same year Iran executed 177 people, Pakistan 82 and Iraq and Sudan each at least 65. There were 53 executions in 12 states in the USA.

Moral objection to capital punishment rests on the seemingly incontrovertible proposition that the death penalty violates the basic and universal right to life, and, in the words of Amnesty International, is ‘the ultimate cruel, inhuman and degrading punishment’. But is an offender’s right to life forfeited when they unlawfully take a life themselves, and hence is capital punishment justified? Some moral arguments suggest that it is. One major argument is that the death penalty served on convicted murderers functions as a deterrent against potential acts of murder. This argument is concerned with utilitarian, or consequentialist, justice: in other words, the example made of the few will serve the greater good by deterring potential offenders who might be inclined to commit murder. There are, however, a number of arguments that severely weaken the deterrence argument:

■ To serve as a real deterrent, the threat of punishment must be real. In some countries that retain the death penalty, however, the odds of a convicted murderer serving life imprisonment instead of losing their life are strongly in the offender’s favour.

■ The principle of deterrence works on the assumption that the potential for committing murder involves a means–end calculation, with potential offenders rationally weighing the odds of escaping detection against the possibility of being caught and a death sentence imposed. The offender makes a ‘risk assessment’, if you like: the greater the penalty, the greater the risk, the stronger the potential deterrent – in theory. However, O’Byrne (2003: 218) points out that most killings are crimes of passion. Others are committed when the

BOX 21.3 Capital punishment: abolitionist and retentionist countries

Two-thirds of the countries in the world have now abolished the death penalty in law or practice.

Information compiled by Amnesty International shows that:

■ 90 countries and territories have abolished the death penalty for all crimes;

■ 11 countries have abolished the death penalty for all but exceptional crimes such as wartime crimes;

■ 29 countries can be considered abolitionist in practice: they retain the death penalty in law but have not carried out any executions for the past ten years or more and are believed to have a policy or established practice of not carrying out executions;

■ a total of 130 countries have abolished the death penalty in law or practice.

■ 67 other countries and territories retain and use the death penalty, but the number of countries which actually execute prisoners in any one year is much smaller.<BBL/>

Source: Amnesty International, 2007

http://web.amnesty.org/pages/deathpenalty-facts-eng