

**SOCIO - ECONOMIC STATUS AND ATTITUDES TOWARDS CAPITAL PUNISHMENT
IN NIGERIA: A CASE STUDY OF ADO-EKITI.**

ABSTRACT

This study is aimed at examining socio-economic status and attitudes towards capital punishment in Nigeria. It reviews the works of various scholars on the attitudes towards capital punishment globally. Capital punishment is justified in Nigeria because provisions are made for it in the constitution. Different perspectives are examined in relation to the capital punishment for the justification and opposed views. Theories such as functionalist, conflict and symbolic interactionism are examined in relation to capital punishment. The information collated will be presented and analyzed and the hypothesis will be equally tested to ascertain socio-economic status and attitude towards capital punishment in Nigeria.

TABLE OF CASE

NIGERIA

Bello & Others Vs. Attorney General of Oyo State (1986) 5, NWLR (pt 39-46)pg 828 at 891

LIST OF ABBREVIATIONS

- AC: Appeal Cases
- AD: Anno Domini
- AG: Attorney General
- BC: Before Christ
- Cap: Chapter
- NWLR: Nigerian Weekly Law Report
- UN: United Nations
- USA: United States of America

TABLE OF CONTENTS

Title Page	i
Certification	ii
Dedication.....	iii
Acknowledgement	iv
Abstract	vi
Table of Case	vii
List of Tables	xi

CHAPTER ONE: INTRODUCTION

1.1 Background to the Study	1
1.2 Statement of the Problem	2
1.3 Research Questions.....	2-3
1.4 Objectives of the Study	3
1.5 Research Hypothesis	3-4
1.6 Significance of the Study	4-5
1.7 Scope and Limitation of the Study	5
1.8 organization of the Study	5
1.9 Definition	6

CHAPTER TWO: LITERATURE REVIEW

2.1 Review of Related Literature.....	7
2.2 Theoretical Framework	33-34

CHAPTER THREE: RESEARCH METHODOLOGY

3.1 Introduction	35
3.2 Research Design	55
3.3 Population of the Study.....	36
3.4 Target population	36
3.5 The Sampling Technique	36
3.6 Determination of Sample Size36-37
3.7 Research Instruments	37-38
3.8 Validity and Reliability of Research Instruments	38-39
3.9 Methods of Data Collection	39
3.10 Data Analysis Techniques	40

CHAPTER FOUR: DATA PRESENTATION, ANALYSIS AND INTERPRETATION

4.0 Introduction	41
4.1 Data presentation and Analysis.....	41
4.1.1 Analysis of Respondent’s Socio-Demographic Characteristics	42-44
4.1.2 Analysis on the Respondents Opinion on Capital Punishment.	46-47
4.1.3 Analysis on the Attitudes of People towards Death penalty.	47
4.1.4 Analysis on Income, Level, Education and Attitudes towards Death Penalty.	50-51
4.1.5 Analysis on Alternatives of Capital Punishment	52
4.2 Hypothesis Test	56
4.2.1 Chi-Square	57
4.3 Discussion of Findings	58

**CHAPTER FIVE: SUMMARY, CONCLUSION, RECOMMENDATIONS,
CONTRIBUTION TO KNOWLEDGE AND SUGGESTIONS FOR
FURTHER STUDIES**

5.1 Summary	59
5.2 Conclusion	59-61
5.3 Recommendations.....	61
5.4 Contribution to Knowledge	64
5.5 Suggestions for Further Studies	64

BIBLIOGRAPHY 65-66

APPENDIX 67-71

LIST OF TABLES

Table of Analysis of Respondent’s Socio-Demographic Characteristics	42-44
Table of Analysis on the opinion of capital punishment.	46
Table of Analysis on attitudes of people towards death penalty	48
Table of Analysis on income, level, education and attitudes towards death penalty	50
Table of Analysis on what capital punishment is	52
Table of Analysis on controversial responses to sentences with capital punishment	52
Table of Analysis on perception of death penalty	54
Table of Analysis on the type of crime that requires capital punishment.....	54
Table of Analysis on reasons whether all convicts serve the capital punishment.....	55
Hypothesis Test	56
Chi-square	57-58

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

The legal infliction of capital punishment as a penalty for violating criminal law has been in existence from time immemorial. People have been put to death for various forms of wrong doings. It serves as a last resort when socialization and informal sanctions do not seem to bring about desired behavior. Capital punishment refers to the use of death penalty as punishment for certain crimes. Nigeria has been a pluralistic society with diversity of language such as language, creed, economy and other, political and other cultural world views. Consequently, there have been high levels of criminal tendencies which have posed serious challenges in Nigerian society. In Nigeria there is legislation on what constitutes capital offence and capital punishment. Prominent among capital offences include drug peddling, felony, treason, terrorism, murder and armed robbery. Globally capital punishment is implemented as long as there are laws in place crime will exist. Divergent attitudes such as opponents of death penalty argue that it's a violation of human right while the supporters of death penalty are of the view that that the deterrent effect of the imposition of the death penalty reduces crime rate. Many countries have abolished capital punishment whereas some others have retained it such as Nigeria. The year of last known execution in Nigeria was in 2013 when four prisoners who were on death row were executed. However not all death punishments are actualized since the head of state has the jurisdiction according to the constitution to vent his power of prerogative mercy to those who are on death row. Nigeria operates under a federal system and where there are some federal laws which apply in southern states with the exception of Lagos state, most criminal offences fall under state jurisdiction. Criminal law varies from state to state in Nigeria. Twelve northern states have incorporated Sharia law into their penal laws. This study delves into the impact of socio-economic status on capital punishment and the attitudes of people towards it.

1.2 Statement of the Problem

Previous works just to mention a few such as the implications of the death penalty, justifications for and the abolition of capital punishment under human rights, critical analysis of abolition of death penalty in international law: an analysis of death penalty under the united states and Nigerian Laws, Implications of capital punishment in the Nigerian society, the quality of justice is strained: the death penalty in Nigeria.

Conversely no one as attempted the research on socio-economic status and attitude towards capital punishment in Nigeria. Consequently, this has left a void in scholarship that this study attempts to fill.

The research question arising from the above the study is the socio-economic effect in determining the execution of capital punishment in Nigeria?

1.3 Research Questions

This study is an effort at understanding the effect of socio-economic status and attitude towards capital punishment in the Nigerian context. Therefore, the study is hinged on the following questions;

- 1) What is the impact of socio-economic status on capital punishment?
- 2) What are the attitudes of people towards death penalty?
- 3) Do people's income and level of education determine their attitudes towards death penalty?
- 4) What are the other alternatives of capital punishment aside death penalty?

1.4 Objectives of the Study

The general objectives of the study are to evaluate the impact and relationship of socio-economic status and attitudes towards capital punishment in Nigeria using Ado-Ekiti as a case study.

However the specific objectives are to:

- 1) assess the impact of socio-economic status on death penalty;
- 2) determine the attitudes of people towards death penalty;
- 3) examine the effects of personal income and level of education on attitudes towards death penalty; and
- 4) evaluate the various forms of capital punishment.

1.5 Research Hypothesis

A hypothesis is an idea or explanation for something that is based on facts but which has not yet been proved. The more explicit and focused a research is, the easier it is to develop a hypothesis from it. A hypothesis formulates a relation which then will be tested empirically. To improve focused study the following hypothesis is meant to be tested.

The hypothesis on which this research study is based and stated in null form as follows:

H0: Socio-economic status and attitude is not a determinant for death penalty.

H1: Socio-economic status and attitude are contributing factors towards death penalty.

1.6 Significance of the Study

This study will bring to the fore and enlighten the judicial arm of government involved in passing judgment and condemnation in contrast to justice as the rule of law, criminal act and

constitution. The importance of this study cannot be measured as it cuts across different worlds; the academic, court, politics and the religious institutions at large.

It would function as a critique for one of the most prominent topics on death penalty in the law. Hence creating a platform for discussion and understanding of socio-economic status and attitude's relevance towards the execution of capital punishment in Nigeria. It would hopefully help to eradicate inequality, discrimination and disparity segregation caused by stratification among members of the society. It will help also help to foster justice in the execution of capital punishment in Nigeria and improve the exhibition or manifestation of factors that enhance justice.

The selected study serves as an exposure, awareness and criticism on the meaning and understanding of socio-economic status an attitude towards capital punishment in Nigeria. It enlightens the understanding of the public educating them on justice and its usefulness to socio-economic status and attitudes towards capital punishment in Nigeria.

It also serves as leverage for future research on socio-economic status and attitude towards capital punishment in Nigeria.

1.7 Scope and Limitations of the Study

The topic covers both the socio-economic status and attitudes towards capital punishment in Nigeria. This study is confined to Ado-Ekiti.

Much more however is the difficulty encountered in accessing the data. This limitation was however bridged through the implementation of questionnaires to elicit responses, most of whom the respondents proved to be adequately knowledgeable to the study.

The research was beset by difficulties which impeded enhanced results. The most cogent of these problems was that the means to purchase the available written documents on the subjects were insufficient because of the expensive nature of the available materials and the modest economic power of the researcher.

1.8 Organization of the Study

This study is delineated into five chapters. The first chapter is the introductory section which incorporates the background of the study, hypothesis, research questions as well as the scope of the study and limitations to it. Entailed in the next chapter is the clarification of concepts, theoretical frame work while the chapter three is concerned with the methodology adopted for achieving the set objectives of the study. Chapter four is devoted to data for conclusion, recommendations and suggestion for further studies.

1.9 Definition of Terms

Socio-Economic Status (SES): is an economic and sociological combined total measure of a person's work experiences and of an individual's or family's economic and social position in relation to others based on income, education and occupation.

Attitude: means the perception of something, the way one thinks and feel about someone or something that affects a person's behavior.

Capital Punishment: is the state sanctioned termination of a criminal's life, usually for a grave offence.

