Execution of Architecture / Architecture of Execution
or
The Persistence of Collective Memory

by

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I hereby declare that I am the sole author of this thesis. This is a true copy of the thesis, including any required final revisions, as accepted by my examiners.

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Abstract

"A book must be an ice-axe to break the seas frozen inside our soul."

~Franz Kafka

This thesis deals with a subject matter which may be considered by some to be undesirable and taboo; that is, the architecture of capital punishment, torture and death. While the content is at times difficult, this book attempts to go beyond initial reactions of support or distaste for the practice of execution. It instead attempts to bring to light the importance of the representation of these events, brought to light by the strength of modern collective thought on the issue, through an architectural discourse.

Through space and ritual capital punishment entered into the minds of the people, and through space and ritual the practice can be withdrawn. But should it vanish, or is a continued representation important, and even necessary?

My purpose is not to force an opinion, one way or the other, onto anyone. My intention is merely to raise the question in the mind of the reader of this work.

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This work is dedicated to my mother and sister.

Forced to bear with my complaints.
Forced to share in my successes.
Forced to hear me constantly talking about my work (even during meals).

Not meant to see me defend it.
Though they came anyway...

If not for their calming and bolstering presence,
I would not have gotten here in the end.

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Prologue One

An Encounter with the Kingston 'Hanging Tower'

It was raining. Yes, maybe the weather is a good place to start this story.

It was raining that day, and hard. Huge drops falling on the windscreen of the car as we drove down the road at 70kph. Inside I was cursing the weather, but at the same time I was struck by the appropriateness of the situation, considering what I was here to see. Having never been to Kingston before, I really didn't know where it was, the place I was looking for. All I knew was that I could find it near the P4W, also known as the prison for women. The road was lined with trees to the right side, zipping past as the car barrelled down the road. Then suddenly the trees cleared, and for an instant I saw it. The tower flashed before my eyes, and before I knew it we had gone past, out of sight. Even seeing it only for a moment, its shape persisted in my mind. Dark and lonely it seemed, standing in the rain. I had no doubt that it was the place I was looking for, though I had only a vague description to guide me.

Only two days earlier I heard of the existence of the tower during a conversation with one of the faculty in the School of Architecture with whom I was discussing my work-to-date on my thesis: Execution of Architecture / Architecture of Execution. In trying to find a frame for my current research, he suggested that I pay a visit to Kingston, and see the old 'hanging tower' as he called it. Near the grounds of the Kingston Penitentiary, the imposing edifice was evidently used to hang criminals condemned to death

who were incarcerated in that facility. According to him, the tower still stood near the prison, disused and unmarked, surrounded only be a fence. “A square tower with a rusticated stone base, with one door leading to the inside” He gave only this vague description, satisfied, I suppose, that the building’s mere presence would announce its former use.

The prospect of visiting such a place truly excited me, so I set about immediately to make plans for my trip. I tried to find the location of the tower on the internet, but for some reason I wouldn’t discover until much later I could find no information on it. All I could find (after much trial and tribulation) was the location of the Kingston Penitentiary and P4W. Perhaps knowing these locations would help me find the tower. Two days after my discussion about the tower, I secured a companion and arranged everything I would need to bring with me. Into my bag went my sketchbooks, pens and pencils, my camera, many extra batteries, and my umbrella. The rain did not look like it was going to let up, and I didn’t feel like betting it would be clear in Kingston.

As I expected, the drive took a very long time. My companion and I arrived in Kingston (in the rain) just after lunch and very hungry, so we stopped into a place to eat and to possibly get information about the tower we were setting out to find. “Oh yes, I know what you mean. If you go down this road you’ll find it right near the women’s prison.” Apparently it would be easy to find after all. This was good, as the weather was bad and I didn’t much feel like wandering around a damp city looking for a lone tower. We drove down the

road, moving at a fair clip. The rain was still thundering down, the huge drops pelting against the windscreen of the car.

We had driven right past the tower, and were now moving alongside the wall of the now disused women's prison. I remembered that the old prison warden's house had been converted into a museum, so I suggested that we park the car there and make our way back up to the tower on foot. There was unlikely to be any parking near it, after all, and the museum would be a nice place to visit after our trip to the tower itself. From the car park it was only a short uphill walk to the tower site. It was hidden from view behind the mass of the women's prison but it wouldn't be hard to find again. All I had to do was follow the road back the way I had come.

The women's prison was surrounded by a wall, about 15 feet high or so, blank concrete, and topped with strings of razor wire. It looked foreboding in the gloom and rain, but I doubt that it would have felt more inviting on a warm, sunny day. The walk felt very oppressive, with the massive wall on one side and the road on the other, thick with traffic. About halfway down the length of the prison there was a large break in the wall, and inset into the space was the formal entrance to the prison. Set back at a distance from the road was a nice looking old building, but I wasn't here to look at the old prison. I paused for a short time, but quickly continued on. Standing in the rain for a building I wasn't looking for specifically didn't appeal to me. The wall of the women's prison continued on as before, with a line of trees appearing in the distance. And just over the tops of the trees, far in the distance, I could see the top of the tower. From this

distance the roof looked like dark metal, sitting on top of heavy grey limestone, rising above a sea of leaves. The entire building was dark with rain. Standing on the high ground, overlooking the prison, the stone mass seemed to stand a grim vigil, serving as a warning of the consequences of criminal behaviour. I moved closer and the tower emerged from amongst the trees. Standing at its base, I was subject at last to its full effect.



The ghost of the tower had been in the back of my mind since I had seen it flash by earlier. But now the ghost had taken form, and was standing right in front of me. From the base to the underside of the roof the building was maybe seventy or eighty feet tall, or about five stories. The bottom level was a heavy smooth-cut limestone with openings on all four sides, windows on most, and an ivy-covered door on one. Rough stone columns rose from the base, climbing two stories to rounded arches. Set on top of the arches was a solid stone box with narrow slit windows. Presumably this would have been the level where the platform resided, with its lever-operated trapdoor used to drop the convicted criminal to his death. A small roof rested on top of the stone box, and rain was pouring over the eaves, down the face of the stone.

The windows were all boarded up, but as I looked at them I could imagine heavy bars and a view to the interior. I wondered what it would feel like, seeing a body pass by those windows on its way up the tower. He would be coming back down again, but not back the way he came. How many people would have watched the condemned march to the tower, and up those fateful steps? I knew that in the past executions were large public spectacles, with thousands of bloodthirsty fans in attendance. But in this tower only a few witnesses would be allowed to see the sentence carried out. Would people still gather around the base of the tower, waiting for the sound of the trapdoor opening, and the announcement that would confirm the death of the condemned?



The tower rose on a knoll of grass at the edge of a parking lot. Apparantly I could have parked closer, and saved myself a walk. Well, I had arrived just the same so there was no point in dwelling on it. I could only approach within 10 feet of so of the base of the tower, as it was surrounded by a chain-link fence topped with barbed wire. A large sign was posted on the fence, it read: "NO TRESPASSING." Standing next to the fence I had to look up through the barbed wire to see the top of the tower. I had found walking next to the wall of the women's prison oppressive, but the power of this mere tower weighed down on me in a way that the wall couldn't even approach. How was it that a simple

building could contain so much force of presence? It was as if the stones carried in them the weight of all of the death they had seen, and pressed their burden down upon anyone who stood nearby. The feeling was fascinating, and I wanted to get closer. Part of me wanted to ignore the sign and climb over that fence. I was sure that I could find a place where the wire was passable. What would the stone feel like? If only the door and the windows weren't boarded up, I could have climbed up into the tower itself. What would I find? Not what I was expecting, I would find out later. The sensible part of me won out in the end, and I didn't go searching for a way to climb up over the fence. I walked around the perimeter, looking at the tower from all sides. A concrete pad lay in front of the door on the one side. Door? No, actually there were two! The second door was so overgrown with ivy it could hardly be seen. But there were unmistakably two doors. Perhaps one led to the stair up into the tower, while the other led to the area under the trapdoor where the body would be retrieved.

Continuing my walk around the tower I saw a concrete signpost. I rushed over to see if it contained any information about the tower. Maybe I would find out the last date the tower was used, and maybe who the final condemned was! But as I walked around the sign I was disappointed, as the plaque had been ripped clean off, leaving the marks of adhesive on the concrete. Maybe someone didn't approve of the content of the sign; some anti-capital punishment activist trying to erase the past of the criminal justice system.

During Canada's executions the areas outside of prisons were often

crowded with human rights activists. Maybe the executions at this tower would have been attended by those for execution as well as those against it. I could imagine standing at the base of the tower, looking out on a sea of people either cheering or jeering, with signs calling out for justice or expressing distaste for capital punishment. Was the heavy stone construction of the tower also intended to protect the structure from activists who would destroy it? The building certainly looked fortified, maybe violent protests were a matter of course when it was in use. I could imagine looking out from the windows of the tower, moving upwards, the jeering crowd growing smaller and smaller as I climbed higher and higher. I'll bet there was a separate flight of steps at the end, thirteen steps up to the final platform, the proverbial 'last mile.'



