

**A STUDY ON THE SUITABILITY OF THE DEATH PENALTY ON WOMEN  
OFFENDERS IN MALAYSIA**

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## CHAPTER ONE: INTRODUCTION

### 1.0 Introduction

Picture in your mind a condemned murderer being sentenced to death, eating a last meal, or trudging ever-so-reluctantly into the execution chamber. You could have never imagined that this could be a woman.<sup>1</sup>

This study concerns the suitability of the death penalty on women offenders in Malaysia. The word 'suitability' originated from the word 'suitable' which can be defined as something that is right and appropriate for a particular purpose or occasion. In this study, we will look at the history of the death penalty, offences which will result in the imposition of the capital punishment, feminist point of view on the death penalty imposed on women offenders, number of women offenders in our country facing the death row, existing legislation concerning women offenders, whether death penalty acts as a mechanism of deterrence for women offenders and whether other form of punishment could be introduced to replace the imposition of the controversial death penalty on women offenders.

The death penalty, the most severe sanction or punishment a government entity can impose on an individual for a crime, has existed in some form throughout recorded history.<sup>2</sup> 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.<sup>3</sup> 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

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<sup>1</sup> Fordham Urban Law Journal, "Rare and Inconsistent : The Death Penalty for Women", <http://www.acesmylibrary.com/comsite5/bin/>, accessed on 10 September 2008.

<sup>2</sup> "The purposes and effectiveness of capital punishment", <http://www.deathreference.com/BI-CE/capital-punishment.html>, accessed on 2 February 2009.

<sup>3</sup> "History of the death penalty", <http://www.deathpenaltyinfo.org/part-i-history-death-penalty>, accessed on 12 January 2009.