CHAPTER TWO

REVIEW OF RELATED LITERATURE

2.1 Introduction

In this chapter, attempt is made to thoroughly examine the works of various scholars on the attitudes towards capital punishment globally and to narrow it down to Nigeria and some other related terms and concepts. There are lots of sources, materials, books and write ups on capital punishment. This review is aimed at analyzing what has been done by other scholars and to know what has been left undone so as to contribute my own findings through recommendations to this area of study. Some of which are the justification of punishment, types of punishment and methods of execution, pros and cons of death penalty made reference to other countries in relation to the concept but there is a gap in the study socio-economic status influence on capital punishment in Nigeria. Articles on gotten from the internet are more detailed on attitudes towards capital punishment, racial biases in the western states than the socio-economic background impact on capital punishment.

To what extent has this grave sanction contributed to the reduction of crime rate or its escalation? There also are disputes about whether capital punishment can be administered in a manner consistent with justice. Many scholars and public have opined that deterrence by the sanction of death has done more harm than good. Proponents of this position such as the abolitionists based on their ethical background, religious views due to their religious doctrine that death should be solely left to the creator (God) because its crime against humanity. While the retentionist voiced comments includes the total elimination of the capital offenders in order to prohibit continuity of such capital crimes. Capital punishment is a matter of active controversy and debate ranging

from racial ethnic and social class bias, human rights, retribution, deterrence, wrongful execution and international views in various countries and states, and positions can vary within a single political ideology or cultural region. Across countries of the globe, there have been ongoing discussions of whether capital punishment should be retained or abolished. What is however worthy to point out is the impact of socio-economic status in Nigeria? However the influence of socio-economic status has not been looked into whether it has influence on who get to be executed with capital punishment in Nigeria. In this case, quite numbers of scholars have established distinctions between the whites and blacks in Western countries that more blacks are sentenced to capital punishment than Whites based on racial differences.

Since World War II there has been a trend towards abolishing capital punishment and stringent limitations in its executions after signing and ratifying the Universal Declaration of Human Rights and subsequent human rights treaties. Thirty-six countries actively practice capital punishment, one hundred and three countries have completely abolished it for all crimes, six have abolished it for ordinary crimes while maintaining it for special circumstances such as war crimes, and fifty have abolished it, that is not used it for at least ten years and/or are under moratorium.

The European Union and the Council of Europe, which has forty seven member states, prohibits the use of the death penalty by its members. In the European Union, Article 2 of the Charter of Fundamental Rights of the European Union also prohibits the use of capital punishment. The last execution on the present day territory of the Council of Europe took place in 1997 in Ukraine. On the other hand, rapid industrialization in Asia has been increasing the number of developed retentionist countries. In these countries, the death penalty enjoys strong public support, and the matter receives little attention from the government or the media. In China there is a growing

movement to abolish the death penalty. This trend has been followed by some African and Middle Eastern countries where support for the death penalty is high.

Some countries have resumed practicing the death penalty after having suspended executions for long periods. Such as the United States suspended executions in 1972 but resumed them in 1976 whereas India suspended it in 1995 and resumed 2004 and Sri Lanka declared an end to its moratorium on the death penalty on 20 November, 2004. Though it has not yet performed any executions. The Philippines re-introduced the death penalty in 1993 after abolishing it in 1987, but abolished it again in 2006.

The United Nations General Assembly has adopted in the following years 2007, 2008, 2010, 2012 and 2014 non-binding resolutions calling for a global moratorium on executions with a view to final abolition. Although most nations have abolished capital punishment, over sixty percent of the world's population live in countries where executions take place, including the world's four most populous: China, India, the United States, and Indonesia.

In most countries that practice capital punishment it is reserved for murder, espionage, treason, or as part of military justice. In some countries sexual crimes, such as rape, adultery, incest and sodomy, carry the death penalty, as do religious crimes such as apostasy in Islamic nations (the formal renunciation of the state religion). In many countries that use the death penalty, drug trafficking is also a capital offense. In China, human trafficking and serious cases of corruption are punished by the death penalty. In militaries around the world courts-martial have imposed death sentences for offenses such as cowardice, desertion, insubordination, and mutiny.

2.1.1 Global History of Capital Punishment

Capital punishment has been used in almost every part of the globe, but in the last few decades many countries have abolished it. In early Greece and Rome the most common state administered capital punishment was banishment or exile. The first established death penalty laws date as far back as the Eighteenth Century B.C. in the Code of King Hammurabi of Babylon, which codified the death penalty for 25 different crimes. The death penalty was also part of the Fourteenth Century B.C.'s Hittite Code, the Seventh Century B.C.'s Draconian Code of Athens, which made death the only punishment for all crimes, and the Fifth Century B.C.'s Roman Law of the Twelve Tablets. Death sentences were carried out by such means as crucifixion, drowning, beating to death, burning alive, and impalement. The prevalence of capital punishment in ancient times is difficult to ascertain precisely. In the Tenth Century A.D., hanging became the usual method of execution in Britain. In Medieval and early modern Europe, before the development of modern prison system, the death penalty was used as a generalized form of punishment.

The number of capital crimes in Britain continued to rise throughout the next two centuries. This led to reforms of Britain's death penalty. It also has been sanctioned at one time or another by most of the world's major religions. Followers of Judaism and Christianity, for example, have claimed to find justification for capital punishment in the biblical passage "Whosoever sheddeth man's blood, by man shall his blood be shed" (Genesis 9:6). Yet capital punishment has been prescribed for many crimes not involving loss of life, including adultery and blasphemy. The ancient legal principle *lex talionis* (talion) which means an eye for an eye, a tooth for a tooth, a life for a life appears in the Babylonian Code of Hammurabi was invoked in some societies to ensure that capital punishment was not disproportionately applied. Although death was

prescribed for crimes in many sacred religious documents and historically was practiced widely with the support of religious hierarchies, today there is no agreement among religious faiths, or among denominations or sects within them, on the morality of capital punishment. Death was formerly the penalty for a large number of offenses in England during the seventeenth and eighteenth centuries, but it was never applied as widely as the law provided.

Historically, executions were public events, attended by large crowds, and the mutilated bodies were often displayed until they rotted. Public executions were banned in England in 1868, though they continued to take place in parts of the United States until the 1930s. Since the mid-1990s public executions have taken place in some twenty countries, including Iran, Saudi Arabia, and Nigeria, though the practice has been condemned by the United Nations Human Rights Committee as “incompatible with human dignity.”

In many countries death sentences are not carried out immediately after they are imposed; there is often a long period of uncertainty for the convicted while their cases is appealed. Inmates awaiting execution live on what has been called “death row”. In the United States and Japan, some prisoners have been executed more than fifteen years after their convictions. United States and Japan are the only industrialized states that that continue to practice capital punishment.

The twentieth century recorded a higher rate of execution. Massive killings occurred at the resolution of war between nations; a large part of execution was summary execution of enemy combats. The modern military Organization (rulers) employed capital punishment as a means of maintaining military discipline. Generally executions are usually on the increase during military regimes. Throughout history, many nations have sanctioned the use of capital punishment.

The twenty first century has not erased capital punishment from the court it is still in practice. Although a few countries have abolished it, the majority of the countries that abolished it are developed and industrialized. Developing countries like Nigeria and other African countries still use death penalty as the most severe type of punishment.

2.1.2 Punishment

Black Law Dictionary defines it as any fine, penalty, or confinement inflicted upon a person by the authority of the law and the judgment and sentence of a court for some crime or offence committed by him or for his omission of a duty enjoined by law.

People who commit crimes may be punished in a variety of ways. Offenders may be subject to fines or other monetary assessments, the infliction of physical pain (corporal punishment), or confinement in jail or prison for a period of time (incarceration). In general, societies punish individuals to achieve revenge against wrongdoers and to prevent further crime both by the person punished and by others contemplating criminal behavior. Throughout history and in many different parts of the world, societies have devised a wide assortment of punishment methods.

2.1.3 Forms of Punishment

1. Compensation

Certain punishments require offenders to provide compensation for the damage caused by their crimes. There are three types of compensation they are: fine, restitution, and community service.

(a) Fine: originated from the Latin word *finem farcere* meaning to put an end to. It is a monetary penalty imposed on an offender and paid to the court. Most criminal statutes in Nigeria, United States and Canada contain provisions for the imposition of fines. However, fines have not been widely used as criminal punishment because most criminals do not have the money to pay them. Moreover fining criminals may actually encourage them to commit more crimes in order to pay the fines.

Under Nigerian Legal system, the Criminal Procedure Act section 382 (1) has allowed the court to exercise discretion in imposing fines in place of imprisonment, even in cases where such provision is not made. The court may order imprisonment where there is default of payment of fines in cases in which the law provides for punishment by imprisonment as well as fine.

(b) Restitution: refers to the practice of requiring offenders to financially compensate crime victims for the damage the offenders caused. This damage may include psychological, physical, or financial harm to the victim. In most cases, crime victims must initiate the process of obtaining restitution from the offender inform the court of financial losses or medical expenses.

Otherwise, the judge may fail to require restitution. Judges may impose restitution in conjunction with other forms of punishment, such as probation (supervised release to the community) or incarceration.

(c) Community service: entails offenders sentenced to perform services for the state or community rather than directly compensating the crime victim(s). Some of the money saved by the government as a result of community service work may be diverted to a fund to compensate crime victims. Courts may also sentence offenders to community service to pay a portion of the

administrative expenses of prosecution. Judges and parole authorities have discretion to determine the nature of the community service to be performed by the offender.

2. Incarceration

The most serious or recidivists offenders (repeated criminal behaviour) are imprisoned or incarcerated. Jails are locally operated facilities that house criminals sentenced to less than one year of incarceration. Jails typically house persons convicted of misdemeanors (less serious crimes), as well as individuals awaiting trial. Prisons are state or federally operated facilities that house individuals convicted of more serious crimes, known as felonies. Prisons deprive inmates of virtually all liberty and control over their lives.

