

# EXTRAJUDICIAL PUNISHMENT: A COMPARATIVE PERSPECTIVE

By

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## Abstract

It cannot be gainsaid that the discourse on the issue of extrajudicial punishment has wrongly been conceived as a phenomenon limited to developing nations or Africa, which has unfortunately been described in some quarters as dark continent. As a matter of fact, the embarkation on this research has availed the work the opportunity to clear the air on this misconception. The objective of the study, therefore, is saddled with giving a detailed comparative account of this phenomenon from a global prism, and it is against this backdrop that the work argues the thesis that extrajudicial punishment or killing is not limited to Nigeria or Africa. It demonstrates that extrajudicial punishment is the act of punishing individuals presumed to have committed crime without due process. The horrendous act is perpetrated by agents of the administration of the criminal justice system namely, the police and prison authorities in their custodial centres. The study articulates a global perspective of extrajudicial punishment or killing so that in addressing this problem, all hands must be on deck globally in stemming this scourge from festering. Finding reveals that agents of the state and non state actors, namely the police, prisons and deadly vigilante/militia groups have been implicated from accounts of the successive reports of human rights activists as those behind these horrendous acts. As a result of this denigrating treatment of torture, several inmates and detainees alike have lost their lives through this reprehensible act. The outcome of the study shows several accounts of extrajudicial punishment and how extrajudicial punishment can lead to extrajudicial killing if not checkmated. It is in the light of this, the work explicates that extrajudicial killing, as an act that is morally and legally condemnable, is not limited to Nigeria, hence, a global phenomenon.

**Key Words:** Crime, Extrajudicial Punishment, Extrajudicial killing, Morality, Punishment.

## Introduction

Extrajudicial killing is an extreme case of extrajudicial punishment. The act of punishing people unlawfully, borne out of mischief politically motivated, has become pervasive. This act of extrajudicial punishment has snowballed into the loss of life of innocent persons. This is why in most cases when extrajudicial punishment is discussed in this work, extrajudicial killing surfaces. It is intended to aver how inimical such immoral act is, and hence, should be checkmated forthwith. The thrust of this paper is to aver that such worrisome infraction is not just a Nigerian or African problem but a global issue. Several literatures have lent credence to the discourse of this global menace called extrajudicial punishment. Hence, various accounts of reported violations of the dignity of persons that have eventually led to extrajudicial killings globally are stated in this work.

Since conflict, which is as old as man emanates from differences and disagreement between two or more persons, extrajudicial punishment is, no doubt, as old as man's existence. Since conflict is intrinsic in man so also is extrajudicial punishment. Strife, rift, mischief, hatred, hostility, anger, aggression, acrimony, brutality and the struggle and quest for state and policy capture, dominance and acts of oppression are globally identified as likely factors that might

have momentarily made man to have thrown caution to the wind while taking life illegally, hence the phenomenon, extrajudicial killing. The research work underscores the global perspectives of extrajudicial punishment. Extrajudicial killing, which is an extreme case of extrajudicial punishment, for the purpose of clarification, is not limited to a particular society, sub national, nation or continent. It is a social menace that has been taking place *ab initio* in every part of the world peopled by human beings. The discourse on extrajudicial punishment and killing has taken a global dimension, as it is biting hard on virtually all nations across the world.

Scholars, Crime Reporters, Amnesty International, and global Human Rights Commissions have put up intriguing reports on the increasing rate of extrajudicial killings across the globe. Hence, the worrisome state of this global tragedy called extrajudicial killing. These global human rights bodies have, over the years, made frantic efforts to identify the root cause of this hydra-headed monster and at their best have proffered solutions. The reason is to mitigate these horrendous killings unfortunately perpetrated globally. Extrajudicial killing, an extreme case of extrajudicial punishment, is a global tragedy that has largely affected universal peace, security and safety. It is interesting to note that extrajudicial killings have, in no small measure, contributed in weakening global peace, stability, cohesion and security. This is sequel to the horrendous killings across the globe mostly perpetrated by state and non-state actors, thereby contributing to making this social malady to fester.