I finished my walk around the tower, and was amazed at how unkempt the space inside the fence was. It is as if the entire tower was fenced off and then left, forgotten. No one seemed to want to come into the oppressive shadow to clean out plants, cut the grass, or remove trash. There was an old pile of wood which looked like it had been stored by the tower and then subsequently forgotten. The wood was waterlogged, rotting and crumbling. I stopped at this point to take a few pictures of the tower, and make a few quick sketches in my book. I couldn't stand around with my sketchbook

open, however, as the rain was coming down and I didn't want my book ruined.

My visit over, I turned my back to leave. Even in walking away I could feel the tower behind me, and its image remained in the back of my mind, stronger now that I had spent some time considering and documenting this strange monument. The walk back to the car was uneventful, and the oppressive power of the prison walls seemed to pale in comparison to the ghost of the tower in my mind. When I got back to the car I went for a visit in the prison museum, the former warden's residence. Apparently the house had been constructed by the inmates of the prison. Inside of the museum there were displays showing a great many artefacts constructed by the inmates, many of which were rudimentary weapons made for use in riots or for escape attempts. Through the whole museum I saw no mention of executions; many of the displays seemed to focus on fights for prisoner rights. Perhaps the facts on execution were left out of this 'humanitarian' display as an undesirable part of history, and something best left ignored. Like an old tower behind a barbed wire fence. The museum was attended by an old man who had been a guard at the prison. He was more than happy to tell me about the history of the institution, and seemed to find particular interest in the fact that the prison itself had been 'built' by the first inmates to be incarcerated there. I found this fascinating, but wanted to get a little more information on the tower. So I asked him, "can you tell me a little about that old tower to the north of the women's prison? It was used for hangings, wasn't it?"

He smiled slightly when he heard my question looking rather amused, and more than a bit indulgent. His reply did come as a shock: "You know, I thought the same thing when I first came to work here. Truth is, there were no hangings at that tower. All hangings in Canada were performed at a county level, in their prisons. This is a federal facility. That there was a water tower that served the prisons when they first opened. The top level was the tank, and below it there were two apartments."

Perhaps to some this would have seemed a discouragement, travelling so far to visit an execution site, only to find that it was never such a thing at all. It didn't seem so to me. No, the fact that it wasn't a hanging tower seemed to me far more interesting and worthy of investigation than if it had been a place where many people had met their end. So many people had, over the years, bought in to this myth that one couldn't help but ask 'why?' There must be something, be it architectural, psychological, or a combination of both that caused the people to project their associations on to it; something widespread, common to the entire local (and non-local) population. What is that something? That is the question this thesis begins with.

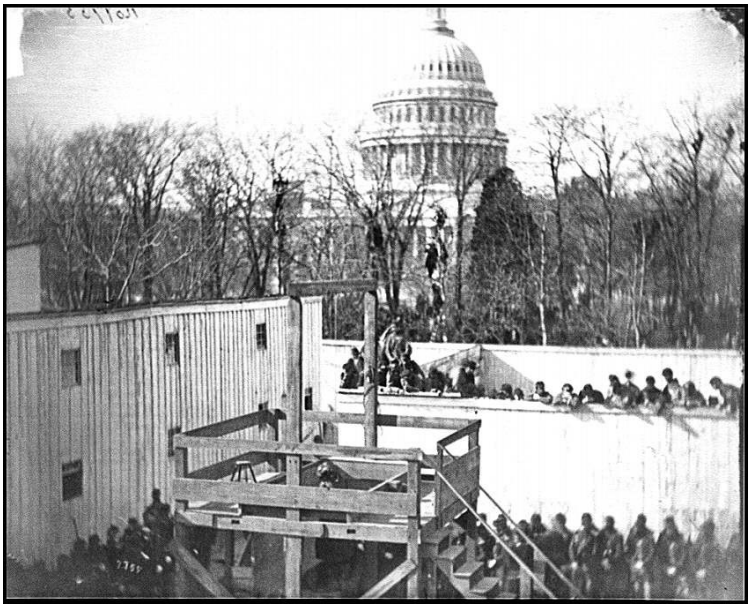
Prologue Two

Homo Sacer: Sovereign Power, Bare Life and the State of Exception

In the hanging tower I had found a physical locus for my questions on the nature of societal preoccupation with capital punishment. It was without a doubt a promising start, but only half of the story as far as architecture is concerned. Architecture is building, to be sure, but it is also the people who use a building. In the case of capital punishment, the central figures are the condemned and those who condemn him. The act, the ritual and the space are expressions of the relationship between these two figures, and how the condemning power (whom we shall call sovereign) holds the power to take the life of the condemned, without a fear of legal repercussions. Speculating on the origins and nature of this relationship would form a thesis-worthy task in itself, but has thankfully already been undertaken by many learned scholars and philosophers.

One such investigation, titled *Homo Sacer*, was written by the Italian philosopher Giorgio Agamben. Agamben is a professor of philosophy at the University of Verona and has taught or lectured at many other international schools in Paris and overseas in America. His philosophies draw from Foucauldian inspirations and he has gained a great deal of fame from his investigations into what he labelled as the state of exception and from homo sacer, the "sacred man." The main text of *Homo Sacer* is divided into three parts, each of which explores one of Agamben's main theses for his text: first that the original political relation is the ban (the individual is not ignored, but deliberately taken outside of the law) through which the state of exception is defined as the place where the sovereign

need not conform to the law in order to uphold it; second that the fundamental activity of sovereign power is the production of bare life (homo sacer) as a threshold between nature and culture that occupies the state of exception; and third that the camp, as the place where the exception becomes the rule, is the fundamental biopolitical paradigm of the West.(1) All three of these fundamental ideas will arise in the following text in one way or another, and as such warrant a fuller explanation than what is given by the statements above.



The image above shows the execution of Captain Henry Wirz, on November 10 of 1865. Wirz was executed in the Washington Penitentiary after having been convicted of 'wanton cruelty' with regards to the horrible conditions at Andersonville Prison, of which he was in charge.

Many Union soldiers held in the Confederate facility starved to death. Many soldiers attended the execution, held on a permanent gallows in sight of the symbol of United States sovereignty and national unity, the Capitol Building. The image comes from a website titled *The Story of One Union Soldier*

First I'll look at the concept of the state of exception and the sovereign ban, labelled by Agamben very appropriately as "the paradox of sovereignty."(2) But why choose to call it a paradox? Well, the sovereign himself is in a curious state, simultaneously inside and outside of the juridical order. As the one to whom it is given the right to decide on the state of exception and suspend the validity of the law, the sovereign "legally places himself outside of the law."(3) By doing this, and suspending the validity of the law, he maintains himself in a position to create and guarantee the situation the law needs for its own validity.(4) It is this suspension that allows for the sovereign response that is the concern of this thesis, the act of execution. This suspension embeds every rule with that rule's own transgression, as in the punishment of natural violence and murder with sovereign

(1) Agamben, *Homo Sacer* p. 181
(2) ibid p. 15
(3) ibid p. 15
(4)ibid p. 17

violence through capital punishment. It is illegal to take a life, and if you do, the state reserves the right to take yours, that is to transgress the rule in order to uphold the rule.(1)

Agamben argues that the sovereign himself stands at the border between the concepts of violence and justice, and through his presence he is able to create a zone of indistinction between the two, the state of exception, inside of which all law is suspended.(2) The sovereign as the "constituting power" can not be placed inside or outside of the "constituted order" that he has created, as he inhabits the space of the exception.(3) The law of the constituted order is necessarily linked to violence, both the violence that posits it and the violence that preserves it.(4) The sovereign is once again held apart from both, and in the state of exception he preserves law by suspending it and posits law by excepting himself from it. The two forms of violence thus pas into one another and enter into a zone of indistinction, becoming a third form: divine violence.(5) The one who has been excluded from the law and taken into the state of exception, the bearer of the sovereign ban and the focus of divine violence, is the one who is in possession of bare life: homo sacer.(6)

The identity of homo sacer is also rooted in paradox, in a contradictory figure of Roman law which declares him as one whom it is unlawful to sacrifice in any way, yet renders unpunishable his killing by another person.(7) Homo sacer, the man who possesses only bare life, stands as the sovereign does in a zone of indistinction, in this case between the realms of the sacred and the taboo. If he is seen only as sacred, that is belonging to the gods, then his killing

(1) ibid p. 21
(2) ibid p. 32
(3) ibid p. 41
(4) ibid p. 64
(5) ibid p. 65
(6) ibid p. 65
(7) ibid p. 72

would represent an affront to the higher powers and would call down divine punishment. But if sacred and taboo exist together we can see the figure of homo sacer arising out of a double exclusion from both human and divine law, removing him from the rule forbidding homicide and the rule permitting sacrifice.(1)

For Agamben the paradox of sovereignty and the problem of homo sacer stand at the center of modern society. The implication this raises is that the problem of capital punishment, an action legitimised by the paradox, is also of critical importance in modern times. It is through architectural representation and ritual practices that a cultural activity gains a place in the collective consciousness of the people. It is thus through architecture - the Architecture of Execution - that this thesis will explore the problem of capital punishment and its continued presence in the minds of the modern man.