3. Corporal Punishment

This means to inflict physical pain on wrongdoers. Tribal societies find these punishments particularly appealing, since they are immediate and direct, and often debilitating. Such societies often lack the facilities to confine offenders, and corporal punishment offers a more direct application of penalties for violating community rules. Governmental and religious authorities also used many forms of corporal punishment, often to torture persons into confessing to a crime or heresy. During the late 1700s many of these corporal punishments were discontinued in favour of more humane methods such as incarceration.

4. Banishment

In ancient times banishment or exile was a common form of punishment, and it often amounted to capital punishment because authorities would deny food and shelter within a certain distance to those banished.

5. Imprisonment

Imprisonment can be defined as a term of judicial sentence available for a convicted offender of adult age, involving incarceration in prison for either life or a period of time. It replaced the cruel and unusual death sentences of most crimes of the eighteenth century Europe. Imprisonment takes various forms depending on the type of crime committed and the outcome of the trial of the offender. The extreme form of imprisonment is life imprisonment without the possibility of parole. In most countries the length of imprisonment is determined by what the judge specifies following guidelines provided by the law.

6. Capital Punishment

The most extreme form of punishment is death. Capital punishment is sometimes used interchangeably with death penalty. It is a government sanctioned punishment whereby a person is put to death for a crime or a legal infliction of death as a penalty for violating criminal law. The act of carrying out the sentence is known as an execution. Crimes that can result to death penalty are known as capital crimes or capital offences. The term capital is derived from the Latin capitalis ("of the head", referring to execution by beheading).

Encyclopedia Britannica defined capital punishment as the execution of an offender sentenced to death after conviction by a court of law of a criminal offense.

Capital punishment is distinguished from extrajudicial executions carried out without due process of law. The imposition of the penalty does not always follow execution even when it is upheld on appeal because of the possibility of commutation to life imprisonment.

Capital punishment is a form of formal social control beyond the enforcement of norms but serves as last resort when socialization and informal sanctions do not seem to bring about desired behavior in the society. It is carried out by authorized agents such as the Nigerian police, judges, and military officers.

Recent surveys however have shown that Nigerians are highly against capital punishment but prefer life imprisonment with no parole. Nigeria has never suspended its use of Capital Punishment. No matter how sound the arguments for the abolition of capital punishment are, they amount to nothing as long as the Constitution of a state supports it.

2.1.4 Methods of Execution of Capital Punishment

Prior to the advent of civilization, the methods of executing capital punishment were primitive and utterly inhuman, they included, crucifixion, slow slicing, disembowelment, stoning, burning, decapitation, strangulation etc. The modern modes of executing capital punishment are hanging, firing squad, lethal injection, gas chamber and electrocution. In Nigeria majorly firing squad and hanging have been the mode of capital punishment.

In Nigeria from the year 1995 to 2005 fifty nine out of five hundred and seventy three prisoners on death row have been executed.

2.1.5 Public Executions

A public execution is a form of capital punishment in which members of the general public may voluntarily attend". The standard definition normally excludes the presence of a limited number of "passive citizens" that "witness the event to assure executive accountability. Executions were done in the public to serve as a warning to all. While today majority of the world considers public executions to be uncivilized and distasteful and most countries have outlawed the practice, throughout much of history executions were performed publicly as a means for the state to demonstrate its power before those who fell under its jurisdiction be they criminals, enemies, or political opponents. In Nigeria, the death sentence is supported by the government and it is expected to be secretly or openly executed by security agents.

2.1.6 Offences that Attract Capital Punishment in Nigeria

The Nigerian Law and Statutes including the Sharia Law prescribe the mandatory death penalty for a wide range of offences. The implication of this is that once the accused is found guilty of a capital offence, the judge's hands are tied and the option open to such a judge is to impose death sentence as a punishment on the offender.

Some of the offences which attract death penalty as punishment mainly include the following:

Offences of murder under the criminal code, homicide punishable with death under the penal code are treason, instigating invasion of Nigeria and the offence of armed robbery under Robbery and Firearms (Miscellaneous Provisions) Act 1984, among others. Also the northern penal code includes additional capital offences namely; giving false evidence in a trial which leads to the execution of an innocent person, abetting the suicide of a minor, a mentally abnormal or drunken person and in the case of a person already serving a life sentence, attempting to commit culpable homicide, sodomy, adultery (zira), apostasy (ridda), rebellion (bag'yi), Hiraba translated as highway robbery.

Some other offences which can ground death penalty as punishment include military offences like misconduct in action, mutiny and dereliction of duty.

The offence of kidnapping was made a capital offence by some states with death as penalty on conviction. The states include Abia, Bayelsa, Akwa-Ibom, Anambra, Ebonyi, Enugu Imo and Edo.

2.1.7 Capital Punishment in Nigeria and the Right to Life

This statement Right to life is justiciable and describes the essential right of a human being to live and not to be killed by another. The concept of a right to life is central to the debate on capital punishment. This right asserts the sanctity, sacredness and inviolability of human life. It guarantees the protection of individuals' existence as a bona fide citizen and any other person under the protection of the state. Thus in accordance to the provision of Section 33 of the 1999 Constitution of the Federal Republic of Nigeria "No one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has

been found guilty in Nigeria”. This provision implies that, it amounts to a breach of right to life to cause the death of a person intentionally. Thus a person who kills another is liable for criminal prosecution for murder or manslaughter.

The right to life is also enforceable against a state where the government for instance causes wrongful death of a person. This can be expatiated citing this example the case of **Aliyu Bello & 13 others v Attorney General of Oyo State** [1986] 5, NWLR part 39-46 page 828 at 891], the bread winner of the plaintiff was accused of armed robbery and sentenced to death. He filed an appeal to the Supreme Court against the sentence and was executed by the Oyo state Military Government before the appeal was heard. The Supreme Court expressed its great outrage at this unfortunate incident and awarded reasonable damages to the family of the deceased.

An exemption to the general rule is provided for in Section 33(2) of the 1999 constitution to which states that “A person shall not be regarded as having been deprived of his life in contravention of this section, if he dies as a result of the use, to such extent and in such circumstance as are permitted by law of such force as is reasonably necessary:

- (a) For the defense of any person from unlawful violence
- (b) In order to effect a lawful arrest or to prevent the escape of a person lawfully detained
- (c) For the purpose of suppressing a riot, insurrection or mutiny.

Hence Constitution does not prevent an offender from being executed if found guilty of certain crimes by a Court of competent Jurisdiction.

\

2.1.8 Capital Punishment in Nigeria and the Right to Human Dignity

Proponents of Human Rights believe capital punishment violates the right to life and Human Dignity.

Section 34(1) of the 1999 Constitution of the Federal Republic of Nigeria gives the assurance of the right to dignity of human persons as it provides thus;

Every individual is entitled to respect for the dignity of his person and according

(a) No person shall be subjected to torture or to inhuman or degrading treatment

(b) No person shall be held in slavery or servitude and

(c) No person shall be required to perform forced or compulsory labour

Section 34 (1) (b) of 1999 Constitution of the Federal Republic of Nigeria further provides that “no person should be held in slavery or Servitude” this relates to acts or omissions, which makes one person subservient to another without his free will or under conditions that do not make for a choice one way or the other. Section 34(2) of the same constitution provides the meaning for the provisions of Section 34 (1) (c), by the latter provision “no person shall be required to perform forced or compulsory labour” this is explained by the provisions of Section 34(2) thus:

34(2) the purposes of subsection 1(c) of this section, ‘forced or compulsory labour’ does not include-

(a) any labour required in consequence of the sentence or order of a court

(b) any labour required of members of the Armed forces of the Federation or the Nigerian Police Force in pursuance of their duties as such;

(c) in the case of persons who have conscientious objections to service in the armed forces of the Federation, any labour required instead of such service

d) any labour required which is reasonably necessary in the event of any emergency or calamity threatening the life or wellbeing of the community; or

(e) any labour or service that forms part-

(i) normal communal or other civic obligations for the well-being of the community

(ii) such compulsory National Service in the Armed Forces of the Federation as may be prescribed by an Act of the National Assembly, or

(iii) such compulsory national service which forms part of the education and training of citizens of Nigeria as may be prescribed by an Act of the National Assembly.

2.1.9 The Justification of Capital Punishment

This encompasses the logical and legal reasons in favour of the enforcement of capital punishment. The main arguments for capital punishment are just punishment, retribution, deterrence and incapacitation. Abolitionists' argument on death penalty portrays capital sentences as nothing more than revenge. Meanwhile revenge defines private individuals taking the law in their own hands exacting their own penalty. Whereas Capital sentences are not imposed by private individuals, but rather by the state through a criminal justice process established by the people's elected representatives. The following theories of justification of capital punishment are as follows:

1. Retribution

One of the earliest retributionists was Immanuel Kant in the eighteenth century, who sees the idea of punishment meted to the offender as a categorical obligation. Retribution follows the lex talionis doctrine of an eye for an eye and tooth for a tooth. This simply means an individual deserves the punishment he gets because of the crime he has committed. It presents crime as an act which deserves punishment. This theory does not have any aim for crime control but focuses exclusively on the past criminal behaviour and equal punishment given solely to express condemnation of that behaviour. Thus any person who commits murder must face the death penalty. It serves to deter potential criminals. However is it possible to provide equal measure of reprisal? This complicates the idea of making punishment fit the crime.

2. Deterrence

The capital punishment is the most effective deterrent for premeditated murders. A capital sentence is certainly a more feared penalty than a prison term. According to Bentham during the nineteenth century deterrence is the prevention of crimes. He pointed out that for deterrence to work, it is not by the severity of punishment alone that makes the offender not to have the desire to commit crimes in the future, but also must be quick and certain. According to Foucault (1986) there are a number of measures which must give the system of punishment its effectiveness in accordance with the general element of certainty pointed out by Bentham to achieve maximum deterrence. These include the laws that define crimes and their penalties must be perfectly clear, published and accessible to all, it must be inexorable while those who execute them must be inflexible, no crime committed must escape the gaze of those whose tasks is to dispense justice

and the monarch must renounce his right of pardon so that the force that is present in the idea of punishment is not depreciated by the hope of intervention.

