

Press Release

For immediate release

22 November 2016



South African Institute of Race Relations
The power of ideas

Media Contact: Graham McIntosh Cell: 083 708 9988 or Kerwin Lebone Tel: 011 482 7221 ext. 2013 Email: klebone@sairr.org.za

Should SA execute its most violent criminals? New IRR report provides some answers.

The IRR has released a report on whether South Africa should reintroduce the death penalty. The report comes against a context of rising levels of serious and violent crime, often characterised by extraordinary cruelty and violence on the part of perpetrators. The current Rhodes Park murder and rape case would be an example.

IRR CEO Dr Frans Cronje stated, “We were asked to look into the death penalty as a way to deter the most cruel and violent crimes – such as the Rhodes Park murders. These are crimes characterised by gratuitous violence in which victims are tortured, family members raped or executed in front of their loved ones, and children harmed. South Africa has far too many examples of such crimes. The examples are frightening: women tortured by having kettles of boiling water thrown over them, people burned with irons or on stove tops, families executed. These are crimes where the perpetrator goes well beyond the violence needed to execute the robbery or whatever motivated the crime in the first place”.

IRR security analyst Kerwin Lebone said, “Almost 500 000 people have been murdered by violent criminals since 1994. Many more have been maimed, otherwise injured, or traumatised. It must be expected that the society might ask questions of the wisdom of having abandoned the death penalty”.

In its research, the IRR tested five objections to the death penalty:

- That it is cruel and unusual
- That it is a form of retribution
- That it is arbitrary
- That the penalty is not a deterrent to crime
- That an irreversible error can be made

The IRR was able to overcome the first four objections. It found that the death penalty is not necessarily cruel and unusual. Society is entitled to a measure of retribution. The arbitrariness is not unique to that form of punishment. The international evidence is mixed but, in South Africa’s unique circumstances, the death penalty could well be a deterrent to the commission of the most cruel and violent of crimes.

The IRR felt that the most compelling argument against the punishment was the possibility of error – particularly in the case of the South African criminal justice system. The IRR said that, while a case could be made to reopen a debate into the death penalty, this debate would have to overcome the fifth objection to that penalty.

End.