At the moment, these theories provide a strong enough framework to continue the primary discussion on execution and its persistence in our collective memory. Agamben's views on the biopolitical nature of the camp are outside of the current discussion, but will receive attention in a later chapter.

Before that, though, I return to Kingston to take a closer look at the hanging tower.

(1) ibid pp. 73-74

Chapter One

Execution of Architecture / Architecture of Execution

> There is a local myth that the tall limestone tower next to the John Orr Tower apartment building on west campus was once used for hangings. In fact, the now-abandoned structure was the water tower for Kingston Penitentiary when the West Campus area was a Corrections Canada farm. It was never used for hangings.(1)

The tall, oppressive stone structure stands its grim vigil near the former women's prison of Kingston, closed off, unsigned, and shrouded in a veil of mystery. To most of the local residents it has a dark history, a place where many a man was put to death for crimes against society. But the upper level of this tower does not contain an old gallows. The heavy limestone dressing conceals no such device, but a metal tank which was once filled with water and served as a piece of infrastructure for the prisons.

Had the information about this 'Hanging Tower' come only from one source, namely a professor at an architecture school, the discrepancy between the belief and the truth would have been easy to dismiss as a simple mistake. But that was not the case here. A university professor, a restaurant owner, a retired security guard: each at some point had bought into this myth. The myth itself has been so powerful, so pervasive, that it has been officially recorded on the Queens University website and has become a part of the collective history of the city, something with which all of the citizens can identify. Not content to remain only in the minds of Kingston residents, this 'local myth' has made itself known in many other places as far away as Toronto, and even the Waterloo Region.

(1) Hughes, *Queens University Website: Queens Encyclopedia*

This then begs the question: As the 'Hanging Tower' never had any valid historic connection with the practice of capital punishment, why are these associations attached to it? Why the myth? What is it about this tower 'architecturally' that allows the myth to take form, and what is it about the populace 'psychologically' that causes them to create the myth in the first place? In exploring the first half of this question, we will look into the phenomenon which will here be called the "architecture of execution." I hope to bring to light those aspects of the tower that associate it, in the minds of the people, with capital punishment through an exploration of its basic architectural features. Through this investigation I will also bring to light the ways in which the myth falls apart when examined more closely, with a more educated and discerning eye.

I chose to begin this exploration at the widest possible level: the site. How does the siting of this building bolster the myth of its having been used for hangings? First and foremost, the tower is located on the grounds of a prison, a natural location to associate with the practice of execution. The structure sits at the northern border of the site, which rises gradually to this point, and thus places the tower at a higher elevation than the buildings around it. The monumental structure is thus extremely visually accessible, standing as a sort of watchdog outside the prison. In addition to this the tower is also held apart from the surrounding buildings at some distance and resides on top of a grassy knoll, further increasing its visual presence. This would tend to give the tower a constant, threatening presence in the lives of the inmates, never freeing their minds from the ultimate punishment they might one day face. The tower is surrounded on all

sides by open terrain. Not only would this allow for easy access, but would also leave room for the multitudes of people who typically would have attended an execution, either to show their support for the punishment, or to protest against the taking of a life. The Kingston tower fits comfortably into this world of spectacle, and it is easy to picture a convicted criminal standing at the top of the edifice, looking down onto hordes of people below, all of whom stand in wait for the moment of his death.

These site conditions can also support the 'other' use of the tower, however, and even be used to cast doubt on its use as a place of execution. According to the self-same guard who shattered the myth of the tower, all hangings in Canada were performed at a county level. Thus while the tower is located on the site of a prison, Kingston Pen (as it is called) is a facility that has always operated at a federal level, and at which no execution was ever carried out.(1) Its function as a water tower can explain the height at which it is held above the other buildings; such elevation is required to provide the necessary water pressure to the prison facilities, allowing for the proper functioning of the plumbing. While the siting of this edifice might fit into our stereotypical image of where we might find a hanging tower, the level of government at which the prison operated does not logically support the use of this building as a place of execution. And yet the myth persists, despite this glaring rational roadblock.

An investigation of the construction of the building itself reveals

(1) as stated by the retired guard in the introduction

more architectural features which could support both the formation and the persistence of an execution myth. Included at the end of this section are a series of drawings I have produced of the building, imagining how it may have looked were it used in the past as a hanging tower.(1) Obviously this is an exercise in imagination, as it has already been stated that the tower was not used for hangings at all. As a heavy limestone building, it holds an ominous presence on the site. The tower is constructed of the same material as the prisons, which bolsters the apparent connection it has with them. In fact the tower itself was built near the site of the limestone quarry from which all of the local buildings were built. The construction of the tower itself can be divided visually into two sections, a lower and an upper, characterised by a difference in surface treatment and window size. It is all too easy to imagine the interior of the lower section comprised of a set of stairs, leading to the upper section at which we find the platform and the trapdoor. In modern applications of hanging the convicted individual is dropped from some height to ensure a quick death, so the height of the tower ensures plenty of space into which a body could be dropped.(2) The two doors at the tower's base seem a little out of keeping with its use, but it doesn't take a convinced mind long to justify their existence: obviously one provided access to the stairs up to the platform, while the other opened into the space under the platform into which the criminal was dropped. This would allow for the body to be retrieved away from the eyes of the witnesses, who would all still be standing at the top of the tower on the platform. Smaller windows at the top of the tower

(1) images on p. 25

(2) discussed in greater detail in Chapter 9: Hiding Executions

would be useful for restricting the view of the interior: while it was not hidden that an execution was taking place, care was still taken to restrict the number of people who would bear witness to the act itself. The larger windows in the lower section aren't as restricted as they merely look in onto a stairway. The most a spectator or protestor would be able to see is a group of people moving up the tower towards the platform. They would not see the body drop, as the pit under the platform would be closed in on all sides, hiding the body from view. Today the windows on the tower are all boarded up as it is abandoned and no longer functioning, but were it a hanging tower they would have likely been fitted with heavy bars.

There are a couple of difficulties which arise when this building is interpreted as a hanging tower. First, it is unlikely that any execution would have occurred outside of the prison walls during the time when Canada used capital punishment as a typical sentence for serious offenders. Most long-drop facilities would be built in the prison yard or inside closed rooms near death row. The fact that this tower stands apart from both prisons is strange in this respect. It would have been difficult to securely transport a prisoner to the site, and any violent protestors would have had a much greater chance of disrupting the execution. Second, the standard used to determine the basic prisoner weight / length of drop ratio indicates that a drop in excess of 10 feet was rarely used, with typical drops ranging from 5 to 8 feet.[1] With these typical drops, it is very unlikely that an 80 foot tall tower would be built to accommodate them, as retrieval of the body would have been rather difficult. Even a body given a very

(1) Laurence, *A History of Capital Punishment* pp. 49-50

generous 14 foot drop would come to rest hanging more than 40 feet off the ground. This is not reasonable; no hanging tower would have been built as tall as this. In addition, a true drop would never leave the condemned completely out of view after his death. The witnesses must see the entire act of execution, including the death, in order to be able to confirm the carrying out of the sentence. While on the surface the construction of the tower seems to support the myth and conform to the elements of the "architecture of execution," closer examination shows us clearly where the myth falls short of the reality. We can see very clearly that, while it is an interesting exercise to imagine the building as a hanging tower, it simply doesn't work as one. But what of its other alleged use? How would this building perform, if it were a water tower and two residences?