Opponents of the death penalty respond to capital punishment studies by pointing out that some states with the death penalty have a higher homicide rate than states that do not impose capital punishment. Could it be realistic that putting a criminal to death deters others from committing similar crimes? What good of society does death penalty promote? Could it really save more lives than it costs? Each execution saves several lives by deterring prospective murderers. Government needs to deprive some people of the right to life in order to protect that right for the vast majority of its citizens.

If capital punishment deters and society fails to impose capital sentences thus innocent persons will die. Because of the substantial reasons for predicting that the death penalty will deter some murders, respect for human life demands that society carry out the penalty.

3. Incapacitation

This reduces the possibility of future crimes by those convicted of crimes. An individual can be incapacitated temporarily or permanently. This temporary incapacitation means imprisonment the liberty of the criminal is curtailed kept under permanent supervision and surveillance. Permanent incapacitation is the amputation of hands or wrists for thieves and castration for rapists, life imprisonment for chronic, violent or habitual offenders, and death for capital offenders such as murderers. This incapacitation idea is effective is for the latter because of the continual risk posed by those who have murdered. Incapacitation is a prediction oriented theory

which assesses the personality of the criminal on the basis of the crime he committed by predicting the likelihood of him committing similar crime.

4. Restitution

This is a financial obligation not only in the payment of money but also the provision of services which is limited, determined by court, and based on individual act. Restitution is constructive such that the offender provides something of himself and also compensates the victim.

The major concern of restitution therefore is the damage done as a result of the crime committed and victim. It attempts to make the situation better than before the crime was committed.

According to Eglash (1957-58) restitution contains the best features of punishment that is deterrence and justice and of clinical treatment which is the recognition of psychological basis for behaviour.

5. Rehabilitation

This is the most appealing justification for capital punishment. It is the reformation of criminal minds. Packer noted that Rehabilitative idea may be used to prevent crime by changing the personality of the offender not how dangerous the crime is but how amenable to treatment the offender is. However he also pointed out that the gravity of the offence committed may not give clue to the intensity and duration of the measures needed to rehabilitate.

2.1.10 Controversial Discourse on Capital Punishment

Abolitionist Perspective

Abolitionist groups include Amnesty international. Some abolitionists argue that retribution is simply revenge and cannot be condoned. Killing with another death is a relatively violent act; because violent crimes are not punished by subjecting the perpetrator to a similar act (e.g. rapists are not punished by corporal punishment). Abolitionists also claim that capital punishment violates the condemned person's right to life and is fundamentally inhuman and degrading. Death penalty is unjust, vindictive, retributive and ineffective in deterring crime in a pluralistic society like Nigeria.

Retentionist Perspective

Those who support capital punishment believe it serves an important function of vengeance. Some proponents of the death penalty argue that those who kill should also be killed because death is the only fitting punishment for an individual who takes another's life. Supporters of capital punishment also believe that executing offenders will deter others from committing similar crimes.

Human Rights Activists

They believe capital punishment is the worst violation of human rights, because the right to life is the most important, and capital punishment violates it without necessity and inflicts to the condemned a psychological torture. Human rights activists oppose the death penalty, calling it

"cruel, inhuman and degrading punishment". Amnesty International considers it to be "the ultimate irreversible denial of Human Rights.

Wrongful Execution

It is frequently argued that capital punishment leads to miscarriage of justice through the wrongful execution of innocent persons knowing that death is irreversible. Many people have been proclaimed innocent victims of the death penalty. Some have claimed that as many executions have been carried out in the face of compelling evidence of innocence or serious doubt about guilt in the US from 1992 through 2004. Newly available DNA evidence prevented the pending execution of more than fifteen death row inmates during the same period in the US, but deoxyribonucleic acid (DNA) evidence is only available in a fraction of capital cases. Improper procedure may also result in unfair executions. In the late eighteenth century, French statesman Marquis de Marie Joseph Lafayette summed up his view on the death penalty that till the infallibility of human judgment shall have been proven to me, I shall demand the abolition of the death penalty. Till the present it remains lucid that human institutions of justice remain remarkably fallible.

Racial, Ethnic and Socio-economic Class Bias

The issues of social stratification based on race, ethnicity and social bias are applied arbitrarily and disproportionately which is supposed to be based on equal justice under the law. This

observation reflects a cruel reality of death penalty been imposed almost exclusively on blacks, very poor people who are without the resources to defend themselves adequately and minorities. The setback in these cases is that the defendant is too poor to hire competent counsel who can mount a fair fight for the defendant's life. Even the lawyers appointed by the government to represent these blacks are underfunded and inexperienced.

Opponents of the death penalty argue that this punishment is being used more often against perpetrators from racial and ethnic minorities and from lower socioeconomic backgrounds, than against those criminals who come from a privileged background. Researchers have shown that white Americans are more likely to support the death penalty when told that it is mostly applied to black Americans. More stereotypically black defendants are more likely to be sentenced to death if the case involves a white victim. Rape in US was a capital crime for blacks but was not for whites. Stephen Bright, director of the Southern Centre for Human Rights, in Atlanta, Georgia, has written that "it is not the facts of the crime, but the quality of legal representation, that distinguishes" between cases where the death penalty is imposed and similar cases where it is not. Thus the background of victims influences the verdict. Justice is being hampered when there is such a gross disparity of social status between the parties to the trial.

International Perspective

The right to life is contained in Article 3 of the Universal Declaration of Human Rights 1948, Article 2 of the European Convention on Human Rights 1953 and Article 4 of the African Charter on Human and Peoples' Rights 1986. The United Nations introduced a resolution during the General Assembly's 62nd sessions in 2007 calling for a universal ban. Also 20 November

2008, a large majority of states from all regions adopted a second resolution calling for a moratorium on the use of the death penalty in the UN General Assembly (Third Committee) on. 105 countries voted in favour of the draft resolution, 48 voted against and 31 abstained.

Most relevant operative international treaties do not require prohibition of capital punishment for cases of serious crime, most notably, the International Covenant on Civil and Political Rights and during time of peace such as the European Union (EU) and the Council of Europe. The EU and the Council of Europe are willing to accept a moratorium as an interim measure.

Among non-governmental organizations (NGOs), Amnesty International and Human Rights Watch are noted for their opposition to capital punishment. A number of such NGOs, as well as trade unions, local councils and bar associations formed a World Coalition against the death Penalty in 2002. A number of regional conventions prohibit the death penalty.

Ethical Perspective

The capital punishment is lacking in ethical purpose. Apart from vengeance what is the purpose of the death penalty to the moralist?

Religious Perspective

Beginning in the last half of the 20th century, increasing numbers of religious leaders particularly within Judaism and Roman Catholicism campaigned against it. Capital punishment was abolished by the state of Israel for all offenses except treason and crimes against humanity, and Pope John Paul II condemned it as “cruel and unnecessary.”

The Islamic law require capital punishment for certain crimes. For example, the Quran states that the punishment of those who wage war against Allah and His Messenger, and strive with might and main for mischief through the land is either execution, crucifixion, the cutting off of hands and feet from opposite sides, or exile from the land that is their disgrace in this world, and a heavy punishment is theirs in the Hereafter (Qur'an, Sura 5, ayat 33).

Christianity's stance on capital punishment runs a spectrum of opinions, from complete condemnation of the punishment, seeing it as a form of revenge and as contrary to Christ's message of forgiveness, to enthusiastic support based primarily on Old Testament law.

In the Old Testament, Leviticus 20:2–27 provides a list of transgressions in which execution is recommended. Genesis 9:5, Numbers 35:33, Numbers 35:16-34, Exodus 21:12-25 recognizes that if anyone sheds the blood of another, his blood will also be shed. However the New Testament is not lucid on capital punishment because of the Grace which ushered it.

Eastern Orthodox Christianity does not officially condemn or endorse capital punishment. It states that it is not a totally objectionable thing, but also that its abolition can be driven by genuine Christian values, especially stressing the need for mercy.

St. Thomas Aquinas, a Doctor of the Roman Catholic Church, accepted the death penalty as a deterrent and prevention method but not as a means of vengeance.

Pope John Paul II suggested that capital punishment should be avoided unless it is the only way to defend society from the offender in question, opining that punishment ought not to go to the extreme of executing the offender except in cases of absolute necessity.

Protestants such as Southern Baptists support the fair and equitable use of capital punishment for those guilty of murder or treasonous acts, so long as it does not constitute as an act of personal revenge or discrimination.

The religious, civil and criminal law of Hindus call for the death penalty in several instances, including murder and righteous warfare.

2.1.11 Limitations to the Execution of Capital Punishment in Nigeria

Insanity/Mental Illness

Legally, it is defined as a condition, which renders the affected person unfit to enjoy liberty of action because of the unreliability of his behavior with concomitant danger to himself and others.

The provisions of the Nigeria Criminal Code section (28) exempt insane offenders including capital offenders from Criminal Liability as a result of the negation of their mental guilt.

However, before an insane offender benefits from this provision of the law, such offender must establish:

(a) That at the time of committing the crime the accused was in a state either of mental disease or of natural mental infirmity.

(b) It must then be shown that the disease or infirmity was such as to have deprived him of his capacity to understand what he was doing or of his capacity to know that he ought not to do the act or make the omission or of his capacity to control his actions.

Juvenile Offenders

Any person Nigeria citizen that has not reached the statutory age of 18 years is regarded as a juvenile (under age). Thus any one less than the statutory age that has violated the law is regarded as a juvenile offender. This is due to their vulnerability and lack of control over their immediate surroundings that provides a greater claim than adults to be forgiven.

Section 368(3) of Criminal Procedure Act, Cap.C.41, Laws of the Federation of Nigeria 2004 provides to the effect that where the court convicts an offender for an offence which is punishable with a death sentence but it is of the opinion that the person had not attained the age of seventeen years at the time the offence was committed, the sentence of death shall not be pronounced or recorded. The court is rather enjoined to order the detention of such convict.

