs but towards others too. But in the words of the tenth Guru, Guru Gobind Singh, only after all other means of righting the injustice have failed.

It follows from this that killing is justified under certain circumstances. That is, it is justified when fighting in the heat of combat in a situation as already described. But if the enemy surrenders he must not be put to death. He must be allowed to go. Killing in cold blood can never be justified, except possibly of a tyrant intent on continuing to behave in an unjust way.

Executing a prisoner, on the other hand, is without excuse, and would be 'killing in cold blood'. Therefore Sikhs would oppose capital punishment.

During the time of Ranjit Singh - which is the only time Sikhs have formed an independent nation - the death penalty was not used. That is, when Sikhs were able to make laws, capital punishment was not used.

[Indarjit Singh, Editor, The Sikh Messenger]