As a further exercise in imagination, I produced a second series of drawings imagining the tower as it truly was, as the water tower and two small apartments.[1] As the inside of the tower was inaccessible, all of the interior details shown on the accompanying drawings are based purely on speculation. So why would a structure built to hold water be constructed in such a monumental and oppressive style? The character and construction of the tower is consistent in style with the administrative buildings of the two prisons, as well as the warden's house which resides between the two. The retired security guard who was so eagerly answering questions at the prison museum stated that the warden's house had been built by the inmates of the prison, so it is likely that they had a hand in the construction of the water tower as well. This helps to explain the heavy limestone

(1) images on p. 27

construction of the edifice, but another explanation can be made as well. During the 19th century the act of building carried a certain sense of monumentality, especially if the building was to be of some height. A tall building that didn't have some force of presence, be it even a mere water tower , simply wasn't heard of. The previous exploration easily explained the two distinct visual sections of the tower, the upper and lower level, but these can be explained just as readily this new interpretation. The lower three storeys, containing the larger windows and the two doors, are the floors on which the apartments were located. The upper level, with its small windows and unadorned stonework, is where the water tank would have been. The two doors on the ground floor of the building each lead into a separate apartment, creating a sense of address. The interior arrangement is open to interpretation, but the included drawings show two three-storey apartments organised around a central stair which leaves the walls open on the window side. The bottom floor is shown as the main entrance and lounge, the middle floor contains a small kitchen and dining area, and the top floor is a bedroom and small sitting area. The apartments are modest and were likely not long term residences. It is more likely that they would have been used as stay-over apartments for prison guards working difficult shifts, other prison staff with similar needs, or official visitors to the prison with no place to stay. It is likely that the



The above image is a historic photograph of the water tower, before it was abandonned and closed up. The image comes from Curtis' *Kingston Penitentiary* p. 66







window openings would have been fitted with standard casements or double-hung units, which would have been operable. The area immediately around the tower may have also been landscaped to provide a small degree of comfort. While it may not have been among the most comfortable of residences, this 'hanging tower' could certainly have been serviceable. The drawings I have produced show this 'contemporary' interpretation of the interior of the tower, but an apartment occupied by a prison guard while this structure was in full operation may not have been as fully fitted out as I have indicated.

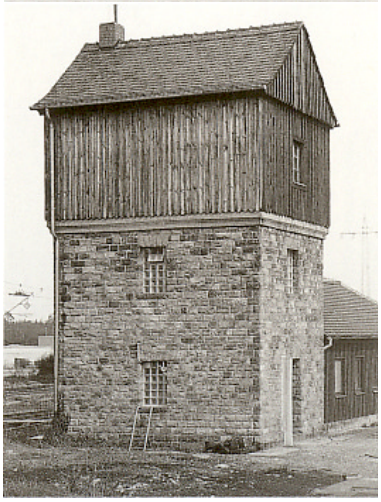
The tower itself arose out of a crisis at the Kingston Penitentiary, which in 1885 lost its right to compete with private industry, and thus lost a source of labour for the resident inmates. To remedy this situation the warden spearheaded a major re-construction initiative at the penitentiary, of which the new water tower was a part. It was described as "an eighty seven foot tall water tower for the penitentiary, a 'sightly structure of partially dressed stone, showing some slight architectural taste.'"[1] While nowadays we are used to the tall, cylindrical water tower emblazoned with the name of the region it serves, during the 19th and 20th centuries these 'architectural' water towers were fairly common. They were constructed to be in keeping with their surroundings, built of brick if surrounded by brick buildings, covered in stucco in areas of stuccoed structures. The Kingston tower found its expression in partially dressed limestone, partly because the prison buildings were already constructed of the same, and partly because the area itself was a

(1) Curtis, *Kingston Penitentiary* p. 66

limestone quarry worked by the inmates.

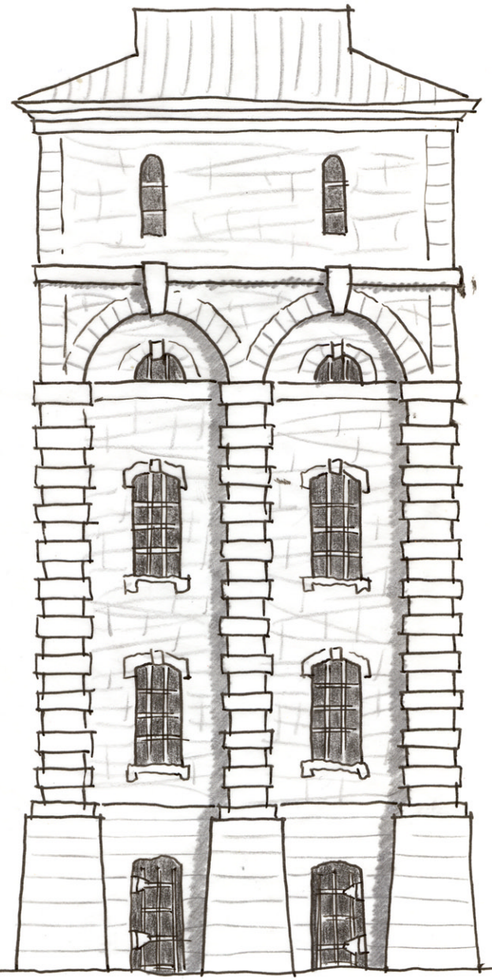
Knowing this, with clear and definitive proof as to the true origin of the tower, it is easy to see why the tower could so readily be interpreted as a place of abode and a piece of urban infrastructure. The connections are all intuitive and no major logistical problems arise when the building is examined in greater detail. If it is easier to make this interpretation work, why then do the nagging associations with capital punishment still persist? Even now with all of this information at hand, there is no denying that this building 'looks' and 'feels' like it is a part of the history of capital punishment, like a place which was indeed used for hangings, and even when this false history has been disproved by eyewitnesses, by published works and by close examination, it still seems impossible to let go of these preconceptions. This seems then to be evidence of something psychological, something more primal than appearance or reality which brings these thoughts of capital punishment to the forefront of the collective consciousness. It appears to be something ingrained, something held in the collective memory of each and every one of us.



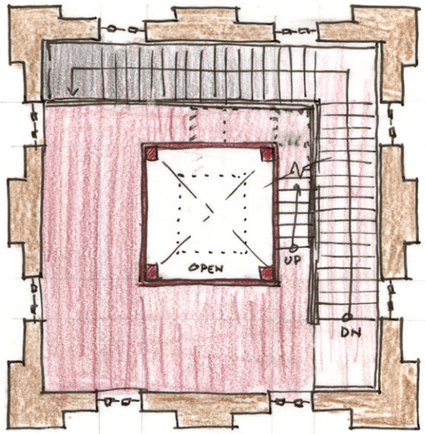


The above and facing images show several examples of water towers which share a similar contextual approach as the Kingston tower. The dates as indicated are when the photographs were taken, no indication is given of when the towers were built. The images come from Becher's *Typologies*.

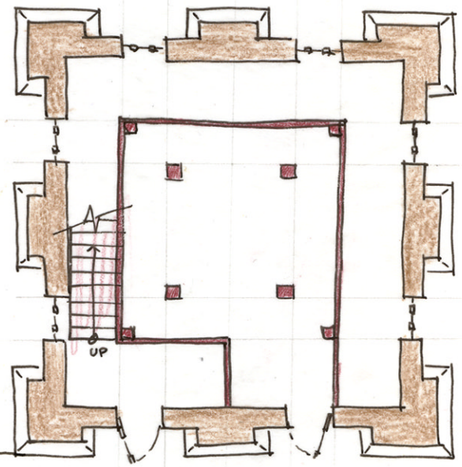
They are located in:
(facing page)
(1) Neidersachsen, Ger, 1980
(2) La Combelle, Fr, 1981
(3) Volkmarsen, Hessen, Ger, 1980
(above)
(4) Arolsen, Hesses, Ger. 1980
(5) Kaiserslautern, Ger. 1981