An array of global scholars has written extensively on extrajudicial killings because of its global implications worldwide. Many authors have expressed discontent and have morally condemned extrajudicial killings, because the phenomenon has painted many countries in bad image, as it is a grave infraction. The term 'extrajudicial killing' refers to killings, murder, assassinations that are regarded by the Constitution as severe criminal infractions that attract severe punishment having fallen short of the standards of the laws of the land. Although the state has been fingered and has implicitly accepted the commission of such extrajudicial killings. Extrajudicial killing, which has been discussed as extreme case of EJP, is synonymous with political killings except that political killings are committed without the involvement of the agents of the State. Extrajudicial killing is different from politically motivated killings, because it always involves some degree of State involvement. Politically motivated extrajudicial killing is synonymous with organised killings, in which the victim is not alive to defend himself and the perpetrators of such killings remain faceless.

### **American Perspective of Extrajudicial Killings**

It should be noted that EJK is not peculiar to Nigeria and other developing nations, rather it is a global phenomenon. It was gathered that from the Second World War shaking off, Israel has increased unlawful killing as to its attack against the Palestinians. This has, consequently, led to the execution of a total of 150 people in three and half years. Israel's policy of targeted execution has attracted policy condemnation. It is on record that both the Yemen attack by the USA and the targeted executions by Israeli forces have been condemned by both human rights NGO and other UN bodies as extrajudicial killings. The developed and developing nations argue that the killings carried out were lawful acts of war embarked upon for self- defence (Emmanuel, 2010). As aptly espoused in the introductory phase of this subheading, we should be able to distil from the foregoing that extrajudicial killing is not limited to Nigeria or other African nations, who have unfortunately been victims of this unlawful killing. It is interesting to note that America, a model democratic nation for all nations in the world, has witnessed the

worst form of executions extrajudicially. It is the American perspective of extrajudicial killing the thesis under this subheading is saddled with as a moral issue.

The United States of America, which all nations across Africa, Europe, Asia and Australia see to be a model country in the realm of getting things right and doing things accordingly in conformity with standards, laid down regulations and the rule of law has unfortunately come short of this glory. Perfection is not in any way attainable in the U.S. as a developed nation, sequel to all acts of evidence based on infractions and illegality of several violations of these basic human rights. This position of the reality of uncertainty and imperfection characteristic of the U.S. further lends credence to the popular aphorism that perfection itself is a utopian ideal. This act of violation of these basic rights, which are fundamental rights of citizens is, undoubtedly, a common place in America. Reports have proved it that it is also prevalent in other climes of the globe. This seriously calls for a worrisome state of affair that has provoked thoughts and has consequently propelled the undying zeal behind the embarkation of this research work.

Although the United States of America has been fraught with many cases of extrajudicial killings over the years, but one very recent case that is dramatic and descriptive of this heinous act prevalent in the United States is the extrajudicial execution of George Floyd. The demise of George Floyd's, an extrajudicial act perpetrated by the Minneapolis police and the attendant global protest is mind boggling and questions the public order of a nation like the United States of America. The horrendous act is worrisome, quite frustrating and disappointing, because it is assumed that American democracy is a legacy one. That it is a democracy that has respect for the rule of law and respects and protects the rights of the people as encapsulated in extant laws in the U.S. The public display of lawlessness by the police in Minneapolis is a testament to how far impunity has festered in a country adjudged as "God's own country." The most denigrating act perpetrated in the open glare by the police in the U.S., which was borne out of racism is condemnable, and as such a conduct that leaves so much to be desired from a country seen as a model of democracy and democratic governance. The barbaric act goes further to question public safety and the loss of public trust on the security agencies of government by Africans and Afro-Americans living in America. George Floyd having publicly been denigrated, brutalised and tortured *cum* his subsequent summary execution by the police unlawfully is another traumatic reminder of Bruno Latour's provocative claim. The barbaric act has battered the so-called acclaimed integrity of the U.S. to the world (Latour, 1993, p.10).

