

## The Cruel, the Degrading, and the Inhuman

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In this Article, Jacinto Jimenez engages the reader into a brief treatise of the history of the concept of cruel, degrading, and inhuman punishments. He begins by saying that while barbaric punishments have already been abolished in civilized societies, inhuman punishments was the trend in penal systems during the early times. He divides the history of said punishments according to the countries that either subscribed or rejected them, namely: England, America, and the Philippines. After a discussion of what it means for a penalty to be “cruel” or “degrading,” the Article goes on to tackle the need for proportionality between the offense and the penalty. The factors to be considered in determining whether a penalty is excessive are enumerated, thus: the nature and the gravity of the offense, the harshness of the penalty, the moral depravity of the criminal, the severity of the penalty for the offense in question as compared with the penalties for other offenses, the attitude of the public, and the legislative purpose behind the punishment. By way of conclusion, Jimenez reminds the legislator, the judge, and the director of prisons alike to see to it that the penalties imposed by law satisfy the demands of justice without violating human dignity.