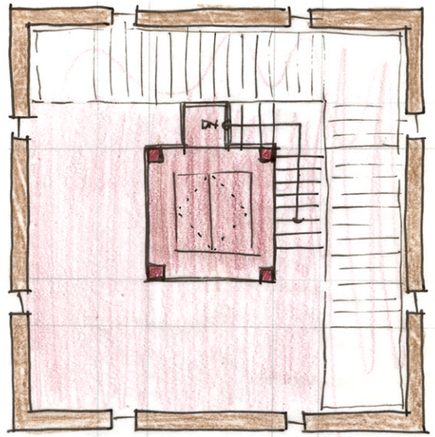
Elevation



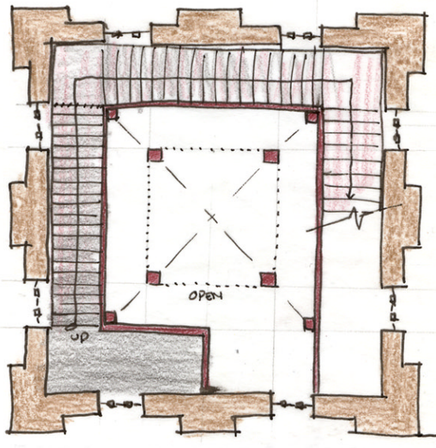
Second Floor Plan - Lower Platform



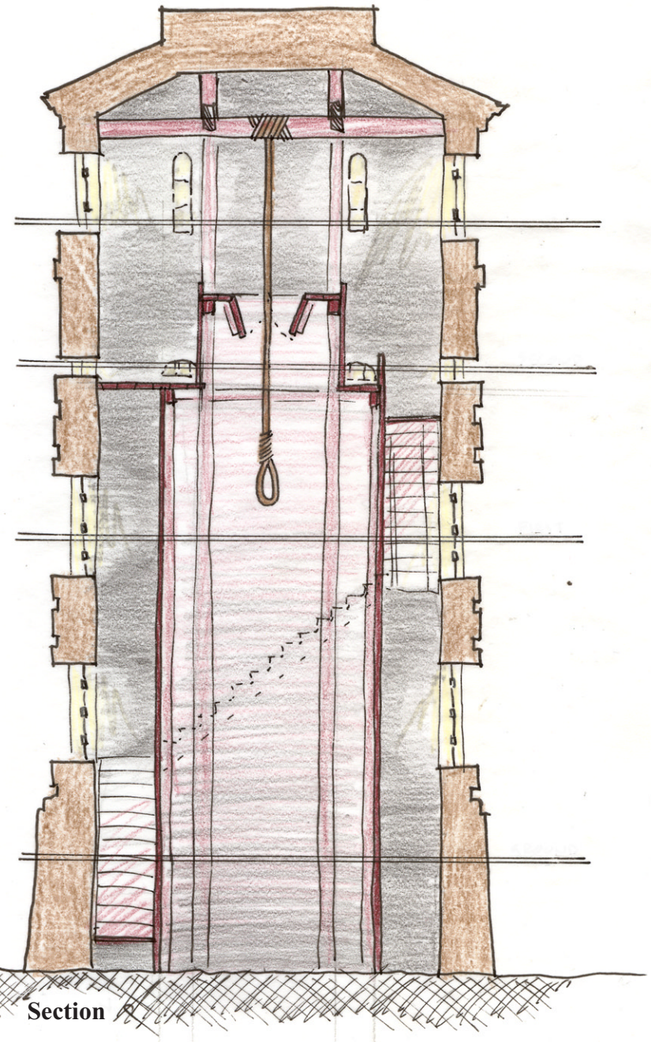
Ground Floor Plan - Entrance / Body Retrieval



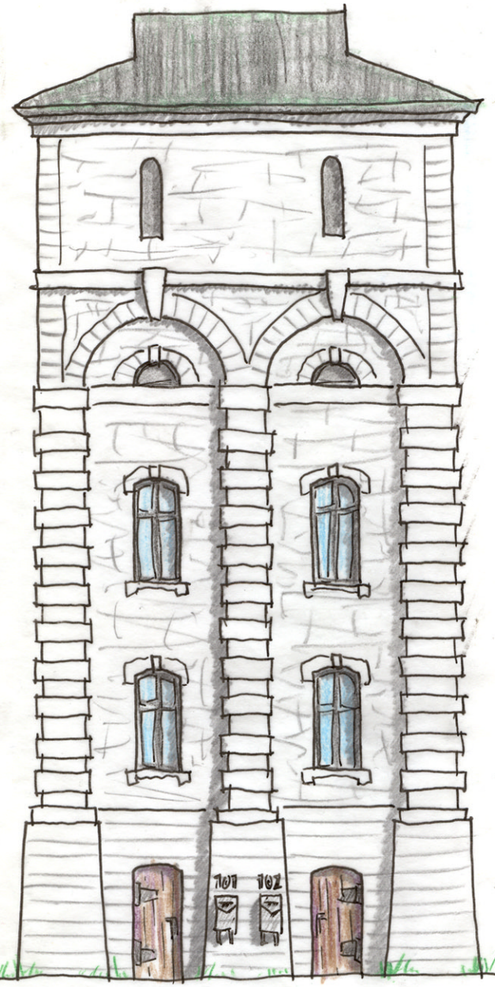
Third Floor Plan - Upper Platform / Trapdoor



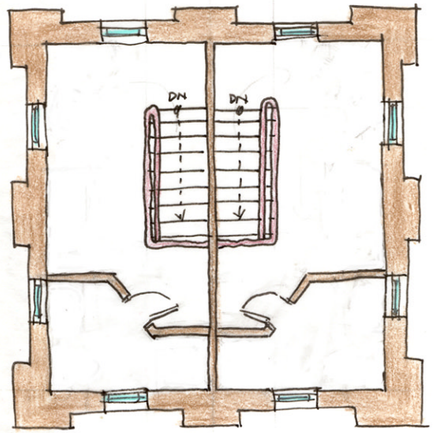
First Floor Plan - Stairway / Body Retrieval