Activities associated with the vigilante groups in the United States have an age long history. The factors that led to the emergence of these vigilante groups have been widely studied. The security outfit had been known for bursting crime committed by online sex registries. The persons arrested in connection with this crime were chased out of their homes with their houses burnt. The actions of the vigilante groups are condemnable. They were said to have gone afoul of the law by torturing and brutalising persons, who committed crimes. Their actions are unlawful and condemnable, as these security men have turned themselves to bullies and threats against the people. The crimes committed notwithstanding, as they were supposed to allow the law enforcement agencies to do due diligence by carrying out thorough investigation, and awarding punishments if they were found culpable. These vigilante groups have also been known for the killing of doctors, who performed abortions (Special Rapporteur, 2010, p.76). In the same vein, United States border patrol agents were reported to have killed at least forty-four people along the nation's southern border. The report lends credence to the fact that the United States policy violated the international law against EJK, a law that every nation is bound by (Steve, 2018, pp.1-2).

The onslaught on the U.S. by Yemen cum the targeted killings by Israel forces have been condemned and regarded by NGOs and United Nations as extrajudicial killings. It was, however, argued that the killings cannot be regarded as extrajudicial in the sense that they are perceived, because the killings occurred during warfare. The killings are not extrajudicial killings. They were carried out in defence of self. A few persons were said to have bought the idea of the Israeli policy, as some human rights experts have argued that there are instances where targeted killings can be morally and legally justified (David, 2005, p.173).

It is worrisome and mind boggling that America, a developed continent has been enmeshed in a series of extrajudicial killings within the continent and even during peace keeping missions in war troubled nations outside the continent. The police have significantly been responsible for a series of killings in America, as it is also recorded by human right pundits in other continents in the world like Africa, Asia, Australia and Europe. There is no gain say that extrajudicial killing is an act that brings more pains than pleasure to the citizenry, as it is antithetical to the utilitarian maxim of collective peace and security. The moral consequence is huge; hence, it is recommended that it should be discountenanced in its totality. The account of both African and Asian continents on extrajudicial killings will take the front burner in the next subheading.

### **Extrajudicial killings As Recorded in African and Asian Nations**

Civilisation is attained in a society when people's rights are respected, and the rule of law is in force. To protect the citizens' rights, the institutions of government that are in charge of law enforcement must be strengthened by government. These institutions of government can be strengthened through reforms. By this, we crave for ethical overhaul in the administration of the criminal justice system. That is as legal institutions and officers of law, their day-to-day duties must be in line with the standards of the moral laws. Arrest, prosecution, arraignment and imprisonment of offenders must be moralised. Punishment in this case does not connote holding the convict in prison custody to suffer him or her rather punishment should be hinged on transforming the character of the inmate to become a better person through basic reform programmes. The agents of these institutions must not be vindictive rather they should carry out their activities with the respect of the rule of law and protection of the fundamental human rights of the citizens. Out of the fundamental rights as stated in the Constitution of many nations, we shall mention a few of these inalienable rights, namely: rights to life, liberty, conscience, freedom of movement, speech, freedom from torture and inhuman treatments. These are rights that must be respected and protected for the general development of the individual. That is such protection and respect for these rights must affect the individual physically, mentally, intellectually and culturally. Constraints put up as a result of legislation or policies of government as to having access to these rights would amount to constraints in the overall development of the individual. The report of deaths of innocent persons as presented by human rights experts alludes to the fact that several persons have been killed by police officers without investigation and documentation. This horrendous act is replete in Africa and Asia, hence, the reason for this research. The work spotlights the threats posed by the vigilante groups, which operate in violation of the law. The study will furnish us with details pertaining to death in detention facilities at police and prison cells arising from torture and other denigrating treatments. This barbaric act carried out by relevant institutions of government is a serious moral problem that must be interrogated. Experts have espoused that these killings have often been under reported by the concerned institutions, who were said to have perpetrated such extrajudicial killing. Among the concerned Asian/African countries billed for discourse are namely: Philippines, Nepal, Guinea, Ghana, Benin, Kenya, to mention just a few.

