

MEASURING JUSTICE

Measuring Justice explores the ways in which South African court and managerial prosecutors deal with the quantification of social phenomena – such as justice, professional work or accountability – and address the radical simplifications of their inherent complexities, misrepresentations and editing as a consequence. While various studies show the concern of professionals about the damaging effects these quantitative forms of accountability have on the creativity, freedom and collaborative nature of expert systems, Mugler shows that the reactions and attitudes of these legal professionals differ substantially. Through careful scrutiny of the everyday work of prosecutors and how they reflect on the relationship between accountability, quantification and law, this book argues that actors who work daily with quantitative accountability measures develop a numerical reflexivity about the process.

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MEASURING JUSTICE

*Quantitative Accountability and the National
Prosecuting Authority in South Africa*

Johanna Mugler

Universität Bern



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To Kenneth, Philippa and Edgar

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ABBREVIATIONS

- (ADRM) Alternative Dispute Resolution Mechanism
- (ANC) African National Congress
- (Assault GBH) Assault with Intent to Cause Grievous Bodily Harm
- (CBD) Central Business District
- (CPP) Chief Public Prosecutor
- (CC) Constitutional Court
- (DA) Democratic Alliance
- (DDPP) Deputy Director of Public Prosecution
- (DOJCD) Department of Justice and Constitutional Development
- (DPP) Director of Public Prosecution
- (EFF) Economic Freedom Fighters
- (NDPP) National Director of Public Prosecution
- (NPA) National Prosecuting Authority
- (PFMA) Public Finance Management Act
- (SPP) Senior Public Prosecutor
- (SAPS) South African Police Service
- (SALC) South African Law Commission

LEGISLATION – STATUTES

- Certification of the Constitution of the Republic of South Africa, 1996
- Constitution of the Republic of South Africa, 1996 (Act 108 of 1996)
- Criminal Procedure Act, 1977 (Act 51 of 1977)
- Employment Equity Act, 1998 (Act 55 of 1998)
- General Law Amendment Act, 1961 (Act 39 of 1961)
- General Law Amendment Act, 1963 (Act 37 of 1963)
- Group Areas Act, 1950 (Act 41 of 1950)
- Immorality Amendment Act, 1950 (Act 21 of 1950)
- National Prosecuting Authority Act, 1998 (Act 32 of 1998)
- Population Registration Act, 1950 (Act 30 of 1950)
- Prevention and Combating of Corruption Activity Act, 2004 (Act 12 of 2004)
- Prevention of Organised Crime Act, 1998 (Act 121 of 1998)
- Public Finance Management Act, 1999 (Act 1 of 1999)
- Terrorism Act, 1962 (Act 83 of 1962)