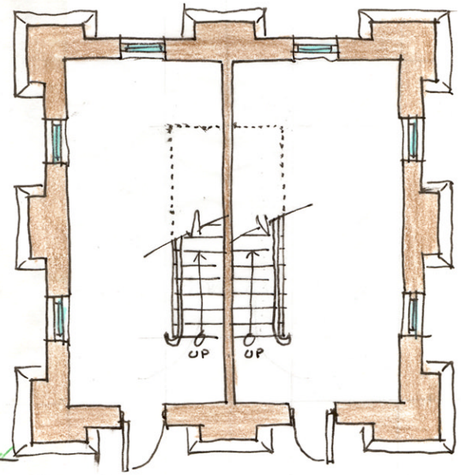
Section



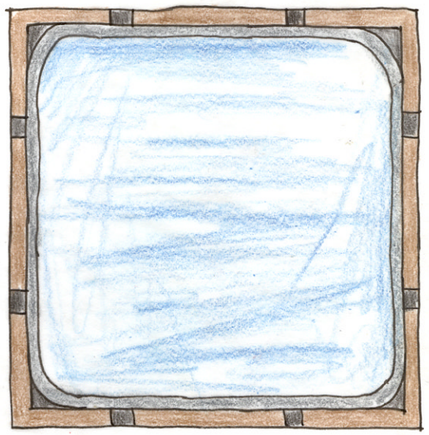
Elevation



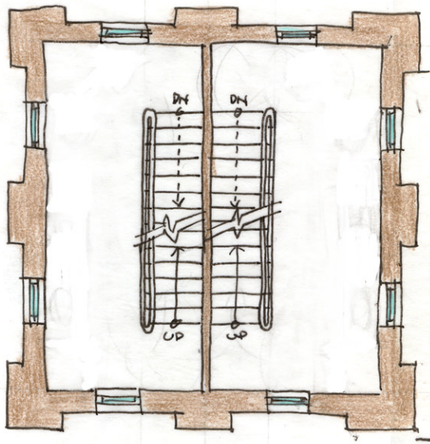
Second Floor Plan



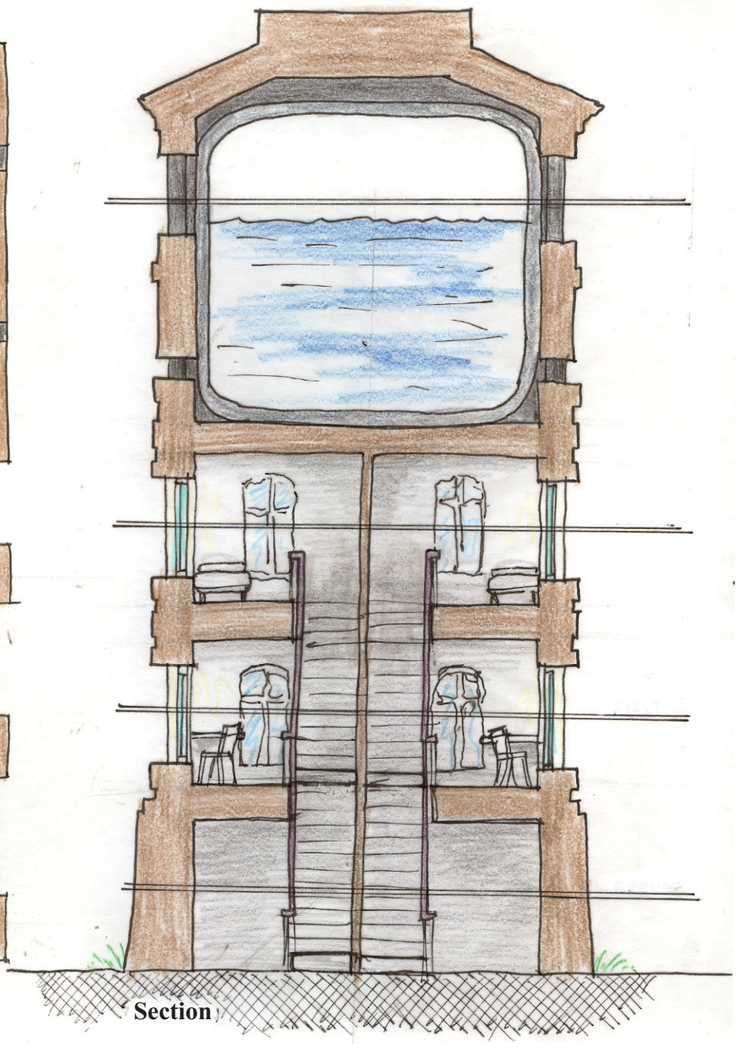
Ground Floor Plan - Entrance



Third Floor Plan - Water Tank



First Floor Plan



Section

Chapter Two

The Basis of Collective Memory: Executions of the Past

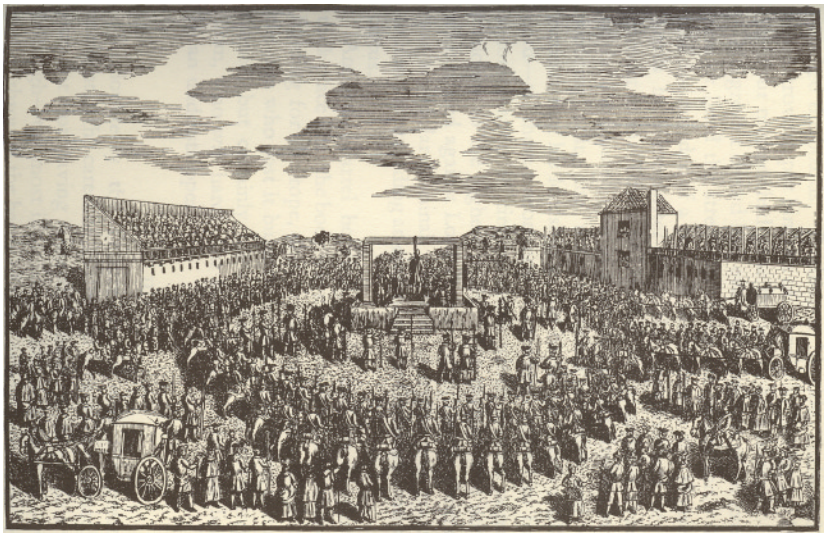
> Yesterday Morning, in the presence of a vast concourse of spectators, Michael Barrett, the author of the Clerkenwell Explosion, was hanged in front of Newgate, on May 26th, 1868.
>
> On Monday the barriers were put up, and on Monday night a fringe of eager sightseers assembled, mostly sitting beneath the beams, but ready at a moment's notice to rise and cling to the front places they had so long waited for.
>
> Towards 7 o'clock the mass of people was immense. A very wide open space was kept round the gallows by the police, but beyond this the concourse was dense, stretching up beyond St. Sepulchre's Church, and far back almost, into Smithfield - a great surging mass of people which, in spite of the barriers, kept swaying to and fro like waving corn.(1)

When searching for the root of a strongly held belief or collective memory it is often fruitful to look back to the societies from which ours has grown. Thus when looking into possible explanations for the strength of our common preoccupation with capital punishment, the study should naturally turn to the many executions which have taken place in the past, and attempt to bring to light the reasons why their existence remains an ever-present ghost in our minds. The above account taken from the extremely comprehensive *A History of Capital Punishment* by John Laurence brings into sharp focus one of the major aspects of historic executions: the public nature of the event. A massive space filled with throngs of people, stretching far beyond the bounds of the public square, all gathered for the sole purpose of seeing a man put to death. The execution was a spectacle, almost a festival, and the site was chosen to allow for this.

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(1) *The Times*, May 27 1868, as quoted in Laurence *A History of Capital Punishment* pp. 214-215

Perhaps this is what initially pushes the 'hanging tower' in Kingston into the realm of capital punishment. Near a prison, visually accessible, and surrounded by a large open field, the building is perfect for the gathering of massive crowds of people. It is so easy to imagine thousands of cheering and jeering individuals all gathered around the base of the tower, waving signs with catchy slogans emblazoned upon them. It is easy to picture a procession of armed guards surrounding the condemned as he is marched to the tower to meet his fate, easy to see them forcing a path through the agitated crowd. Very little imagination is required to picture the condemned disappearing into one of the two doors, the guards taking up stations on the outside. At this tower, the crowd cheers and yells but can see nothing… At most they'll hear the dull thud of the trapdoor as they all stand around, thousands strong, either protesting the inhumanity of the act or satisfied that justice has finally been carried out.



The above image is an artists rendering of the execution of one lord Ferris at the permanent gallows in Tyburn. The print was made in 1760 specifically to be printed in a broadside announcing the execution, and gives some idea as to the size of crowds that would typically attend. The image comes from Bleackley and Lofland's *State Executions* p. 102

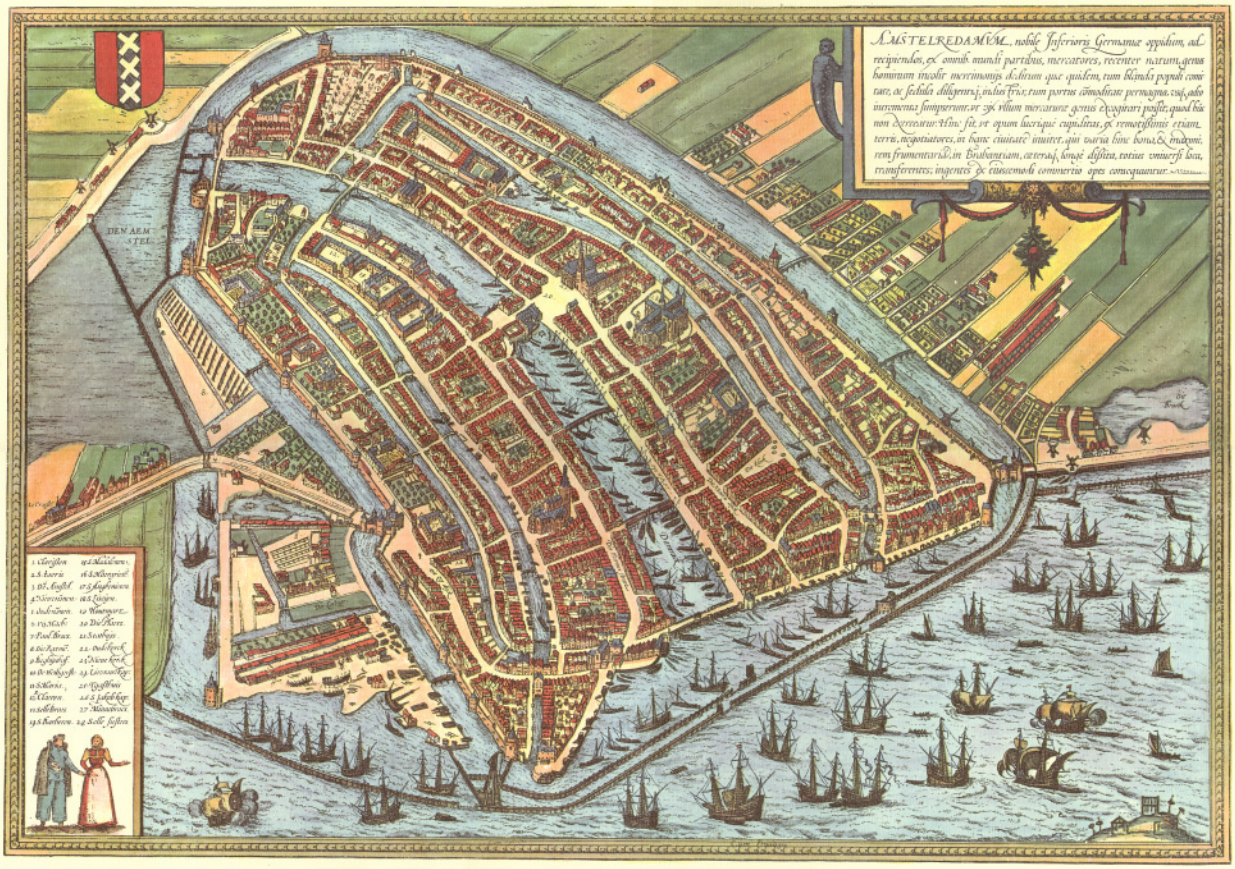
This visual accessibility and the ability to gather together vast numbers of people seemed to be one of the principal requirements for the architecture of execution as it appeared in the past. Site had always been of great importance to an execution. In records from as far back at the 10th century we can see that hangings were the most common mode of execution in most Anglo-Saxon nations, and

the site chosen for the gallows often coincided with the location at which the crime was committed. These old practices were remained strong over the years, and even persisted long after the provision of many more permanent and official execution sites. There are many possible reasons for the use of these locations; to express the connection between the crime and its punishment, or to place the fate of the condemned more directly in the hands of the local community who suffered most directly from his actions. If the exact site of the crime was inconveniently placed or for some other reason undesirable as an execution site, the condemned would have been put to death as near as was reasonable. In these cases the body was often hung at the site after the execution as a warning. Laurence gives the following examples, paraphrased in his own words from a book titled *Old Time Punishments* by William Andrews:

