



By: *Catriona M. Munro, TA Editor in Chief*

# The death penalty - is there a majority that would support it?



There has been a major debate this week about the first prisoner on "Death Row" in the US to be subject to **capital punishment** in the state of Alabama using a hitherto unique - that is, untested - murder method which involved the use of fatal poisoning by the use of nitrogen gas.

Kenneth Eugene Smith, a convicted hitman, had already undergone a failed attempt on his life by the state having waited in a cell for some years for the chamber, but inexplicably, on that occasion the drugs did not work.

This has triggered an widespread discussion about the humane or otherwise uses of the death penalty.

There are many difficult subjects under debate at the moment and capital punishment is a difficult one. Humanitarian protests accompanied the execution, and there were reports that the prisoner had a difficult and tortuous death.

## Is a state morally justified to take an individual's life?

There are not so many countries that make use of the death penalty: certain US states, China, India, Singapore, Indonesia, Pakistan, Nigeria, Bangladesh, Egypt, Saudi Arabia, Iran, Japan and Taiwan. That encompasses 60% of the global population.

Nobody worries about it in Europe; you are unlikely to be extradited to a state which carries out capital punishment, and even Putin has stopped using it. Which may or may not be lip service. Luckily for him there is plenty of taiga, tundra and a massive ice sheet called Siberia to keep unwelcome parties at bay.

As Europeans, we are most likely to avoid any strapping to the gurney given that extradition is lengthy and complex and you are more likely to wither in a European prison than in an American jail.

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The question for us is philosophical: on what grounds is a state morally justified to take an individual's life, regardless of the seriousness of their crime? It could be viewed as a deterrent or a simple legal question of merited punishment.

The most serious crime here is murder. Arson in a naval dockyard and high treason can technically still be used as they still lurk on the statute books, but it is unlikely.

The death penalty - death by hanging - was abolished in the UK because of increasing unease about a judge donning a black cap and black gloves, wishing God's has mercy on your soul.

Then - not so widely known - breaks the nib of the pen they used to sign the death warrant so no need to contaminate a senior member of the judiciary with a sullied biro.

## Is it possible that there would be a majority that supported it?

The UK suspended the death penalty in the late 1950s largely in a national revolt against a run of questionable verdicts, including a young man whose conviction was definitely shaky, and Ruth Ellis, whose conviction for murdering (shooting) her lover would almost definitely be reduced to manslaughter now.

She would probably have served a minor sentence. have escaped years of torment and violence at the hands of a brutal man.

It is cases like this that swayed the liberal establishment to abolish the death penalty in the UK (although it took them 10 years to ban it completely).

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There is a lot of street and knife crime at the moment and unprovoked attacks - some of them fatal - often apparently inflicted on total strangers. It's understandable that people can be so sickened - particularly when children are victims - that people call for the death penalty.

In fact, there are no polls to sound out the populace on this issue, but it is quite possible that there would be a majority that supported it.

It's just one of those matters like fox hunting and abortion that will really probably never be allowed to reach a public vote, regardless of the egregious crimes that take place regularly and the power of the - often intense - emotional reaction from the public.

However much you'd sometimes like to go and bawl along with the crowd at a public execution, it is most improbable that you will get the opportunity. And given that these spectacles included disembowelment and burning at the stake, it's probably just as well.