

Thesis Title : The Buddhist Perspectives concerning the Death Penalty:
An Ethical Analysis

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ABSTRACT

The death penalty in the legislative viewpoint idealistically seems to be acceptable due to the aspect of just retribution or expiation, uniquely criminal deterrence and avoidance from social problem through the extreme threat on death while peaceful atmosphere in human society is maintain legally.

However, in real situation of human society even the death penalty has been exercised but the ideal objectives of the death penalty have not been accomplished. From the philosophical discussions between proponents of the death penalty whose aspects contain in retributive and utilitarian theories acknowledged as retentionists and Buddhist perspectives whose views are ethically against the death penalty, the researcher finds that in case of observing the principle of equal justice, the death penalty is acceptable according to the legal authority of state. But if it is considered in the scope of human-life valuation, the death penalty is naturally unacceptable due to the fact that human life is uncountably valuable which its owner seriously attempts to protect. Rather if it is considered in real context of human society, the death penalty is not absolutely effective for heinous crimes which still increasingly occur in the countries that still exercise the death penalty.

Considering Buddhist perspectives on the first precept relevant to the law of *Karma* supported by the wheel of Dependent Origination, the death penalty is not the only way to solve criminal problems in human society. Non-violence and the Eightfold Path are the conscious medicines effectively enable to heal and cure the sickness of human society because whenever human beings have supreme wisdom through the observance of the Eightfold path, there will be no criminal problems but *nibbanic* atmosphere in the mundane world. Hence, the death penalty is not the significant means to preserve justice but ethical practices under the consciousness of the Eightfold Path are the effective means to abolish grave criminal offender.