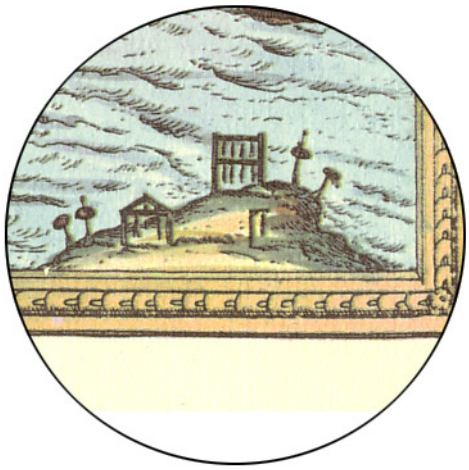
> Another instance, which I quote from the same work, is of Edward Miles, gibbeted near Warrington for the murder of a post-boy who was carrying the Liverpool mail bag to Manchester in 1791. Miles' body was hung in chains near the scene of the murder, and the gibbet can now be seen in Warrington Museum.
>
> Michael van Berghen, Catherine van Berghen, and a man named Dromelius were executed on July 10th, 1700, for the murder of Mr. Oliver Norris. They kept a public house in Smithfield and were executed near the Hartshorn beer house, East Smithfield, being the nearest convenient spot to which the murder was committed.(1)

Unfortunately, these sites were often difficult to reach and were not nearly large enough to hold the vast crowds which were desired. This is doubtless one of the origins of the desire for more premanent and convenient execution sites, chosen for their accessibility, distance to the nearby prison, and size. One of these sites in particular, Tyburn, can trace its origin as a place for hangings back to approximately

(1) Laurence, *A History of Capital Punishment* p. 170



The small piece of land shown in the corner of this 16th century map of Amsterdam has on it several icons of execution including a gallows reminiscent of the infamous Tyburn Triple Tree and several suspended wheels.



While Tyburn may have housed the most well-known of the triangular gallows, we can see that it was not a unique phenomenon.

1108 AD, though this was far before its designation as an official execution site.(1) It was at this point still used as a place of convenience, chosen for its easy accessibility. Once the official desigantions of these sites had been made many of these 'permanent' execution sites gained a great deal of fame, and claimed a large part in the minds and mythology of the populace. Tyburn itself was one of the most famous of Britain's permanent gallows, and was the primary execution site for the inmates of the Newgate Prison. The site was also the home of the 'Tyburn Triple Tree' which was one of the first recorded triangular gallows and was said to have been used to hang 24 people at a time. The triple tree was constructed around 1600 AD.(2) But while it was perhaps the most well documented and widely known triangular gallows, Tyburn did not hold a place as the only one in existence. In the Dutch map of Amsterdam shown on the opposite page we can see in the bottom right corner a tiny piece of land, depicting the local execution grounds on the other side of the harbour. On this land is drawn an image of a triangular gallows like the Tyburn Triple Tree, along with many other instruments of capital punishment. Though not necessary to the content of the map, this place of executions was still represented, indicating the strength of its presence in the consciousness of the populace. This strength and persistence of memory lends credence to the thought that these associations may just be strong enough to remain with us to this day.

But what was the purpose of making capital punishment such a strong part of the collective memory of the populace? What was the

(1) Marks, *Tyburn Tree* p. 71

(2) ibid p. 64

architecture of execution set up to accomplish, and how successful was it at achieving its goal? What I want to explore are the social and political goals of the capital punishment industry, and how the "architecture of execution" is used to further these goals. The primary reason any culture will give for its use of the practice of capital punishment is its deterring effect on criminals (although many modern 'enlightened' cultures deny this claim). Those in positions of power held the opinion that seeing the consequences of illegal, treasonous, or deadly actions will make the average person reconsider performing any such actions himself. Thus the purpose of an execution is to give the impression that if any person were to be convicted of a similar crime, he or she too would be put to death. All people were encouraged to attend, and of all ages: employers would often give employees the day off of work, and schoolteachers would even bring groups of children to be shown the consequences of criminal activity from when they were very young. The hope was that they would grow then up with an aversion to such behaviour.(1)

For this reason the governing power desired that a large number of citizens attend an execution, so that this message of justice and vengeance could be impressed on as many minds as possible. These historic executions occurring right from the pre-Christian era, through the middle ages, and even up to the 19th century were often highly graphic, and the apparatus involved very large and imposing. Each and every aspect of the event was considered to create the maximum visual impact. And it wasn't only the secular authority that was using capital punishment as a way to impart a moral

(1) Bleackley and Lofland, *State Executions* pp. 295-296

message, but the religious authority as well. At every execution you would find numerous priests, either participating in the event by giving absolution to the condemned or standing in the crowd preaching to the masses. The architecture of assembly served their purpose as well as that of the governing power.

While the previously described 'purpose' of capital punishment was designed to serve the interests of the secular authority, the practice performed another function as well. In executions a potentially violent populace found a safe, accepted outlet for their aggressive and sadistic urges. While the message of execution was to beware, a warning that 'you too could end up on the platform,' it also provided a place where the public could indulge, on some level, in those activities which would have otherwise put them in the place of the condemned.



Heretics or women accused of witchcraft, high treason, or petty treason were often burned at the stake. The fire would often be set by members of the gathered crowd.

Arthur Koestler touches on this theory in his book *Reflections on Hanging* when he writes that "Deep inside every civilised being there lurks a tiny Stone Age man, dangling a club to rob and rape, and screaming an eye for an eye"[1] And capital punishment provides this 'eye for an eye.' Our Stone Age self is indulged. The

(1) Koestler, *Reflections on Hanging* p. 100

crowd seemed to participate in the execution as much as watch it, and could even be made to feel that the condemned was in fact dying at their hands. In truth some ancient forms of execution actually went so far as to place the death of the condemned directly in the hands of the crowd. Stoning, burning at the stake and lynching are a few punishments that come to mind where the condemned may have died at the hands of the mob, rather than an official executioner. But even if the condemned is put to death by an executioner, the gathered crowd would feel a connection to the event and a certain responsibility. It was because of this connection, this feeling that they themselves had a part in the death, that the average person found they were able to explore an activity which would otherwise be labelled as taboo. The laws of the time clearly stated those actions which were considered capital offences, and included among them were such things as gross assault, arson and murder.

The practice of executions could contain all of these things, but was supported by the ruling authority. It was illegal to start fires, but it was legal to burn a criminal to death. It was illegal to kill a man, but it was legal to have a man hanged or beheaded. Performing any of these actions outside of the context of a sanctioned execution would invariably result in the death of the offender, but through the execution the average man was able to explore these actions with no fear of ending up on the gallows himself. This safe and controlled outlet for violent tendencies and the potential deterring effect of public executions kept the practice in the public eye for a long time, but it was not fated to remain there indefinitely. Historic precedent and the increasing paranoia of the state bred the thought

that bloodlust and a lack of respect for life and death would be roused by the spectacle and the witness would be enticed to perform violent acts himself, outside of the rule of law. In 1922 a scholar by the name of Clarence Darrow, an avid disbeliever in the effectiveness of executions as a deterrent, wrote *Crime: Its Cause and Treatment* which included a chapter entitled "A Comment on Capital Punishment." In this piece he spoke in part on the vicious cycle set up by the spectacle of execution:

> So far as we can reason on questions of life and death and the effect of stimuli upon human organisms, the circle is like this: Frequent executions dull the sensibilities toward the taking of a life. This makes it easier for men to kill and increases murders, which in turn increase hangings, which in turn increase murders, and so on, around a vicious circle.(1)

This shift in outlook also brought about a gradual change in the architecture of execution over many centuries as it was modified in an attempt to withdraw it from the eyes of the general populace.

This is not our current focus, however, as we are now exploring a historic state which wanted the spectacle of execution to be forefront in the minds of the people. To further this investigation, we can look into a final and seldom considered reason for this desire to make execution into a spectacle, one more facet that the architecture of execution must reinforce. This is the issue of support. With a practice as potentially controversial as capital punishment, a fact which we can see clearly today in the constant and ongoing debate taking place in many areas of the Western World, it is important to ensure that the majority of the public agrees with the practices of the state. Here the role taken on by the architecture of execution is to

(1) Clarence Darrow "A Comment on Capital Punishment" as quoted in Laurence, *A History of Capital Punishment* p. xviii

create or maintain public support. By making the event accessible to everyone and by implicitly involving them in the death of the condemned, you create a support for your actions. By catering to this desire to see justice done, while at the same time presenting the power of the law as a threat to all gathered, you make the public less likely to call out against the practice. This aspect of capital punishment is explored by V. A. C. Gatrell, a scholar and lecturer from the University of Cambridge. His specialty is eighteenth- and nineteenth-century British social and cultural history with a particular interest in the history of crime, law, punishment and policing. In his book *The Hanging Tree* he touches on the issue of threat and support in his discussion of execution as carnival:

> It could be claimed that the spectacle of execution was awesome enough to induce the watching populace to consent to the law's magnitude, and that they did consent on the whole, as when the applauded the murderers' hanging.(1)

Gatrell puts forth this idea of support and while he states that the reality is not always this simple, he still admits that its validity can not be denied.

