

Assessing the Viability of the Death Penalty for Sexual Offences against Minors: A Jurisprudential Analysis Based on Demographic Data from Lagos State, Nigeria

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Abstract : The death penalty in the 21st century is often considered a relic of the past in many contemporary societies, except where cultural or religious beliefs heavily influence legal systems. However, a recent study on gender-based violence in Lagos State, Nigeria, suggests that this perception might not hold universally. This paper provides a balanced jurisprudential analysis of the death penalty as a punitive measure for sexual offences, particularly against minors, drawing on comprehensive demographic data from 3,225 respondents across various demographics, including gender, age, marital status, religious beliefs, literacy levels, and ethnicity in ten major Local Government Areas. The research captures the diverse perspectives of different demographic groups, weighing the arguments of proponents who see the death penalty as a significant deterrent, a source of justice for victims, and a means to permanently remove dangerous offenders from society against opponents who raise ethical concerns, highlight the risk of wrongful convictions and question its effectiveness in deterring crime. Through a thorough examination of legal frameworks, case studies, and statistical data, this paper presents empirical evidence to reopen the discussion in developing countries. Key questions are addressed: Could the death penalty be an effective measure against sexual assault, particularly involving minors? Would it deter potential offenders? Is it humane to include it in modern legal systems? If not, what long-term reforms could ensure accountability, justice, and enlightenment for those affected by such crimes? This paper aims to foster a nuanced and progressive dialogue, providing insights for policymakers, legal practitioners, jurists, and scholars on the complexities of this contentious issue. The goal is to consider the implications for justice systems in developing countries and to advocate for more effective responses to sexual assault cases and justice for survivors.

Keywords : sexual offences, death penalty, jurisprudential analysis, criminal justice reform

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