

The Death Penalty Rhetoric in Bangladesh



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Death Penalty Regime in Bangladesh: An Overview

- The death penalty is taken for granted as a legitimate form of punishment and the issues around the death penalty attract little public debate or discussion.
- 33 death penalty offences under ordinary laws
- Out of these 33, 23 were introduced after independence (14 of them after 2000)
- Out of these 33, 25 are non-fatal offences

Death Penalty Regime in Bangladesh: An Overview

- Absence of sentencing guideline
- Sentencing disparity and arbitrariness
- Death penalties are mainly applied against the poor and most marginalized sections of the society
- Lack of procedural safeguards
- Poor representation
- prolonged death row incarceration

Penal Populism and the Death Penalty

- No sound criminological or penological justification for gradual overreliance on the death penalty.
- Introduction of new and newer death penalty clauses are rather an outcome of frustration from growing failure of criminal justice system.
- A failing criminal justice system is bound to generate frustration. In such a scenario, the frustrated people will demand more and more death penalties. Here is the real test for the penal policymakers. They can either work for strengthening the criminal justice system or choose the way of penal populism.

Penal Populism and the Death Penalty

- Empirical evidence clearly suggests that the death penalty in Bangladesh suffers from a crisis of legitimacy.
- Justice demands abolition of, or at least a moratorium on, the death penalty.
- More and more empirical studies are needed to challenge the trend of penal populism
- There are many long overdue questions; They need to be asked and explored. Sweeping them under the carpet is not a solution.
- After all, the death penalty is a form of punishment, it should not remain as a taboo subject.