States that are parties to International Covenant on Civil and Political Rights (ICCPR) and the American Convention on Human Rights (ACHR) are prohibited from imposing capital punishment for offences committed by persons below 18 years of age. This prohibition is also contained in the International Convention on the Rights of the Child which came into effect in September, 1990. It is also forbidden by the African Charter on the Rights and Welfare of the Child during the pleasure of the president or state governor for federal and state offences respectively. The United Nations Convention on the Rights of the Child forbids capital punishment for juveniles under article 37(a).

Pregnant Women

According to the Criminal Procedure Act, sections 368(2) pregnant women cannot be sentenced to death and their sentences should be commuted to life imprisonment instead. Section 300(3) of the Criminal Procedure Code is relevant in the Northern part of Nigeria, also includes a similar provision.

Women with Children

Nigeria is under treaty obligations not to execute women with nursing children.

Capital punishment which is seen as cruel and inhuman in some jurisdictions is constitutional in Nigeria and some other countries, and the right to life and human dignity as provided by the Nigerian Constitution does not prevent an offender from being executed if found guilty of certain crimes by a Court of competent Jurisdiction, in other words the same constitution that has provided for these rights has also provided death as a penalty for certain criminal offences.

Support for the capital punishment rest on the following issues which are:

first, the issue of just deserts that suggests murderers should be executed for retributive reasons;

secondly, that the capital punishment's effectiveness of deterrence discourages potential murders from engaging in criminal homicide;

And thirdly human beings are free moral agents that can make choices and ought to be responsible for the good and bad choices they make (Dambazau 2012).

2.2 THEORETICAL FRAMEWORK

Functionalism Theory

This theory looks for how different ideas or subjects of society function together and the role each of them play. A functionalist looks at the death penalty in many ways and has several different reasons for using the death penalty. One reason a functionalist may think the death penalty is necessary for society is to rid society of extreme criminals. By sustaining the death penalty, society is able to take the most extreme of criminals out of society so they are no longer a threat. Another role of the death penalty is to free prison space.

Throughout the nation, prisons are overcrowded and there aren't enough resources to house and incarcerate inmates. The death penalty gives a way to eliminate the most extreme of criminals, therefore creating more space and freeing resources. However, the death penalty is much more expensive than life without parole because the Constitution requires a long and complex judicial process for capital cases. Death sentence is more costly than keeping that same criminal in prison for life.

Conflict Theory

A conflict theorist looks at society and how different aspects conflict with one another, instead of how they function, as with functionalism. A conflict theorist studies the death penalty by finding what conflicts it creates and how it causes inequality. One conflict that arises is that of race and social class. Statistics show that people of color and lower social class appear on death row more than whites.

Symbolic Interactionism Theory

This deals with how different aspects of society are symbolic of something and what those symbols might mean. A symbolic interactionist views the death penalty in many different ways. Many symbolic interactionists believe the death penalty is a way to fulfill the ancient principle of an “Eye for an Eye”. Another belief is that the death penalty brings peace to the victim’s family by helping them know that the person that wronged them has met received their justice and no one else will be hurt by them. One conflict that arises when examining the death penalty from the viewpoint of a symbolic interactionist is the whether or not humans have the right to kill another human. Some people believe there is no crime on earth worthy of the punishment of death, especially when another human is administering that punishment.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter describes and focuses in details the entire methods employed in carrying out this research work. The procedures employed are to enable the researcher find dependable solution(s) to the research problem, find answers to the research questions and to test the research hypotheses.

3.2 Research Design

The survey method enables the researcher to make generalizations about the behavior of a great body of people requiring measurement along a broad spectrum of opinions, attitudes, feelings, belief, areas, information and understanding. This design employs a descriptive survey and research design. It could be descriptive or analytical. Questionnaires were employed for this research because it is a list of questions designed to elicit information from respondents and it saves time for my research on which my data presentation and analysis are based on. Also the descriptive method was used to underscore the impact of socio-economic status and attitudes towards capital punishment in Nigeria.

3.3 Population of the Study

Ekiti State contains 16 of Nigeria's 774 Local Government Areas. They are: Ado, Ekiti-East, Ekiti-West, Emure, Ikare, Irepodun, Ijero, Ido, Oye, Ikole, Moba, Gbonyin, Efon, Ise, Ilejemeje. My study is in Ado-Ekiti, a Local Government Area in Ekiti State, Nigeria and the capital of Ekiti State. It has an area of 36.7km² and a population of 308,621 at the 2006 census. Presently

the local government is said to have a population density of 43,986 people per kilometer. It is the trade center for a farming region where yams, cassava, grain and tobacco are grown. Cotton is also grown for weaving. It is of interest to tourists because of the Fajuyi Memorial Park.

3.4 Target Population

The target population comprises residents of Ado-Ekiti, irrespective of their location. The focus is on adults (of the statutory age) within the community. Out of the population of Ado local government, 100 persons were used as a sample to get diverse views within the available range.

3.5 The Sampling Technique

The type of sampling technique employed is the simple random sampling. This type of sampling guarantees every member of the population equal opportunity or chance of being chosen to the extent that the choice of any one member does not at all affect that of another.

3.6 Determination of Sample Size

Out of the population made up of respondents was drawn using Taro-Yamane formula of sample size determination.

The formula which is
$$n = \frac{N}{1 + N(e)^2}$$

Where n= Sample size

N= The population

e= Level of significance

1= is the constant number

Therefore $n = \frac{N}{1 + N(e)^2}$

$$1 + N(e)^2$$

$$n = \frac{258,829}{1 + 258,829(0.05)^2}$$

$$1 + 258,829(0.05)^2$$

$$n = \frac{258,829}{1 + 258,829 \times 0.0025}$$

$$1 + 258,829 \times 0.0025$$

$$n = \frac{258,829}{1 + 64.0752}$$

$$1 + 64.0752$$

$$n = \frac{258,829}{648.0752}$$

$$648.0752$$

$$n = 3,99.38$$

≈ 400

3.7 Research Instruments

Refer to the tools in gathering or collecting data for the purpose of the research. The research instrument used for this study is questionnaires. This is a type of data collecting tools upon which data presentation and analysis are based.

The questionnaire was specifically designed to measure respondents' perceptions and opinions in order to provide answers to research questions, which provided solutions to problem of the study.

The objectives of the study are clearly stated to guide the responses in the right direction to be of relevance to the topic or to ensure the questions are fully understood and not misinterpreted. The introductory page ends with the proof of confidentiality by assuring the respondents that their responses will not be let out for general consideration, but would be used for academic purpose.

The questionnaire is made up of four (4) sections which are section A, B, C, D and E. Section A includes socio-demographic characteristics of the respondents while sections B, C, D and E examine the items of the research questions. Sections B and D are close ended questions while Sections C and E are open ended questions.

A four (5) point modified likerst scale with the responses being Strongly Agree (SA), Agree (A), Undecided (U), Disagree (D) and Strongly Disagree (SD) will be used. For coding purposes the points 5, 4, 3, 2 and 1 will be used to represent strongly agree, agree, undecided, disagree and strongly disagree in that order. One copy of the questionnaire is attached to the study and is labeled appendix.

3.8 Validity and Reliability of Research Instruments

The validity of the data gathered is influenced and dependent on sources and consistency of results and conclusions emanating from the works of the selected and sampled authorities in capital punishment. Also the results of evidential studies on forms of punishment contained in reputable journals, institution materials on capital punishment, constitution and criminal code are gathered and considered reliable, being credible sources.

Reliability refers to consistency of the measuring instrument. The two major aspects of reliability are consistency between two similar measurements. The consistency/reliability of the respondents' responses to the questionnaires administered was ascertained by asking related questions in different forms. The validity of the questionnaire was ascertained by validating the data collected against already existing data on the subject matter collected by other researchers.

3.9 Methods of Data Collection

Two methods were used for the collection of data; the questionnaire method and the use of secondary sources such as published books, journal articles, thesis, government reports and documents sourced from the library and Internet. The analytical and historical methods of inquiry were adopted. In other words, the primary sources were from questionnaires administered to respondents.

3.10 Data Analysis Techniques

The primary focus of data analysis is to ascertain the similarities and differences that exist among variables. The type of data collected via the questionnaire was analyzed with frequency distribution table and while the hypotheses were tested using chi-square formula.

Chi-square means a mathematical process of determining the degree of disparity between two sets of variables commonly referred as observed and expected frequencies. Based on the above definition, it can be established that chi-square takes cognition of the existence of disparity and always determines the extents or degree of the disparity. Chi-square formula is:

$$X^2 = \sum \frac{(O-E)^2}{E}$$

Where X^2 = chi square, \sum =summation, O=observed frequency E=expected frequency.

The technique employed in analyzing the responses to the questionnaires administered for the purpose of this study is coding. This involved assigning codes to the expected answers on the close ended questions and was the most effective means of analyzing it. While the open ended questions gave room for the respondents' reasons to the close ended questions which further enhanced understanding on some of their responses to the close ended questions and validity. The codes were then subjected to further analyzing and organized into percentages that were used.

CHAPTER FOUR

DATA PRESENTATION AND ANALYSIS

4.0 Introduction

This chapter presents the analysis and presentation of the data collected through the questionnaires. The purpose of this survey is to collect relevant information on socio-economic status and attitudes towards capital punishment in Nigeria. Collected data is presented in simpler arithmetic average and percentage. The percentages are used to show the different responses to the completed collected questionnaires.

4.1 Data Presentation and Analysis

A total number of hundred (100) questionnaires were distributed and fifty eight (58) validly completed returned. The analysis and tables of computed results are presented below for interpretation. Sample percentage, tables, frequency were used to present the data gathered from the respondents. The hypothesis was tested using the Chi-square method of data analysis.

Key attributes in this chapter: Strongly Agree (SA) Agree (A) Undecided (U) Disagree (D) Strongly Disagree (SD).

4.1.1 SECTION A: Socio-Demographic Characteristics of the Respondents

Table 4.1 This section deals with the Socio-Demographic Characteristics of the Respondents.

