

**TIME TO
ABOLISH THE
DEATH PENALTY
IN ZIMBABWE**

**AMNESTY
INTERNATIONAL**



TEN REASONS TO ABOLISH THE DEATH PENALTY

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1. IT IS IRREVERSIBLE

Every justice system in the world makes mistakes. As long as justice remains fallible, the risk remains of executing an innocent person. Sometimes people are convicted of crimes they did not commit. Once a person is executed, it cannot be undone.

2. MANY RELATIVES OF MURDER VICTIMS DO NOT WANT THE PUNISHMENT OF DEATH

The world-wide anti-death penalty movement contains the voices of many who have lost their loved ones to or have been victims of violent crime, but for ethical or religious reasons do not want the death penalty imposed 'in their name'.

"If we let those who kill turn us into murderers, evil triumphs and we're all worse off."

Renny Cushing, Murder Victims Families for Human Rights, 2011

3. IT GENERATES MORE ANGUISH AND PERPETUATES THE CYCLE OF VIOLENCE

Victims of the original crimes, and those executed for them, are not the only ones to suffer. The families of death row inmates share the psychological torment of knowing that an execution may happen at any time and are caused great pain when the execution does eventually take place. Executions brutalize those involved in the process. Combating crime should not create more misery through more violence. Society should affirm life, not end it.

4. IT HAS BEEN UNJUSTLY APPLIED THROUGHOUT THE HISTORY OF ZIMBABWE

The death penalty in the current Constitution of Zimbabwe is a remnant of its colonial legacy. Mbuya Nehanda is one of the most famous examples of people who were executed by the colonial administration. During the second war of liberation (Second Chimurenga/Umvukela), freedom fighters were labelled terrorists and put to death by the Rhodesian Government. Abolishing the death penalty is one way of recognising their sacrifices to end unjust laws and breaking with the violence of the past.

5. IT IS INHERENTLY CRUEL AND INHUMANE

An execution constitutes an extreme physical and mental assault on an individual. It is the premeditated and cold-blooded killing of a human being by the state, a cruel, inhumane and degrading punishment that is done in the name of justice. When a state carries out the death penalty society lowers itself to the level of the criminal.

"Allowing the State to kill will cheapen the value of human life."

Constitutional Court of South Africa, In Makwanyane and McBunu vs The State (1995)

6. IT DOES NOT CONTRIBUTE TO A SAFER AND MORE SECURE SOCIETY

There is no scientific proof to show it offers a solution to the problem of crime. Instead, crime may be reduced through having better trained and equipped police officers and an effective system for the administration of justice, eradicating poverty and improving education, amongst other things.

"The greatest deterrent to crime is the likelihood that offenders will be apprehended, convicted and punished. It is that which is lacking in our criminal justice system."

Constitutional Court of South Africa, In Makwanyane and McBunu vs The State (1995)

7. IT IS NOT AN EFFECTIVE DETERRENT

Nowhere has it been shown that the death penalty is a better deterrent to crime than imprisonment. In fact, in countries where the death penalty has been abolished, crime rates have often fallen. The average murder rate in the USA for states that use the death penalty is higher than for those that do not. In 2006, thirty years after Canada abolished the death penalty for ordinary crimes, the murder rate had fallen by over a third.

8. ABOLITION IS IN LINE WITH INTERNATIONAL LAW AND STANDARDS

The Universal Declaration of Human Rights states that everyone has the right to life and the right not to be subject to cruel inhuman or degrading treatment. Both the United Nations General Assembly and the African Commission on Human and Peoples' Rights have adopted resolutions calling for a moratorium on executions with a view to abolishing the death penalty.

9. MORE AND MORE COUNTRIES ARE ABOLISHING

The trend, both in Africa and globally, is towards ending the use of the death penalty. Across the 15 SADC countries, appetite for the death penalty is vanishing. Only Botswana has executed in recent years. Angola, Mauritius, Mozambique, Namibia, Seychelles and South Africa have already abolished the death penalty for all crimes. In Africa, more than two thirds of the countries have abolished the death penalty in law or practice. The battle to abolish the death penalty is being won. Zimbabwe should be on the winning side.

10. THE DEATH PENALTY GOES AGAINST THE RELIGIOUS AND HUMANIST VALUES THAT ARE COMMON TO ALL HUMANITY

Human rights are universal, indivisible and interdependent. They are based on many traditions that can be found in all civilisations. All religions advocate clemency, compassion and forgiveness and it is on these values that Amnesty International bases its opposition to the death penalty.