Kenya: Right to life is a fundamental right that every citizen is supposed to enjoy. This right is among other rights enshrined in the 2010 Constitution of Kenya. Such right is also encapsulated in different international instruments. The 1948 United Nation Declaration of Human Rights also has the right to life among other rights as basic human rights that must be guaranteed citizens by all nations. This right to life is contained in Article 3 of this international instrument. The International Covenant of Civil and Political Rights has right to life in Article 6. The African Charter on Human and People's Rights has the right to life encapsulated in its Article. It is our understanding that human rights are entitlements that come to every person naturally as a human being (Koome Murith, *et al*, p.1)

Aside stating these rights in the Constitution of Kenya, the 2010 Constitution also states how this right to life can be checkmated. Such right to life can only be curtailed by a court of competent jurisdiction in crimes like murder, terrorism etc. The reason for having this right embedded in the Constitution is to ensure that the right is not violated except otherwise by court. In spite of this constitutional provision of the right to life, the government of Kenya has, over the years, violated this right by extrajudicially killing some Kenyans. It is worrisome to note that the State that is supposed to respect and protect this right to life has failed in protecting this inalienable right. The right to life is sacrosanct, and as such no one has the right to take the life of another person unlawfully in Kenya, and even in the entire continent of Africa. Thus, this identified brazen impunity associated with the government of Kenya is not just an infraction condemned by law but also morality. The work is poised to interrogate this issue morally (*ibid*.p.1).

The police have been very notorious in killing with impunity. They have been identified as serious nightmare, as they are nothing but danger to the life of the Kenyans. The sudden metamorphosis of the police into an institution that is insecurity personified is worrisome. The government of Kenya has been identified as using the police as a tool to achieve its aim. The Kenyan police is fraught with institutional problems, but the height of this institutional quagmire associated with the police is its involvement in extrajudicial killings. More than any other institution in the country, the police is bedevilled with institutional problems, but one of the debilitating ones is its involvement in extrajudicial killings (*ibid*.p.1).

“Shoot-on- sight” orders are given to the police by the obnoxious Kenya government in total violation of extant laws. This dastardly and notorious act has consequently affected public security and safety in Kenya. The continuation of killing of persons, who commit crime despite several police reforms remind us of two key things. The police, as an institution of government, have seen shooting at crime scene as the only way of checkmating crime. This thought has unfortunately made police to be confident that the only way to get rid of dangerous and hardened criminals in the society is by summarily executing them upon arrest. Secondly, it is evident that there has never been any general protest by Kenyans condemning this summary execution of criminals by the police. This alludes to the fact that the Kenyans are comfortable with these horrendous killings perpetrated by the police. Suffice is to say, it is believed as exhibited by the people that the killing of young thieves is perceived in government circle as not reprehensible. that killing young thieves is conceived in public circle as not condemnable. This brutality of the police targeted on young criminals creates a nightmare on the youthful segment of the society.

The failure of the police in Kenya to nip insecurity in the bud owing to its recklessness and ineptitude has made vigilantes to also kill at will with impunity subjecting the nation to anarchy. The police backed up the vigilantes in all infractions and killings that are grave

violation of human rights, particularly the right to life. They kill without minding whose ox is gored. (Special Rapporteur, 2010, p.37).

**Philippines:** The Special Rapporteur presented in its report of wanton human rights violations perpetrated by vigilantes in 2007 in Davao. It was reported that vigilantes committed arrested criminals to Firing Squad in 2007 without court trials. These killings were carried out on the approval of the government of the Philippine. It is on record that since 1998, the Davao Firing Squad had killed over 500 people, and these persons were executed publicly with impunity. The Firing Squads orchestrated by the vigilantes focused on suspected petty criminals, drug dealers, gang members and street children. In Davao City, officials submit names of suspected criminals for inclusion on law enforcement watch list. It should be noted that all these persons executed were neither given fair hearing nor tried in a court of competent jurisdiction. This act of extrajudicial killing was supported by the Mayor of Davao City in his public statement. The vigilante Death Squad had reportedly killed 28 people in Davao in the first month of 2009 (ibid.p.38).