VARIABLES	FREQUENCY	PERCENTAGE (%)
GENDER		
Male	32	55.2
Female	26	44.8
Total	58	100.0
AGE GROUP		
18-25	32	55.2
26-30	14	24.1
31-40	7	12.1
41-50	5	8.6
Total	58	100.0
RELIGION		
Christianity	50	86.2
Islam	7	12.1
Traditionalist	1	1.7
Total	58	100.0
MARITAL STATUS		
Single	43	74.1
Married	12	20.7
Divorced	3	5.2
Total	58	100.0
MARRIAGE TYPE		
Monogamy	7	58.3
Polygyny	5	41.7
Total	12	100.0
RESIDENTIAL AREA		
Rural	22	37.9
Urban	36	62.1
Total	58	100.0
EDUCATIONAL QUALIFICATION		
FIRST SCHOOL LEAVING CERTIFICATE	7	12.1
SSCE	22	37.9
OND/NCE	12	20.7
B.Sc./HND	15	25.9
MBA/M.Sc.	2	3.4
Total	58	100.0
OCCUPATIONAL STATUS		
Student	25	43.1
Unemployed	7	12.1
Employed	16	27.6

Self-Employed	10	17.2
Total	58	100.0
INCOME (PER MONTH IN NAIRA)		
Less than 30,000	26	44.8
30,000-100,000	20	34.5
101,000-200,000	12	20.7
Total	58	100.0

Source: Field Survey 2016

GENDER: From the table above, 55.2% of the respondents are males while the 44.8% are females. It can be concluded from the data analysis that majority of the respondents are males.

AGE GROUP: From the table above it can be seen that the age distribution of the respondents are as follows 55.2 % fall within the age bracket of (18-25), 24.1% of the respondents are between the age group of (26-30) while 12.1 % of the respondents of the age group is within (31-40) while 8.6 % of the respondents of the age group (41-50) and no respondent is above 50 years of age. It can be concluded based on the analysis that majority of the respondents are within the age bracket of (18-25) years.

RELIGION DISTRIBUTION: From the table 86.2% of the respondents are Christians while 12.1% respondents are Muslims and 1.7% respondents are Traditionalists. Thus majority of the respondents are Christians.

MARITAL STATUS: The table shows that 74.1% of the respondents are single, 20.7% of the respondents are married and only 5.2% of the respondents are divorced, while of the respondents are separated and widowed. Therefore based on the analysis majority of the respondents are single.

TYPE OF MARRIAGE: The table illustrates that 58.3% of the respondents marriage type is monogamy while 41.7% of the respondent's marriage type is polygyny. It can be deduced that majority of the respondents are in monogamous marriages.

RESIDENTIAL ADDRESS: It can be observed from the table that 37.9% of the respondents live in rural area while 62.1% of the respondents are based in urban area. Hence a larger number of the respondents are based in the urban area.

EDUCATIONAL QUALIFICATION: The table analyzes the fifty eight (58) respondents educational qualification as follows; First school leaving certificate 12.1%, Senior School Examination Certificate (SSCE) 37.9%, Ordinary National Diploma Certificate (OND)/ National Certificate of Education (NCE) 20.7%, Bachelor of Science (B.Sc.)/ Higher National Diploma Certificate (HND) 25.9% whereas Master Business Administration (MBA)/ Master of Science (M.Sc.) 3.4% and none of the respondent is a holder of Doctor of Philosophy (Ph.D.) Certificate. Therefore majority of the respondents have Senior School Examination Certificate (SSCE).

OCCUPATIONAL STATUS: The table illustrates that 43.1% of the respondents are still in school. 12.1% are unemployed, 27.6% employed while 17.2% are self-employed. The distribution shows that majority of the respondents are students.

INCOME PER MONTH (IN NAIRA): The analysis of the respondents' income as follows: 44.8% earns less than 30,000, 34.5% earns within the range of 30,000-100,000, 20.7% earns within the range of 101,000-200,000 while none of the respondent earn more than 200,000. The majority of the respondents earn less than 30,000.

4.1.2 SECTION B: Respondents Opinion on Capital Punishment.

Table 4.2 This section presents information on opinion of respondents.

S/N	QUESTIONS	SA N	%	A N	%	U N	%	D N	%	SD N	%
1	Do you think socio-economic status serves as a major determinant of the type of capital punishment meted out by the judges on the convicts?	6	10.3	28	48.3	8	13.8	9	15.5	7	12.1
2	Do you think people who are economically at a disadvantage get the opportunity to be sentenced to life imprisonment other than death penalty?	7	12.1	19	32.8	10	17.2	12	20.7	10	17.2
3	Is socio-economic status a major influence on capital punishment?	13	22.4	15	25.9	12	20.7	10	17.2	8	13.8
4	Is socio-economic status a major influence on capital punishment?	13	22.4	13	22.4	15	25.9	9	15.5	8	13.8
5	Does socio-economic status justify capital punishment?	12	20.7	14	24.1	10	17.2	16	27.6	6	10.3

Source: Field Survey 2016

Key: SA = Strongly Agree

A = Agree

U = Undecided

D = Disagree

SD = Strongly Disagree

Question 1): Do you think socio-economic status serves as a major determinant of the type of capital punishment meted out by the judges on the convicts?

The table above shows that 58.6% of the respondents agreed, 27.6% disagreed and 13.8% were undecided. It can be concluded that socio-economic status serves as a major determinant of the type of capital punishment meted out by the judges on convicts.

Question 2): Do you think people who are economically at a disadvantage get the opportunity to be sentenced to life imprisonment other than death penalty?

From the table above 44.9% of the respondents agreed, 37.9% disagreed and 17.2% were undecided. Thus people who are economically disadvantaged get the opportunity to be sentenced to life imprisonment other than death penalty.

Question 3): Is socio-economic status a major influence on capital punishment?

The table shows that 48.3%, 31% disagreed and 20.7 were undecided. Therefore socio-economic status is a major influence on capital punishment.

Question 4): Is socio-economic status a major influence on capital punishment?

From the table above 44.8% of the respondents agreed, 29.3% of the respondents disagreed and 25.9% of the respondents were undecided. Since the percentage of respondents that agreed is greater than others, it can be deduced that socio-economic status can be seen as a justification for capital punishment.

Question 5): Does socio-economic status justify capital punishment?

The table above shows that 44.8% agreed, 37.9% disagreed and 17.2% were undecided. Hence socio-economic status is a positive influence on capital punishment.

4.1.3 SECTION C: Determining the Attitudes of People towards Death penalty.

Table 4.3 This section elicits various responses towards the abolishment of death penalty.

S/N	QUESTIONS	YES	%	NO	%
6	Do you think death penalty should be abolished?	36	62.1	22	37.9
8	Is there a possibility that innocent people are sentenced to death?	38	65.5	10	17.2
10	Does capital punishment reduce crime rate?	24	41.3	36	62.1

Source: Field Survey 2016

Question 6: Do you think death penalty should be abolished?

Table 4.3 shows that 62.1% of the respondents opined that death penalty should be abolished while 37.9% think death penalty should be retained. The majority of the respondents think death penalty should be abolished.

Question 7: What is the reason for your answer in (No 6)?

The various reasons why the respondents think it should be abolished are as follows; 17.2% of the respondents opined that it does not change the convicts, 15.5% stated that it leads to more crime, 24.1% stated that it is inhumane, 8.6% stated that justice is not by taking the life of the criminal, 15.5% stated that it should be abolished for rehabilitative purpose, 5.2% stated that it leads to the extinction of life, 13.8% stated that life cannot be replaced. In summary majority of the respondents think that capital punishment is inhumane and thus should be abolished.

Question 8: Is there a possibility that innocent people are sentenced to death?

Table 4.8 also shows that 65.5% of the respondents opined that there is a possibility of innocent people been sentenced to death compared to 17.2% of the respondents who disagreed. Hence majority of the respondents agreed that there is the possibility of innocent people sentenced to death.

Question 9: What other alternative punishments do you think should replace death penalty?

The responses towards the question of other alternative punishments that respondents opined should replace death penalty are as follows; 58.6% of the respondents chose life imprisonment, 5.2% stated public disgrace, 20.7% chose rehabilitation center with Parole and 15.5% chose hard labour. This implies that majority of the respondents are of the opinion that life imprisonment is a better alternative punishment for death penalty.

Question 10: Does capital punishment reduce crime rate?

Table 4.3 also shows that 65.5% of the respondents opined that there is a possibility of innocent people been sentenced to death compared to 17.2% of the respondents that disagreed. It can be

deduced that majority of the respondents agreed that there is the possibility innocent people are sentenced to death.

4.1.4 SECTION D: Income, Level, Education and Attitudes towards Death Penalty.

Table 4.4 This section examines income, education and attitudes towards death penalty.

S/N	QUESTIONS	SA N	%	A N	%	U N	%	D N	%	SD N	%
11	Do you feel that people who observe death penalty are ignorant of the laws?	11	19	16	27.6	10	17.2	11	19	10	17.2
12	Does personal income affect the imposition of death penalty?	8	13.8	17	29.3	10	17.2	15	25.9	8	13.8
13	Is education the yardstick for capital punishment?	7	12.1	9	15.5	13	22.4	19	32.8	10	17.2
14	Are individuals punished based on their status in Nigeria?	17	29.3	16	27.6	8	13.8	6	10.3	11	19
15	Are uneducated people usually sentenced to death compared to the educated ones?	11	19	12	20.7	11	19	10	17.2	14	24.1

Source: Field Survey 2016

Key: SA = Strongly Agree

A = Agree

U = Undecided

D = Disagree

SD = Strongly Disagree.

Question 11: Do you feel that people who observe death penalty are ignorant of the laws?

Table 4.4 shows that 46.6% of the respondents agreed, 36.2% disagreed and 17.2% were undecided, whether people who observe death penalty are ignorant of the laws.

Question 12: Does personal income affect the imposition of death penalty?

