

HI/RN 295—Religion and the Law

Capital Punishment and Religion

Your final assignment has 4 stages:

- 1) Find at time to attend the Tsarnaev trial in person. Read these two short articles by Anthony Santoro first (or if not, after).
<http://marginalia.lareviewofbooks.org/if-not-him-then-whom-boston-marathon-bomber-dzhokhar-tsarnaev-and-the-death-penalty/>
<http://religiondispatches.org/the-religious-freedom-issue-that-may-cost-the-accused-boston-bomber-his-life/>
- 2) Find a small number of highly relevant sources on the question of religion and the death penalty. This can be a book, a photocopy of a relevant chapter of a book, a scholarly article or two, or an example of an actual relevant decision (from a database or casebook). I encourage you to find newspaper articles and other journalist sources too, but that must be in addition to at least one of the other types of sources just mentioned. When you have decided on your sources, email them (or the citation) to me as I will be compiling our bibliography. Your sources are due no later than noon on April 8.
Clue: The notes in Anthony Santoro's 2013 book on contemporary religious debates and the death penalty called *Exile and Embrace* may be a good place to start.
- 3) April 9 we will meet to discuss the Tsarnaev trial, the question of religion and the death penalty, and your sources. Each student should be prepared to speak for a few minutes about their experience attending the trial and the source or sources they selected.

4) Write a 3-4 page paper based on the sources in our collective bibliography and your personal experience attending the trial. You can take any approach to this that you like, as long as it deals with some aspect of the question of religion and the death penalty. How you choose for your own experience at the trial to inform this paper is up to you. You may bring yourself into the essay (while not of course leaving out the scholarly arguments) and address directly whether or not your experience changed your perspective on this issue, you may write about a technical or legal issue of relevance you observed at the trial, or you may leave yourself out of it completely and at some point in your paper address how the question of religion is playing a role in the Tsarnaev trial and the question of whether he will face execution.

Different angles for this paper include (but are not limited to),

- jury selection
- the relevance of the religious make-up of the population of the given state or locality (in other words, regional variation in religion and political/cultural attitudes about the death penalty)
- the relevance of the nature of the crime
- correlation between religious beliefs and opposition/support for the death penalty
- religious activist groups and the death penalty
- variation between different religions and religious constituencies and opposition/support for the death penalty
- ethical and practical questions about execution
- legal questions about state versus federal jurisdiction (if it ties into religion)
- the relationship between race, religion, and sentencing

The assignment is due no later than April 28 (though I encourage you to complete it before then).