

# POLITICAL SLEIGHT OF HAND

## THE DEATH PENALTY NOT AN ANSWER TO CRIME

**All too often politicians avoid discussing the real issues behind criminality. Instead they advocate the use of the death penalty as a catch-all solution to making the public safer.**

The causes and solutions to the violent crime that blights so many societies are complex. Crime may be reduced through having better trained and equipped police officers, eradicating poverty and improving education, among other things. But politicians often refuse to address the genuine issues that lie behind crime, preferring instead the sound-bite “solution” of advocating executions. Executions give the appearance of strong action being taken and the illusion of order being brought to a chaotic situation. In reality, taking the life of a person already incarcerated and therefore no longer a threat to society is a futile and grotesque gesture in the fight against criminality.

In Jamaica, where the last hanging took place in 1988, both major political parties have promised to resume executions in response to the island’s appalling homicide rate. Jamaica has one of the highest per capita homicide rates in the world, with 1,574 murders committed in 2007 in a population of approximately 2.6 million. However, political leaders have been distracted from addressing reasons for, and solutions to, the crime rate by simply arguing about who would hang more. As one commentator wrote in the *Jamaican Observer* newspaper in 2006: “Instead of using their time and energy to find new and creative ways to address the problems of violence against children, our parliamentarians prefer to rest their laurels and run the same tired argument about capital punishment.”

High-ranking police officers have pointed out the futility of attempting to address the Jamaican crime problem through the resumption of executions. Deputy Police Commissioner Mark Shields stated: “In my experience working in Jamaica, it would be a complete and utter waste

of time to say to these young men of violence that, if they kill, the likelihood is that they will be killed by the state, because they don’t expect to live that long. They expect to die at the hand of a police officer or at another criminal’s firearm.” This view is supported by other



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**A death row inmate looks out of his cell in the North Condemned Unit at Pontiac Correctional Institution in Illinois, USA. In January 2003 Governor George Ryan commuted all death sentences in Illinois to life imprisonment, calling the state’s death penalty system “arbitrary and capricious”.**

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surveys of high ranking police officers. A 1995 study in the USA found that a mere 1 per cent of police chiefs there put greater use of the death penalty as a priority in reducing violent crime, compared with a combined 51 per cent for reducing drug use or reducing unemployment.

In South Africa, a spokesman for the Freedom Front Plus party stated in 2006: "There are 18,000 murders a year in South Africa. That means 18,000 killers walking around with too few police looking for them... The only solution is to bring back the death penalty. All other solutions have failed." This line of argument appears confused and ignores the argument that an increase in the number of police officers has not been tried and might be a more productive approach to reducing crime.

Previous calls for the reintroduction of the death penalty have been resisted by political leaders. In 1996, responding to public demands for the reintroduction

of capital punishment in South Africa as a way of checking rising crime, the then South African President, Nelson Mandela, said, "It is not because the death sentence has been scrapped that crime has reached such unacceptable levels. Even if the death sentence is brought back, crime itself will remain as it is. What is required here is that the security forces must do their work and we are busy to ensure that the security forces have the capacity to deliver services, safety to the community. That is the issue, not the death sentence."

Politicians have a responsibility to act within the boundaries of human rights. On the issue of the death penalty and the deterrence of crime, political leaders need to present effective means of addressing the situation that do not endorse further violence, continue the cycle of violence or create more misery through violence. When the public request solutions to violent crime, the answer must never be further killing.

**“[THE DEATH PENALTY] IS A VERY CONVENIENT POLITICAL ALTERNATIVE TO REAL EFFECTIVE AND DIFFICULT PUBLIC PROTECTION AND CRIME PREVENTION PROGRAMMES. IT IS A CHEAP WAY FOR POLITICALLY INCLINED PEOPLE TO PRETEND TO THEIR FEARFUL CONSTITUENCIES THAT SOMETHING IS BEING DONE TO COMBAT CRIME.”**

J. van Rooyen, "The criminal judge and the death sentence: Some observations on the views of Mr Justice Curlewis" (South Africa, 1991)

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