**Guinea:** On 2 June 2009, a senior official of the National Council for Democracy and Development Government of Guinea, Captain Moussa Tiegboro Camara, publicly stated: "I am asking you to born alive armed bandits, who are caught red handed... Our jails and our correctional centres can no longer take in people, and the situation cannot carry on like this... It is better to kill all those who kill. Three days later, human rights groups reported the murder of a man by a group of residents, who accused him of theft, beat and burn him to death (ibid.p.39).

**Nepal:** Nepal had been reported as one of the countries in Asia, where extrajudicial killing was said to have reared its head. Report has it that during this period of internal war, vigilante killings were rife. During the internal armed conflict in Nepal, vigilante killings were often reported. In many rural areas, the government empowered and armed the vigilante groups. The Internal Affairs Minister, who was supposed to condemn this act of killing publicly applauded several executions carried out by the vigilantes. He maintained that court trials were not necessary during war. The justice system was brought to a halt, and the judiciary was no more the hope of the common man during this period. Anarchy was in force as against the rule of law. The vigilantes were poorly trained and ill-mannered. They frequently abused the people stripping them of their rights as human beings. They tortured and killed those suspected as Maoist apologists. They extorted money and violently intimidated strangers. In a reprisal attack, Maoists punished these vigilante groups, abducting and extrajudicially killing them and their supporters. In 2009, some places were subjected to crime by armed groups believed to include members of former vigilante groups (Special Rapporteur, 2010, p.40).

**Ghana:** Mob killings, which is a kind of extrajudicial killing was a common place in Ghana, during the period under review. Human Rights News' report from July 2009 stated this increasing wave of mob attack especially when thieves like pickpockets were caught. It should be noted that these killings were carried out by vigilante groups in Ghana. A field worker reported that among those persons killed by vigilantes were more of young persons accused of petty theft. Young males were always attacked in their numbers with any kind of weapons by the vigilantes. It is on record that the emergence of vigilante groups in Ghana was as a result of failure of the police to ensure public safety and security (ibid.p.41).

**Benin:** The complaint on mob attack was brought up in Benin before the Committee saddled with torture. The government was aware of the fact that the problem had initially emerged in the 1990s and had deplored for several seasons. The court system in Benin was said to leave

so much to be desired, because the court trial processes were slow and consequently justice was often denied. The people were displeased with the justice system; hence, they resorted to selfhelp. In fact, mob justice became rife giving room for the right of citizens to life to be violated. Instead of handing those, who were caught for petty theft to the police for necessary action, in line with extant laws, these offenders or culprits were summarily dealt with right at the scene of the crime. When government was engaged by human rights advocates on this state of disrespect for the rule of law, they had always said they were working to stem the tide (ibid.p.42).

It is problematic to bring those, who commit extrajudicial killing to book. The greatest challenge is that EJK is not criminalised under international law. Even though torture seems less severe, torture is criminalised under international law. Yet, states are allowed to deliberately kill individuals in several suspected criminal situations. Execution can take place only when sanctioned by court. It should be noted that it is not all killings that are extrajudicial. Killings sanctioned by court are not extrajudicial. Killings carried out during warfare or when the police are in exchange of fire with armed robbers cannot be legally or morally condemned. The reason being that such killings were carried out in course of self-defence, hence, they cannot be termed as extrajudicial killings (ibid.p.185).

In Africa and Asia, the police and vigilante groups are responsible for an avalanche of extrajudicial killings and torture. These are unlawful acts that violate the citizens' fundamental human rights. This inhuman and unlawful act of torture and the killing by the agents of state is a gross violation of the right of a person to live. Bentham, in his utilitarianism, sees the right to live as sacrosanct, hence, his call for the condemnation of punishment by death. Acts that violate the right to life are not in conformity with the utilitarian maxim of the greatest good. Acts like extrajudicial killing, which trample on the right to life of the citizenry is antithetical to the utility maxim of Jeremy Bentham. This is because they are actions that bring less happiness and more pains. America, Africa and Asian nations witnessed extrajudicial killings, in view of the several instances of violations to the right to life. We shall discuss recorded cases of killings in some European countries in the succeeding subheading.

