

sonable to suppose that anticipation of death would not be productive of more than two penal units, or double the amount of suffering. Much more than this could hardly be tolerated; yet we know that whatever suffering there is, is tolerated. Let me, however, place the case in the most unfavourable possible light for my own theory. Let me make the impossibly extravagant assumption that the criminal awaiting execution undergoes ten units of suffering per diem. Then if he has three weeks to wait, his total punishment is equal to 10×21 , or 210 penal units. Suppose we allow for the minute of actual execution another ten units, the sum total of suffering is 220 units. This is equivalent to 220 days' penal servitude. So that, on the most favourable possible hypothesis the actual amount of suffering inflicted by capital punishment is less than that undergone in eight months of penal servitude!

That the conclusion here established will be accepted by sentimentalists at large I do not for a moment imagine. Sentiment can only be shaken by sentiment; it is not touched by logical analysis: the two terms are incommensurable. Arguing with sentimentalists is like writing on water; and I shall here content myself with protesting against their claim to monopolize humanitarianism. I defend capital punishment on the express ground of humanity. I affirm that those who wish to abolish it, in favour of penal servitude, are enemies to humanity, and that their success would cause a large increase of suffering to the very persons on whom they lavish their pity. In Italy the death penalty has been replaced by *carcere duro*, which is characterized by Lacassagne as "*une peine atroce*." The fundamental virtue in sentiment is its driving energy; its fundamental vice is that it excludes intellectual analysis, and is liable, with the highest and most sincere professions, to bring about evils that a calmer mind would have easily foreseen.

If capital punishment is in reality so humane, it must now be shewn why soft-hearted people protest so energetically against it. A false theory is more effectually demolished when the psychological grounds for its tenure have been exposed. The exist-