Table 4.4 indicates that 43.1% of the respondents agreed, 39.7% disagreed and 17.2% were undecided. Hence personal income affects the imposition of death penalty in Nigeria.

Question 13: Is education the yardstick for capital punishment?

The table also illustrates the responses of the respondents as follows 27.6% agreed, 50% disagreed and 22.4% were undecided. Therefore, education is not a yardstick for capital punishment.

Question 14: Are individuals punished based on their status in Nigeria?

The responses show that 56.9% agreed, 29.3% disagreed and 13.8% were undecided. It can be deduced that offenders' punishment are according to their status.

Question 15: Are uneducated people usually sentenced to death compared to the educated ones?

As shown in the table 39.7% agreed, 41.3% disagreed and 19% were undecided. Uneducated people are more to be sentenced to death more than the educated ones.

4.1.5 SECTION E: Alternatives of Capital Punishment: This section reports the responses on the alternatives to capital punishment

Table 4.5: Do you know what capital punishment is?

RESPONSE	FREQUENCY	PERCENTAGE (%)
Yes	31	53.4
No	27	46.6
Total	58	100.0

Source: Field Survey, 2016

Question16: Do you know what capital punishment is?

Table 4.5 responses show that 53.4% of the people understood what capital punishment is while 46.6% do not know what capital punishment is all about. It can be concluded from the responses that majority of the respondents have the knowledge of what capital punishment is all about.

Table 4.6: Controversial responses to sentence with capital punishment

RESPONSES THAT SUPPORTED SENTENCE WITH CAPITAL PUNISHMENT		
RESPONSE	FREQUENCY	PERCENTAGE (%)
Nobody has the right to kill.	7	12.1
Rehabilitation.	17	29.3
It depends on the degree of their offence.	22	37.9
Because of the commandment of God thou shall not kill.	12	20.7
Total	58	100.0
OPPOSED RESPONSES TO SENTENCE WITH CAPITAL PUNISHMENT		
Some people’s position is that it serves as a lesson to others.	20	34.5
For some equal punishment should be given accordingly to crimes committed.	12	20.7
To reduce crime rate.	26	44.8

Total	58	100.0
--------------	-----------	--------------

Source: Field Survey, 2016

Question 17: Do you think offenders should be sentenced to capital punishment? If yes why and if no why?

Table 4.6 shows the responses show that 12.1% of the respondents stated that nobody has the right to kill, 29.3% stated rehabilitation purpose, 37.9% stated that it depends on the degree of their offence and 20.7% stated because of the commandment of God which is thou shall not kill. It can be concluded that majority of the respondents think rehabilitation is a better choice to capital punishment. Whereas for those who opposed termination of life as follows; 34.5% thinks that capital punishment serves as a lesson to others, 20.7% stated that equal punishment should be given accordingly to crimes committed and 44.8% stated that to reduce crime rate. Therefore a larger number of the respondents believe that offenders should not be given to capital punishment.

Table 4.7: Respondents perception of death penalty?

RESPONSE	FREQUENCY	PERCENTAGE (%)
It should be abolished	38	65.5
To reduce crime rate	20	34.5
Total	58	100.0

Source: Field Survey, 2016

Question 18: What is your perception of death penalty?

Table 4.7 shows that 65.5% of the respondents stated that capital punishment should be abolished while 34.5% that capital punishment will reduce crime rate. Nevertheless majority of the respondents believed that death penalty should be abolished.

Table 4.8: What type of crime do you think requires capital punishment?

RESPONSE	FREQUENCY	PERCENTAGE (%)
Murder	14	24.1
Kidnapping	12	20.7
Robbery	11	19
Embezzlement	8	13.8
Terrorism	7	12.1
Rape	6	10.3
Total	58	100.0

Source: Field Survey, 2016

Question 19: Table 4.8 shows the respondents' responses are as follows; 24.1% of the respondents chose murder, 20.7% kidnapping, 19% robbery, 13.8% embezzlement, 12.1% terrorism and 10.3% rape. Thus majority of the people believe that murder is the appropriate crime that should require capital punishment.

Table 4.9: Is it all convicts that serve the capital punishment and why?

RESPONSE	FREQUENCY	PERCENTAGE (%)
It depends on the gravity of the crime.	24	41.4
Some appeal if they can afford the cost.	18	31.0
Some people pay their way out.	16	27.6
Total	58	100.0

Source: Field Survey, 2016

Question 20: It can be observed from table 4.9 that less than two percent (1.4%) of the respondents stated that the gravity of the crime determines if capital punishment will be carried out, 31.0% stated that some appeal if they can afford the cost and 27.6% stated that some pay their way out. It can be concluded that not all convicts serve capital punishment.

4.2 HYPOTHESIS TEST

H₀: That socio-economic status does not serve as a major determinant of the type of capital punishment meted out by the judges on convicts.

H₁: That socio-economic status serves as a major determinant of the type of capital punishment meted out by the judges on convicts.

Questions 1 of the questionnaire form the basis of the hypothesis.

Table 4.10: Hypothesis Test

S/N	QUESTION	SA	%	A	%	U	%	D	%	SD	%
		N		N		N		N		N	
1	Do you think socio-economic status serves as a major determinant of the type of capital punishment meted out by the judges on the convicts?	6	10.3	28	48.3	8	13.8	9	15.5	7	12.1

Source: Field Survey 2016

Key: SA = Strongly Agree

A = Agree

U = Undecided

D = Disagree

SD = Strongly Disagree

4.2.1 CHI-SQUARE

$$X^2 = \frac{(O-E)^2}{E}$$

E

E= Expected frequency = Total number of observation

Number of rows

$$= E = 58 / 2 = 29$$

Number of rows = n = 5

Total number of observations = 58

Number of columns = 1

Degree of freedom (df) = (n-1) = (5-1) = 4

Critical value for chi-square at 5% with 4 degree of freedom = X_{tab}^2 , 0.05=9.49__

Table 4.11: Chi-square

Response	O	E	O-E	(O-E)²	(O-E)²/E
Strongly Agree	6	29	-23	529	18.24
Agree	28	29	-1	1	0.03
Undecided	8	29	-21	441	15.21
Disagree	9	29	-20	400	13.79
Strongly Disagree	7	29	-22	484	16.69
Total	58				63.96

$$X_{cal}^2 = 63.96$$

$$X_{tab}^2 = 9.49$$

Decision

The null hypotheses is rejected and the alternative is accepted if $X_{cal}^2 >$ (is greater than) X_{tab}^2 . However, the null hypotheses is accepted if $X_{cal}^2 <$ (is less than) X_{tab}^2 .

Since $X_{cal}^2 < X_{tab}^2$, the null hypothesis (H_0) will be rejected and the alternative hypothesis (H_1) will be accepted. It can be concluded that socio-economic status serves as a major determinant of the type of capital punishment meted out by the judges on convicts.

4.3 DISCUSSION OF FINDINGS

From the researcher's findings it can be concluded that socio-economic status serves as a major determinant of the type of capital punishment meted out by the judges on convicts and that socio-economic status has a major influence on capital punishment.

CHAPTER FIVE

SUMMARY, CONCLUSION, RECOMMENDATIONS AND SUGGESTIONS FOR

FURTHER STUDIES

5.1 Summary

This study has endeavored to explain what capital punishment is. It traced its origin globally and relates it to the statutes upholding it in Nigeria and reviewed other related concepts such as the justification for punishment and offences that attract death sentences in Nigeria including its limitations. It emphasized that until the constitution is amended to abolish capital punishment, it is still legal to execute a criminal that has been convicted of capital offences. Also divergent views on the abolishment of capital punishment were discussed. The findings of the research are in tandem with the null hypotheses.

5.2 Conclusion

Conclusively in assessing the impact or justifying socio-economic status and attitude towards capital punishment in Nigeria the following questions may be asked:

- a) What is the socio-economic background of capital crime convicts sentenced to death?
- b) How much does the state provide for the defense of the accused persons that cannot bear the cost of a defense counsel in capital cases?
- c) Does capital punishment serve the ultimate Penal logical goal of deterrence, incapacitation and or retribution better than life imprisonment?
- d) How helpful has the Appellate Court been in reversing decisions of lower courts delivered per incuriam?

Even in regular courts there will always be a possibility of error under any system of justice. As the South African Constitution Court has stated “imperfection inherent in criminal trials means that error cannot be excluded”. A poorly prepared defense, missing evidence or even a decision

of the investigating authorities to pin the guilt falsely on the accused can result in wrongful conviction.

e) How is evidence gathered at the crime scene and what are the procedural safeguards put in place in ensuring that evidence is not contaminated?

g) What is the recidivism rate among the commuted capital offenders upon release compared with other non-capital crime offenders?

All the above questions had been subjected to logical examination and found to give credence to the basis of which socio-economic status and attitude is used as a yardstick in measuring those who are sentenced to capital punishment.

A penal system that is fundamentally unjust in crime classification, inequitable in prescription of penalty, unfair in investigation of crime and discriminatory in imposition of sentence cannot achieve any meaningful deterrent goal.

It could be argued that evidence abounds that capital punishment has not worked better than imprisonment in crime prevention. Therefore, Nigeria should exercise restraint in choice of punishment other than death, bearing in mind the judicial fallibility of the innocent souls. Focus should therefore be on ways through which crime waves could be stemmed down in our society by looking at the various causes of crime and the criminological theories rather than seeing death sentences as a remedy for maintaining law and order in the society.

5.3 Recommendations

Crimes are man-made which have a beginning and ought to have an end. Thus as Schaefer (2005) puts it that functional theory states that every social problem has a beginning and when it

is identified and approached, solution is in sight. There is a compelling need for functional ways or means of arresting the root of problems that have eaten deep into the soil of Nigerian society.

1) Constitutional Amendment

There is the need for Constitutional amendments by legislators in ensuring that right to life as provided in the Constitution is non-derogable. This is very important in order to ensure that Nigeria is at the same level with other abolitionist by joining the current global trend.