### **European Perspective of Extrajudicial Killings**

The death sentence punishment has been condemned by many countries in Europe. Although, it was said to have been practised in Balarus. Russia seemed to have put death sentence to a complete stop, but suffice is to say, the abolition only existed in theory. It was not feasible, although no execution had been recorded fifteen years ago. In several countries in Europe, politicians have argued to bring back death sentence. In like manner, in 2006, late Lech Kaczyriski, a former president of Poland made advocacy during a debate in Europe to reintroduce capital punishment. Also, a twin brother of the deceased president, Jaroslaw Kaczyriski, a former prime minister made a pronouncement by the end of 2011 that one of the goals of his party was to bring back capital punishment (Zoltan, 2013, p.37).

The work will discuss countries in Europe like France, United Kingdom, Algeria and Hungary, to mention just a few, where extrajudicial killing is reported to have taken place. France agreed to use torture during its war with Algeria for the independent francophone colonies. The different forms of torture noticed during this time include food starvation and water deprivation; exposure to harsh weather that can be health threatening; electric shock; and other forms of inhuman treatments. In like manner, the monarchs, namely either king or queen of the United Kingdom used torture, as it likes, cruel and harsh treatment, in its attack against the Irish Republican Army (ibid.p.37).

The UK, like many colonial liberal societies, was especially cruel abroad. The level of violent crimes perpetrated against the people such as crimes against humanity was rife in the UK. However, acts of torture used by the United Kingdom against Kenyans during the 1950s include, beatings, electric shock, use of cigarettes on the body and on the skin, rape etc. Spain reformed its law enforcement and military apparatuses for dealing with terrorists even as it emerged from the Franco dictatorship. As a result, members of the Basque separatist terrorist group, Euskadi Ta Askatasuna ("ETA"), continued to be tortured in the new democratic regime. Basque activists were severely tortured in prison upon arrest and were never charged with any crimes for trials in court. Members of a Basque newspaper accused police forces of suffocating them with plastic bags and forcing them to participate in a simulated execution (ibid.p.37).

The controversy on death sentence in Hungary was rife. Politicians, in government, condemned the abolition of death sentence and did crave for it to be reinstated. Viktor Orbán, Hungary then Prime Minister, announced on air back in May 2002 in his saddle as prime minister (between 1998–2002) that after having met the relatives of the murdered victims of the recent Mor bank robbery, his perception concerning the death penalty had changed. That he had been against it before, but with the severe crime of bank robbery witnessed, he was forced to embrace it. He noted that with the call for the reinstatement of death sentence, Hungary would be disallowed membership into the European Union, but he believed that with time as things were changing and society getting worst with crime, the EU would come to the realisation of embracing death sentence (Zoltan, op.cit.38).

The last time that there was a raging controversy on capital punishment in Hungary was in 2012. During this period, there was a reported case of rape of a young, pretty police psychologist in Pécs. In the late autumn of 2012, the lifeless body of an 11-year-old boy deposited without traces was found a few days after he went missing on 30th October 2012. It was gathered that the woman, who was looking after him had asked two hopeless men to beat him to death. Heinous and life-threatening crimes such as this made people to demand for the reinstatement of death sentence. Many celebrities and politicians alike condemned the abolition of capital punishment in the face of such brutal murders (ibid.pp.37-38).

Extrajudicial killings have the potential of creating a havoc in the democratic mechanism of the country. Rather than letting it go loose, steps should be taken in form of legislative amendments that keep everyone under the law (Avatar). This horrendous act has provoked a few moral issues and questions, namely:

- i. Was the killing the last resort to capture prisoners or save yourself?
- ii. Were the standard procedures being made for such chase scenarios followed?
- iii. When does a good man (like the police officer) decides when to kill? Imagine a situation when a policeman was seen shooting at the already unconscious lying bodies. This goes further to condemn the rot and the moral decadence in the police as an institution.
- iv. The ethical dilemma regarding saving your team and trying not to kill the escaped terrorist.
- v. Police accountability is a serious moral issue. The authenticity of the report tabled after the incident. This could also bring in question like honesty, integrity of police officers, who performed the operation (ibid.pp.37-38).

