

*Shepherds and Butchers* by Chris Marnewick (Umuzi) R170

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The fascination of a courtroom drama lies exactly in its theatrical nature – a highly public platform, articulate performers pitted against each other, clearly defined legal-moral issues, and at the centre of it a human being, whether innocent or guilty, at the mercy of the outcome, all of it presided over by a god-like red-robed judge with the power of life and death..

Chris Marnewick exploits these attributes to the full in this absorbing account of one man's trial, as told by the man chosen to defend him. Marnewick, who is himself a practising advocate, is clearly intimately acquainted with courtroom procedure, giving his novel almost a documentary quality.

Indeed, at the centre of his fiction is a stark fact: in 1987, 164 people were hanged in Pretoria, 32 of them in the space of two weeks. Marnewick does not spare us the details of such a hanging – up to seven men at a time – and its effect on the men who have to carry it out. For a hanging, Marnewick takes pains to stress, is more than a matter between a hangman and a condemned – there is a whole administrative machine dedicated to each execution. In particular, each condemned man is accompanied – “escorted” is the somewhat inappropriate technical term – to the very last moment and beyond by the warder who has been looking after him, sometimes for more than a year. These escorts, having delivered their charges first to the chapel for a service and then to the fatal trapdoor, have to go downstairs into the “pit”, remove the bodies from the ropes, and clean up the considerable spillage caused by the violence of the death. After this they get to put the bodies in coffins and bury them, having attended a chapel service with the near relatives of the deceased.

The question Marnewick's novel poses is: what does this do to the men who have to carry out society's sentence, serving as both shepherd and butcher to their charges?. He chooses as his protagonist a young (fictitious) prison warder, Leon Labuschagne, who after several days of unrelenting pressure (on 8, 9 and 10 December 1987 there were 21 hangings in all) goes berserk and kills seven young black men in a road rage incident.

The narrator, Johann Weber, like Chris Marnewick a senior advocate from Durban, is appointed to take on Labuschagne's defence Pro Deo. Faced with the apparently

impossible task of saving Labuschagne from his own gallows, Weber undertakes to show that “the trauma of a multiple execution together with the close relationship that must have developed between the prisoners and the warders” could have unhinged Labuschagne’s mind to the point where he was not accountable for his actions. The progress of the case, the arguments on both sides of the question, the witnesses: all these are rendered in vivid detail, and make, apart from anything else, for a very gripping read.

But *Shepherds and Butchers* is more than a ripping yarn: whereas it is not in the first place a polemical novel either, it does leave the reader with some uncomfortable truths to ponder. For the most part, Marnewick allows his facts and descriptions to speak for themselves; only occasionally does he give a character an explicit judgement on the death penalty and its ramifications – as when a friend of Johann’s, a supreme court judge, claims that the death penalty entails “a collective denial of responsibility by everyone”: “the public bay for the death penalty but they have no idea of the extensive legal and administrative processes involved.”

The judge’s rather dry formula, “administrative processes”, has, by this stage of the book, come to stand for some pretty horrifying physical realities. But if *Shepherds and Butchers* is amongst other things clearly an attempt to temper the enthusiasm of those members of the public “baying for the death penalty”, it does not shirk the complexity of the question.

Marnewick gives us, in counterpoint with his fiction, the histories of the crimes committed by the 32 men executed in December 1987. The crimes were without exception appalling instances of calculated cruelty and a callous disregard of human life. It is difficult to feel sorry for the perpetrators, and Marnewick doesn’t ask us to. His point is the subtler one that society, in violently destroying these criminals, is brutalising and traumatising itself. We leave it to the legal profession to administer our idea of justice, and to take the rap: “The profession as a whole, as a collective, would carry the shame forever.” But the shepherds and butchers are in the service of the larger collective, society – us -- and they are merely doing its – our -- bidding.

As a courtroom drama, *Shepherds and Butchers* is a tense and engrossing read. As a reflection on a disturbing subject, it is thoughtful, balanced and compelling. At four hundred plus pages it could perhaps have done with a tighter edit, but I can report that I

read it in one day with unflagging interest and at times appalled fascination. To say that it should be read by all South Africans is to make it sound like a duty; it is in fact a wholly riveting combination of fact and fiction.