Death Penalty in Russia

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The Death Penalty in Russian Law and Public Debate

In modern Russia, the issue of the application or abolition of the death penalty is one of the most discussed and topical. Its significance is largely due to the fact that public consciousness also evaluates this type of punishment. And now, especially after the terrorist attacks in Egypt and Russia, the voices about the return of the institution of the death penalty for terrorists are heard more often.

In general, this supreme measure of punishment is present in the legislation of 68 countries, including Japan, India, China, Saudi Arabia, and the United States. This was stated by Oleg Glazunov, associate professor of the Department of Political Science and Sociology of the Russian Academy of Economics, G.V. Plekhanov, commenting to the IA REGNUM correspondent on the proposal of the head of the TFR to introduce the death penalty in Russia.

“In general, the question of the death penalty was relevant to one degree or another throughout the entire existence of the Russian state. In the “Russian Truth,” a collection of legal norms of the Old Slavic state, there was no death penalty. It was a substitute for a system of money penalties more familiar to Russian legislation. “And if you put out your hand, and if your hand falls or you dry up, or your foot or your eye or your nose dies, then half a hryvnia is 20 UAH, and then 10 UAH for that” (Article 27 of the Prostrana Truth). Simply put, in pre-Christian Russia, the death penalty was practically not used since this measure was unusual for the worldview of the Russian people, as well as the cruel attitude towards the criminal in general. For the first time, the norms of the use of the death penalty were prescribed in 1398 in the Dvinskaya Charter.

Historical Changes in the Use of Capital Punishment

Subsequently, with the various Russian rulers, the use of the death penalty was completely abolished and then restored again. Russian historians testify that somewhere from the middle of the fifteenth century, since the reign of Elizabeth Petrovna, there has been a desire to reduce the use of the death penalty. Practically, the first half of the XIX century was bloodless, except for the execution of five Decembrists. But since the birth of the revolutionary movement and the growth of terrorist activity, the tsarist government has toughened the application of capital punishment.

In the twentieth century, the Soviet government periodically used it and then abolished the death

penalty, as it did after World War II, but several years later, it was restored. After the end of the Cold War, Russia, seeking to join the Council of Europe, ratified Protocol No. 6 to the Convention on the Protection of Human Rights and Fundamental Freedoms, which provided for a moratorium on the use of the death penalty (Amnesty International, 2025). The last time the highest penalty in Russia was used was in August 1996 against the maniac Sergei Golovkin, who brutally killed 11 boys.

Thus, it is easy to see that the problem of the application or abolition of the death penalty was an integral part of the development of the Russian state. Today, it is rather difficult to give an unambiguous answer to this question, which is why the topic of canceling the moratorium has been discussed in society for almost 15 years.

Arguments Supporting Retribution and the Death Penalty

Let us consider the validity of the application of capital punishment and begin with an analysis of the arguments put forward “for” and “against.” First, the arguments are “for”. First, a sense of justice requires that the offender, who has deprived another person of life, be punished for this. Since the institution of the death penalty historically arose from the ancient principle of blood feud, “an eye for an eye – a tooth for a tooth,” only by destroying a villain did the victim’s relatives consider the incident exhausted.

Secondly, the death penalty is an effective enough method to prevent serious crimes; therefore, intentional murders should be punished by depriving the offender of life in order to deter other potential villains from such acts. At the same time, according to scientific research, the use of capital punishment has a high preventive indicator – the fear of a criminal before death sometimes causes him to refuse wrongful acts (National Research Council, 2012).

The followers of this argument believe that even if the death penalty does not stop other criminals, it will still benefit society – one less brutal killer. The death penalty is undoubtedly a deterrent mechanism against the growth of serious crimes. From this point of view, it can be regarded as an instrument for the protection of society.

Deterrence, Error, and Arguments Against Capital Punishment

On the other hand, as shown by numerous scientific studies of this issue, the criminal, committing a serious act, expects that he will be able to avoid the highest measure, and therefore, at the time of committing a crime, he does not think whether he will be condemned to life imprisonment or to death. In addition, the murderers, who know that the death penalty is waiting for their numerous

crimes, often continue to commit new crimes since they have nothing to lose. Therefore, the death penalty does not really matter to the terrorist since he is already ready to sacrifice his life.

The opponents of the death penalty also have a number of convincing facts in their arsenal. First, in their opinion, the life of any person is sacred, no matter who he is – a cruel criminal or a good citizen. The death penalty is a barbaric and immoral act.

Another argument against the death penalty is as follows. No state has yet created an ideal legal system that works without errors. This means that, at times, society executes an innocent person. This alone is enough to abolish the death penalty.

Orthodox Christianity and the Moral Debate Over Execution

Admittedly, the Christian church in Russia does not take an unequivocal position on the institution of the death penalty. As the review of Orthodox literature in the nineteenth and twentieth centuries shows, there were many religious thinkers who favored and opposed the death penalty. Besides, in the book of Numbers of the Old Testament, it is directly written: “If someone hits someone with an iron weapon so that he dies, then he is a murderer: the murderer must be put to death; and if anyone strikes someone from his hand with a stone from which he can die, so that he dies, he is a murderer: the murderer must be put to death; or if by a wooden implement, from which one can die, be struck out of his hand so that he dies, he is a murderer: the murderer must be put to death. ” As we see, in religious culture, the attitude towards capital punishment is not unique.

These are the main arguments for and against the institution of the death penalty in Russian society. As we see, the problem is quite complicated. Even sociological surveys among Russians do not give a clear answer to this issue.

So, according to the “Levada Center,” about 45-50% of Russians favor the introduction of the death penalty. The Public Opinion Foundation states that the number of citizens of the Russian Federation who are advocating the return of capital punishment has increased to 60% lately. At the same time, the number of those who oppose the imposition of the death penalty also increased compared to the previous indicators to 22%.

Political Efforts to End the Russian Moratorium

The question of canceling the moratorium is often discussed at State Duma meetings. So, deputies from the LDPR faction introduced an initiative to return capital punishment. In their opinion, it is quite possible to abolish the ban on the death penalty, as European countries are pursuing a hostile policy towards Russia. Along with them, the leader of “Fair Russia,” Sergei Mironov, also proposed to return

the highest penalty for certain types of grave and especially grave crimes.

But, despite public opinion, the legislative and executive authorities of the Russian Federation consider that the abolition of the moratorium on the death penalty is unacceptable both for moral and legal reasons. While Russia seeks to establish contact with Europe, the moratorium will be respected. Meanwhile, no changes have occurred in the Criminal Code of the Russian Federation; there are still articles for violation of which capital punishment is provided. And this means that legally the death penalty continues to exist, “Glazunov expressed his opinion.

“I think that the death penalty should be introduced in part, only for certain types of grave and especially grave crimes. It is hardly possible to consider a judgment fair when a maniac or a terrorist has killed several dozen human lives quietly, albeit in complete isolation from society, but on the full provision of the state. At the same time, about half of the citizens of Russia also believe that the death penalty must be returned for the following crimes: murder, terrorism, and the spread of drugs. Only the highest measure is a worthy punishment for such crimes, “the expert concluded.

References

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