The society is not static; therefore its laws cannot be static. Also, since law means social control, definitely there will be need as situations arise for new laws to be made or old laws modified.

2) Elimination of Inequality

Assuring the protection of equal access to civil liberties, human rights, opportunities for healthy and fulfilling lives, as well as whether it allocates a fair share of benefits to the least advantaged members of society. Crime can be seen to be caused by social inequality and deprivation. Therefore, states need to work with both the victims and the offenders in order to achieve a new world order which is more just to all who live in it. We cannot be free from crimes until the gaps of the inequalities are bridged between the rich and the poor.

3) Rehabilitation of Offenders

Contemporary criminal punishment should seek the correction and transformation of criminal behaviours rather than merely penalizing wrongdoers in order to transform their behaviours and make them useful to themselves and the society.

4) State Social Policy

The government needs to ensure that pragmatic social policies are rigorously pursued and implemented so as to ensure a non-discriminatory judicial system. These policies include: equal justice in bail system, reforms in the State police, interrogations of suspects devoid of torture or degrading and inhuman acts; elimination of class or status in crime classification, provision of lawyers to defend those facing capital charges that do not have the resources to afford lawyers themselves, employment opportunities for those who are willing and capable to work in order to eradicate the evil of idleness that turns many youths into arm robbers.

The state should be focused on solving socio-economic and socio-cultural problems which are causative factors of crimes especially capital crimes rather than dissipating energy on the capital punishment (death).

Also the saying that justice delayed is justice denied should be looked into closely by assessing the problems of prison congestion and the increased number of death rows.

Appeal cases of convicts pending in the court must be treated with despatch since such undue delay might lead to miscarriage of justice.

5) Public Enlightenment/Advocacy

The public need to be informed that there is no value in the much taunted deterrent effect of the death penalty coupled with the special danger posed to the citizens as potential victims of robbery following the death threats to armed robbers. This will go a long way in generating an abolitionist orientation in the citizens; thus making it possible to achieve abolition of the death penalty without any fear of societal insecurity.

Also, the public must be educated and informed about their responsibilities in creating enabling conditions for the social integration of the prisoner once he has served his jail term and gained his liberty.

Good governance is what is required for Nigerians to appreciate the need to be law abiding, shun lawlessness.

5) Stigmatization

Offenders who have been punished or pardoned should not be stigmatized or discriminated against in the society but should rather be equally accepted like every other persons in the society. Such as in the benefits of employment opportunities should also be opened to them.

6) Period of Moratorium

In order to pacify the general public concerning the fear of insecurity if capital punishment is eventually abolished and to convince the retentionists of capital punishment, a period of moratorium may be imposed where there is a stay of execution for a certain period of time. During this period, an accurate and reliable data and statistics on crime and criminality must be

kept for comparative analysis on the deterrent effect of the capital punishment which is the most frequently used argument by non-abolitionists.

5.4 Contribution to Knowledge

This study will bring to the fore and enlighten the judicial arm of government involved in passing judgment and condemnation in contrast to justice as the rule of law, criminal act and constitution.

It would hopefully help to eradicate inequality, discrimination and disparity caused by stratification among members of the society. It will also help to foster justice in the execution of capital punishment in Nigeria and improve the exhibition or manifestation of factors that enhances justice.

It enlightens the public educating them on justice and its usefulness to socio-economic status and attitudes towards capital punishment in Nigeria. It also serves as leverage for future research on socio-economic status and attitude towards capital punishment in Nigeria.

5.5 Suggestions for Further Studies

The research work being Socio-economic status and attitudes towards capital punishment in Nigeria is based on an opinion survey from questionnaires administered to members of the community in Ado-Ekiti. Further studies can be carried out to obtain a more comprehensive study based on facts and figures rather than on the opinions survey of the study.

BIBLIOGRAPHY

Austin Spackman (2010). *Sociology 1010 Theoretical Perspectives Paper Works Cited Facts*

about the Death Penalty. Washington, D.C. Death Penalty Information Center. pdf

Ayodeji Adeyemi (2013). *Waiting Endlessly on Nigeria's death row*. Al Jazeera. Retrieved on February 11, 2016.

Constitution of the Federal Republic of Nigeria 1999.

Criminal Procedure Act, Cap. 43 Laws of the Federation of Nigeria, 1958.

Criminal Procedure Code, Cap. Laws of Northern Nigeria, 1959.

Dambazau, A.B. (1994). *Law and Criminality in Nigeria: An Analytical Discourse*. Ibadan University Press.

Dambazau, A.B. (2007). *Criminology and Criminal Justice in Nigeria*. Ibadan. Spectrum Books Limited.

Dambazau, A.B. (2012). *Criminology and Criminal Justice*. Ibadan: Spectrum Books Limited.

Eglash, A. (1957-58). Creative Restitution: A Broader Meaning for an Old Term. *Journal of Criminal Law, Criminology and Police Science*, pp. 619-622.

Foucault, M. (1986), *Discipline and Punish*, Harmondsworth: Penguin.

History of Death Penalty, <http://deathpenaltycurriculum.org/student/c/about/history/history.PDF>
Retrieved June 18, 2016

- Ijabadeniyi .O. A. (2006) Death penalty: A paradigm of Infringement on Right to Life.
- Nzeribe, E. A. A. (2013). Death Penalty in Nigeria: To Be Or Not To Be: The Controversy Continues. *Arabian Journal of Business and Management Review (OMAN Chapter)* Vol. 3, No.3; pp 1-11.
- Orchia, B.I (2011). *Justification for and the Abolition of Capital Punishment under Human Rights Law* <http://www.unilorin.edu.ng/studproj/law/0640ia155.pdf>. Retrieved on June 18, 2016.
- Packer, H. (1968), *The Limits of Criminal Sanction*. Stanford: Stanford University Press.
- Schaefer, R. T. (2005). *Sociology*. Boston: McGraw Hill.
- Uche, O. O. C. (2011). Implications of Capital Punishment in the Nigerian Society, *An International Multidisciplinary Journal, Ethiopia*, Vol. 5 (4); pp 423-438.
- Vaibhav, R. G. H (2002). *The Death Penalty: A Worldwide Perspective*: Oxford University Press.
- What is the Death Penalty and Capital Punishment?*
http://www.britannica.com/topic/capital_punishment Retrieved June 18, 2016.
- Wole Iyaniwura (2014). The Death Penalty – A Negation of the Right to Life, *Global Journals of Human-Social Science Inc. (USA)*, Vol 14.
- Wikipedia (2010). *Capital Punishment*,
https://en.wikipedia.org/wiki/Capital_punishment definition of capital punishment Retrieved June 18, 2016.

APPENDIX

QUESTIONNAIRE

INTRODUCTION

Dear Participant,

This research questionnaire is a survey based on examining the impact of socio-economic status and attitude towards capital punishment in Nigeria. Kindly read through each item and tick (✓) the appropriate answer. Please do not omit anyone and be assured that your response will be kept confidential and will be used only for academic purpose. Thank you for your cooperation.

SECTION A:

SOCIO-ECONOMIC CHARACTERISTICS OF THE RESPONDENTS

1. Sex: Male [] Female []
2. Age: Below 18-25 [] 26-30 [] 31 - 40 [] 40-50 [] 51 and above []
3. Religion: Christianity [] Muslim [] Traditional [] Others (please specify)

4. Marriage Status: Single [] Married [] Divorced [] Separated [] Widowed []
5. Type of Marriage: Monogamy [] Polygyny []
6. Residential Address: Rural [] Urban []
7. Educational Qualification: Primary School Only [] SSCE [] OND/NCE [] B.Sc./HND []
MBA/M.Sc. [] Ph.D. [] others (please specify) _____
8. Employment Status: Student [] Unemployed [] Employed [] Self-employed []

9. Income (Per Month in Naira): Less than 30,000 [] 30,000 - 100,000 [] 101,000 - 200,000 [] 200,000 and above []

SECTION B: ASSESSING THE IMPACT OF SOCIO-ECONOMIC STATUS ON CAPITAL PUNISHMENT

Please tick (✓) appropriately where necessary in ranking order.

SA = Strongly Agree

A = Agree

U = Undecided

D = Disagree

SD = Strongly Disagree

S/N	QUESTIONS	SA	A	U	D	SD
1	Do you think socio-economic status serves as a major determinant of the type of punishment meted out by the judges on convicts?					
2	Do you think people who are economically at a disadvantage get the opportunity to be sentenced to life imprisonment other than death penalty?					
1.	Is socio-economic status a major influence on capital punishment?					
2.	Does socio-economic status justify capital punishment?					

3.	Is socio-economic status a negative influence on capital punishment?					
----	--	--	--	--	--	--

SECTION C

DETERMINING THE ATTITUDES OF PEOPLE TOWARDS DEATH PENALTY

4. Do you think death penalty should be abolished? Yes () No ()
5. What is the reason for your answer in (No 6)? _____
6. Is there a possibility that innocent people are sentenced to death? Yes () No ()
7. What other alternative punishments do you think should replace death penalty?

8. Does capital punishment reduce the crime rate? Yes () No ()

SECTION D

AN EXAMINATION OF THE EFFECTS OF PERSONAL INCOME AND LEVEL OF EDUCATION ON ATTITUDES TOWARDS DEATH PENALTY

S/N	QUESTIONS	SA	A	U	SD
11	Do you feel that people who observe death penalty are ignorant of the laws?				
12	Does personal income affect the imposition of death penalty?				
13	Is education the yardstick for capital punishment?				
14	Are individuals punished based on their status in Nigeria?				
15	Are uneducated people usually sentenced to death compared to the educated ones?				

SECTION E

OTHER ALTERNATIVES OF CAPITAL PUNISHMENT

16. Do you know what capital punishment is?

If No []

If Yes state clearly_____

17. Do you think offenders should be sentenced to capital punishment?

If No why_____

If Yes why_____

18. What is your perception of death penalty?

19. What type of crime do you think requires capital punishment?

20. Is it all convicts that serve the capital punishment? Yes () or No ()