The ethical issues involving extrajudicial killings encounter were very grave, as it involved killing of a citizen regardless of his or her criminal status. Extrajudicial killing could be likened to cold blooded murder by the state, which is not desirable in modern societies. This encounter overrides the constitutionality of people's rights. The duty of the police, as an institution of government, is to discharge its duty professionally and diligently with regard to the rule of law by arresting the culprit and sending him or her for trial in a competent court of jurisdiction. The gun is being given to the police to protect the citizens and for it to use the bullets sparingly (only in self-defence). Accountability, transparency and responsibility of the cops in the line of duty is a key moral concern that the state should look into and address in order to safeguard our democracy (ibid.pp.37-38).

Recent killings of undertrial, SIMI's activists raised certain ethical issues which are:

- i. The people's rights to live under Act 21 of Indian Constitution and one of the basic values of human rights is denied.
- ii. Egoism which means self- serving at the cost of others prevails as the state carries out such killings for its own vested interests.
- iii. The law of the land is flouted, which forms the constitution.
- iv. It undermines democracy, it diminishes the nation's founding values and it delegitimises the state's authority.
- v. Gandhiji believed in pure means to achieve ends (deontological ethics).
- vi. Threat to law and order and security of a region is not compromised as it is state's duty to protect its law-abiding citizens.
- vii. Sometimes ends are more important than means (teleological ethics). Here state kills SIMI's activists to achieve safety (ends) (ibid.pp.37-38).

As a matter of fact, extrajudicial killing is a serious moral issue plaguing the world, and as such can be comprehensively addressed if the above chronicled moral issues are investigated and addressed. Since, it is a moral problem, it must be tackled from a moral angle, that is the character and creative thinking skills should be well built in people, particularly the spirit of brotherhood. We must live in the world as our brother's keeper. We must always see ourselves as one without doing harm or hurt one another that will bring about taking another person's life. This is because extrajudicial killings do more harm than good to the society. The state owes its citizenry a duty of care by always guaranteeing them their safety and security.

From the foregoing analysis, it is not farfetched that a few countries in Europe still have capital punishment as part of their laws but have refused to carry out execution of condemned criminals. They have decided to keep convicts of capital offence for a long time in prison, refusing to sign death warrant, as it is against human rights pursuits of the basic people's right to life. Brutality is an age long practice from ancient times until moment, as it is adopted to coerce accused persons in Europe to confess to crime. Capital punishment and torture are antithetical to the utilitarian maxim of Jeremy Bentham. They tend to bring much pain and less happiness. This is itself a serious moral issue, although not the focus of this research but research for another day. The utility value associated with capital punishment is very low;

hence, the thesis bemoans this practice on a moral and humanitarian ground. It is morally condemnable.

## Conclusion

The study has been able to x-ray extrajudicial killing locally and globally. This indepth global analysis, undoubtedly, lends credence to the fact that extrajudicial killing, a social menace, is adjudged a global moral issue. A salient point here is that the research has been able to clear the impression of an array of persons, who have erroneously opined that extrajudicial killing is common to developing countries in Africa. The kernel of discourse that the research has elicited, sequel to the findings afore unearthed, is that extrajudicial killing, a threatening moral issue does not happen only in Africa. It is both a moral and legal challenge that the whole world is grappling with, notwithstanding their developed status economically, socially and politically. These are fundamental human rights deemed to be enjoyed by citizens as entrenched in 1999 Constitution as amended and other international instruments. Besides, extrajudicial killing is a gross violation of the people's rights, hence the condemnation of the act globally. The worrisome situation of the police always taking laws into their hands culminating in this bloodletting of innocent souls globally has been well addressed in this work.

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