By restricting the use of their drugs for lethal injections, Pfizer pharmaceuticals threatens what some consider the most humane form of capital punishment. As the last pharmaceutical company to do so, the well has run dry for FDA-regulated execution drugs.
Historically, death row inmates have been killed by firing squads, electrocution, hanging, gas chambers and lethal injection. In this scenario, no option is pretty, but many prefer the latter.

Whether you agree with the death penalty or not, most states have it. And, since the early 1990s, lethal injection has been the most common method. Until the federal government fully abolishes capital punishment, restricting access to the drugs necessary to carry it out won’t just make it go away.
With no access to FDA-approved drugs, many states must consider other, non-regulated ways to produce these drugs, such as compounding pharmacies, or alternate execution methods. For example, Utah recently approved the use of a firing squad as the back-up option. Conversely, some states where capital punishment is legal, such as California, have not executed an inmate in over a decade, instead choosing to expand death row.

When speaking against lethal injection, many people cite harrowing stories of executions gone wrong, such as that of Dennis B. McGuire in Ohio in 2014. However, data illustrates the bigger problem.
According to the Death Penalty Information Center, lethal injection has the highest rate of botched executions and takes an average of 11 minutes to cause death. This doesn’t vary much in time from some of the more archaic methods.

**This Week’s Circulars**

The electric chair takes between two and 15 minutes to kill someone, the gas chamber takes between 10 and 18 minutes, and hanging takes between four and 11 minutes.

Guillotine and firing squads, on the other hand, clock in at under a minute.

So, if the goal is truly to minimize duration and pain, those should be viewed as the most “humane.” But, as Judge Alex Kozinski of the Ninth U.S. Circuit Court of Appeals notes, though there are more instantaneous forms of capital punishment, like the guillotine, they “[seem] inconsistent with our national ethos.”

This ethos against “cruel and unusual punishment” prides itself on minimizing pain through medical advancements. However, in light of the facts, it’s easy to see why Kozinski considers the use of drugs for executions as a “misguided effort to mask the brutality of executions by making them look serene and peaceful.”

Though declining public opinion of the death penalty may have contributed to the decisions of pharmaceutical companies to restrict the use of their drugs in executions, a majority of Americans still favor capital punishment.
Until that majority becomes a minority, the reality of this institution could get worse before it gets better. If states continue to perform executions via lethal injection, the lack of FDA-regulated drugs could lead to more botched cases.

However, in the long-run, the decisions of these pharmaceutical companies might also effectively abolish the death penalty. A retreat to these more archaic and less peaceful execution methods could cause death penalty proponents to change their minds. Even if not, guns and guillotines would remind everyone that the act of taking away someone's life in any form is brutal and violent.

Though no obvious legislative outcome exists, the pharmaceutical industry has effectively shaken up the institution of capital punishment. But for better or worse, drugs or no drugs, the death penalty itself isn’t dead yet.