

# **Buddhism Rejecting the Death Penalty: A Historical Review and Doctrine Analyses**

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## **Abstract**

The worldwide campaign for ending death penalty since middle period of 20<sup>th</sup> century promoted by the United Nations was developed on the Christian civilization foundation. In the human history, the similar campaign also appeared and was originated from Buddhism doctrine. These cases happened in Japan, Chinese, Tibet, and India. The author intends to present the development, and rebuilt the Buddhist history of rejecting death penalty according to the biographies and scriptures. Buddhism was born in a society, which the death penalty has appeared. But from the beginning, the Buddha and his followers rejected the death penalty, rescued the people on death row, and denied to execute the death penalty; they also supposed the death penalty violate Buddhist discipline, and devalued the judges and the executioners. In the Mahayana scriptures, the bodhisattvas are requested to rescue the people on death row; if they are the kings, they must to end the death penalty. And in the Mahayana tradition, the Guanyin (Avalokitesvara) bodhisattva is known as the typical character that rescuing the people on death row without condition. Although the Buddhist opinion of the death penalty was foundered on the ideas of 'transmigration of soul', 'karma and result' and 'liberation from suffering' which were originated from the Brahmanism, the last tide of worldwide campaign for ending death penalty was more depended on the character of Buddha and the practice of his followers to reject the death penalty firmly.

**Keywords :** death penalty, not killing precept, disciplines of the bodhisattva, wheel turning sage king

# 佛教反對死刑：歷史與教理的初步探索

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## 摘要

聯合國近半個世紀正在推動的國際廢除死刑運動，可說是以基督教文明為基礎發展起來的。在人類歷史上，過去也曾經有過一波伴隨著佛教信仰的傳播，而產生的國際廢除死刑運動。日本、中國、西藏及印度，都曾受佛教影響而廢止死刑。本文擬以歷史回溯的方式，陳述這一運動的發生過程，並根據佛教的傳記及戒律、教義發展史，重現在佛教信仰中廢除死刑的實踐及理論的發展。佛教雖然發生於一個有死刑的社會，但佛教從一開始就否定死刑，並且救贖死刑犯、拒絕執行死刑，並從戒律學上以死刑為非法，貶低法官及行刑者。大乘佛教興起以後，要求菩薩必須救贖死刑犯，若菩薩擔任國王則須廢止死刑，觀世音菩薩成為佛教信仰傳統中，救贖死刑犯的典型人物。佛教廢除死刑的思想雖以源自印度傳統婆羅門教的輪迴、業報及追求解脫的觀念為基礎，但是佛陀的人格及其教團堅拒死刑的實踐，應是推動這一波國際廢止死刑運動的最終根源。

**關鍵字：**廢除死刑、不殺生戒、菩薩戒、轉輪聖王。