

Two responses to my death penalty/LWOP article

By [Steve Thorngate](#)

September 2, 2015

My [recent cover story on death penalty abolition and life without parole](#) has produced some interesting responses. [From a letter](#) by David Dax:

I saw no reference to the crimes that had resulted in LWOP. People don't receive LWOP for petty crimes. No prison sentence is meant to make inmates feel good about their lives, so asking for their opinion on LWOP is beside the point. A fair discussion of the subject would require that one include all pertinent issues and talk with all the concerned parties....

There has to be a reasonable alternative that does not mitigate the consequences of the crime. I saw nothing in the article that suggested such an alternative.... If rehabilitation is an objective, someone subject to LWOP can begin the rest of his or her life behind bars doing something worthwhile among fellow inmates....

The Century should make sure that its commentaries are thorough and complete. With subjects as sensitive as this, it is incumbent upon a serious publication to do it right.

I obviously disagree with a lot of this. [People do receive LWOP sentences for nonviolent, comparatively minor offenses](#), though this wasn't the focus of my article. I'm aware that lifers can choose to spend their time in worthwhile ways, but rehabilitation means more than that—and from a genuine hope for rehabilitation follows the possibility (not the guarantee!) of parole. And a life sentence that doesn't rule out parole is hardly a slap on the wrist.

As for the fact that many prisoners prefer death row to LWOP, this is relevant not because prison is all about prisoner preferences but because so many death-penalty opponents push LWOP as a better alternative. This was my starting point: Is Pope Francis right that LWOP isn't much better than the death penalty? If so, how does this complicate death-penalty abolition work in the U.S.?

I realized once the completed piece was in production, however, that this is a tricky way to frame an article on a delicate subject. Each time my colleagues talked about “the LWOP article,” I got uncomfortable—it’s an article specifically about *the problem LWOP poses for anti-death-penalty work*. An article about LWOP generally would look very different. It would focus on the lowest-level offenders to receive the sentence (and on the children!). It would include comments from people working on sentencing reform, not just death-penalty abolitionists.

And yes: a comprehensive “LWOP article” would do more to consider the crimes themselves and their victims. But not doing this doesn’t mean we’re not “a serious publication.” It means I wasn’t trying to write a comprehensive LWOP article. I was trying to write a provocative article for a readership that includes many people who a) oppose the death penalty for faith-based reasons, and b) take for granted that replacing it with LWOP is a fairly straightforward good. But I should have done more to anticipate how others might see a one-sided article where I saw a narrowly focused one.

That said, other readers of course understood exactly what I was up to and rejected it anyway. [Al Mohler discussed the article on his podcast](#) last week. [I’ve noted before](#) the Southern Baptist leader’s neat trick of using the concept of human dignity to argue *for* the death penalty: secular culture’s failure to take dignity seriously leads it to under-punish murder.

Here, Mohler attributes the notion that “justice must be applied to the degree that the crime requires” to a “Christian worldview,” because of the *imago Dei*—an eye for an eye because God made and blessed the eye, I guess. Then he pivots to majoritarianism to endorse the finality of LWOP: “the vast majority of Americans would say that is precisely the point: [some criminals] should never be allowed to rejoin society.”

But if “life without parole” simply meant that some criminals should never *end up* being paroled—if it were an after-the-fact description—then I wouldn’t take issue with it. Instead the term is a rather confusing shorthand for “life without *the possibility* of parole.” That is: society decides in advance which people are beyond hope; it gives up on some criminals’ rehabilitation before it even tries ([if](#) it even tries). That’s the crux of the issue: the belief, apparently widespread among American Christians, that some people are so horrible to the bone that God’s grace either can’t or shouldn’t restore them, and the hubris that we know which ones.