

ought to find no place in modern civilization, and that no crime, however foul, can justify it. The support of it is no less purely one of sentiment, than the opposition to it is one of sentiment. In some minds compassion for the criminal is uppermost, while in other minds compassion for the victim and resentment against the criminal is uppermost. I shall now proceed to dismiss both sentiments from consideration, and to submit the humanitarian allegations to a dispassionate analysis. At the risk of being repellent, I shall seek to ensure dispassionateness by the employment of arithmetical symbols. These symbols must not be taken as accurate representations of the facts, but they serve to fix in our minds the leading points, which otherwise might evade us, with an accuracy as amply sufficient as the occasion calls for.

I have pointed out that the canon of Deterrence requires that the infliction of suffering should be a necessary part of all punishment. We may therefore compare two punishments by estimating the quantity of suffering inflicted by each. The alternative to capital punishment is penal servitude for life, or at all events for a very long period of years. We may therefore confine our comparison to these two punishments. Let us call the average daily quantity of suffering experienced by a convict in penal servitude one unit of suffering, or one penal unit; so that in the course of a year, a convict undergoes 365 penal units. Now let us analyze the state of mind of the man condemned to death. The punishment may be considered in two parts—first, the suffering experienced during the actual moment of execution; second, the sensations of terror and gloomy foreboding which presumably fill the period between the passing of the sentence and its consummation. Dealing first with the first part, it is agreed on all hands that death is practically painless, and, in addition, that the whole proceedings are exceedingly swift. From the moment that the executioner enters the condemned man's cell to the moment of death is stated to be not more than sixty seconds. The executioner, after binding the criminal, performs his work on the scaffold with lightning rapidity. The criminal himself appears often to be so dazed