There have always been opponents to the practice of capital punishment, but it is interesting to note that a wide-ranging debate on the topic never occurred before the spectacles were removed from the eyes of the common person, at the end of the 19th century. In England the last public execution occurred in 1868, when Michael Barrett was hanged in front of the Debtor's Door at Newgate Prison.(1) It could be argued that the trends are mutually exclusive and are merely both representations of the increasing

(1) Gatrell, *The Hanging Tree* p. 90

(2) Laurence, *A History of Capital Punishment* p. 214

'humanitarianism' of our society but such an argument is not entirely convincing, especially when examined in relation to the modern high rate of violent crime and the ever-increasing and graphic violence in mass media. The purpose of these ancient spectacles was to place the 'festival' of execution firmly into our consciousness, a place where it remains to this day in spite of the many changes which have occurred in the capital punishment industry over the centuries. The next chapter will begin to outline these changes in the practice, and in the architecture of execution, through a series of individual investigations into historic methods of capital punishment.

Chapter Three

The Many Forms of Historic Capital Punishment: An Evolution of Execution

Several variations and forms of capital punishment have existed over the centuries, each with its own distinct set of associations and desired effects. Some have existed for pure revenge, some for justice, and some to satisfy the bloodlust of a gaoler or executioner. Of these, there are forms which have intended the condemned to suffer, and forms which have been updated and modified to reduce or eliminate and pain which may be felt. Some forms have honourable associations, some mocking, and some have been changed dramatically with a shift in the mindset of the people or the introduction of new technologies. Each of these types of execution has a distinct architecture comprised of rituals, spaces and apparatuses, all of which serve the greater purpose of the form of execution they are a part of. I have put forth a survey of four execution methods commonly used before our modern age. I will discuss these in terms of their primary characteristics and goals, and then analyse the specific "architecture" of each form of execution in a series of component parts. I will look at each in terms of how this architecture contributes to their presence in our collective memory. The categories which will be explored will be based on an essay titled "The Dramaturgy of State Executions" by John Lofland, in which he explores the degree to which a society exhibits and embraces the act of capital punishment. He touches on many of the following categories and describes their relative open or closed natures. The categories used are as follows:[1]

(1) Bleackley and Lofland, *State Executions* pp. 275-318

1. Sentencing - Where is the death sentence passed, what rituals are associated with the sentencing in general, and in what ways are these rituals made particular to the form of capital punishment with which they are associated?

2. The Wait - How much time is given for the confinement of the condemned before his sentence is carried out, and what effect does this wait have on the presence of the condemned and his crime in the thoughts of the populace?

3. Confinement - If the condemned is to be held before his sentence is carried out, where will he be held, how does this location relate to his social standing and the severity of his crime, and how easy will it be for members of the public to see him during this confinement?

4. Time of Death - At what time of day is the execution carried out, and how does this relate to the publiuc nature of the event both by controlling attendence and by influencing public knowledge?

5. The Journey - To what degree does the journey to the execution grounds form a part of the ritual of the event, and how does this journey differ in form and apparatus depending on the type of execution with which it is associated?

6. The Site - How do the characteristics of the execution site itself impact the effect of the event, in what ways are they defined by their surroundings and the type of execution performed therein, and how have they had a larger impact on the populace itself?

7. Witnesses - Who has historically been permitted or encouraged to attend an execution, what degree of involvement have they had in the event, and how do these factors change with each type of execution?

8. The Executioner - What roles does the executioner play in the event, to what degree is he a public figure, and how does he perform the function of bringing the crowd into the event and making the spectacle more enjoyable to them?

9. The Condemned - How much involvement in the spectacle of the event is the allowed to the condemned, how free is he to express his thoughts and feelings on the crime and sentence, and how does this relative degree of freedom impact the witnesses?

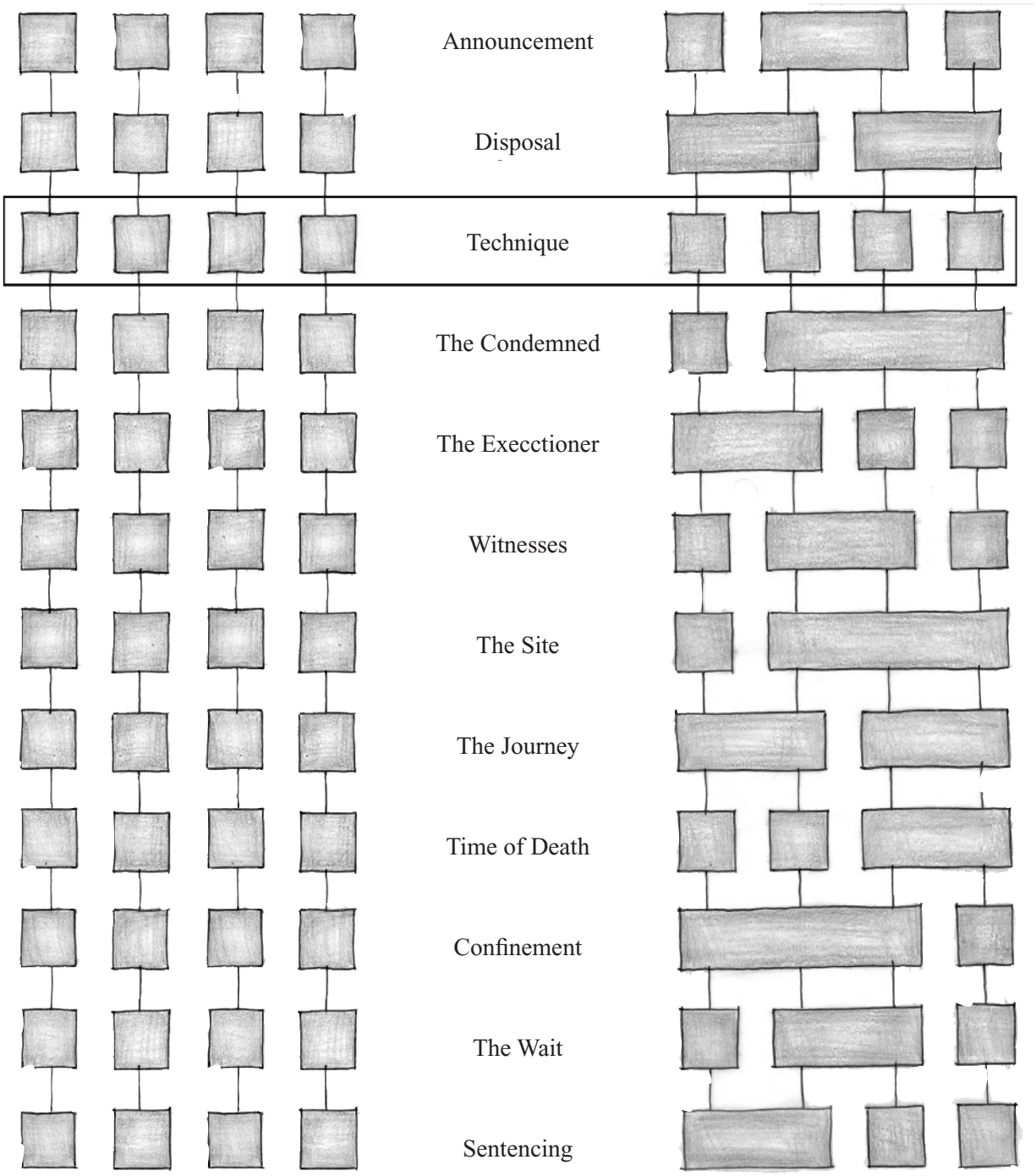
10. Technique - What are the specific techniques by which the sentence is carried out, what apparatus if any is used, and how do these techniques vary in the visual effect on the witnesses and the humaneness to the condemned?

11. Disposal - What is done with the condemned's body after the execution: is he removed from the apparatus, who does the removing, how is the corpse disposed of, and in what ways can the crime and punishment be sustained in the minds of the populace?

12. Announcement - What means are used to announce that the sentence has been carried out, and how can these announcements make thoughts of the execution persist in the public mind.

Lofland himself uses eleven of these categories (he doesn't treat sentencing as a part of the ritual) in an attempt to examine the ways in which an execution may be dramatically 'open' or 'closed' insofar as it exposes itself to public view or withdraws from it. He deals in generalities, outlining how an ideal 'open' execution may be performed, and conversely how an ideal 'closed' execution would compare to it. His focus it to look at these ideals, but not to trace a general trend and progression through many specific forms of execution as I have attempted with this piece.

In this chapter I will present several common historic methods of capital punishment, each of which will be discussed first with a general overview and then when appropriate broken down and examined in terms of the twelve criteria outlined above. They will be listed in the same order as above, but this is not intended to be a definitive chronology for all executions. The death wait, for example, may occur before sentencing, after sentencing, or both. The same can be said for many of the criteria used in this chapter. While the categories themselves are presented as individual and discrete for each mode of execution, in reality there would be significant overlap in several of the categories. Two or three modes of execution may share the same sentencing rituals, or may bring the condemned to the site in the same way. When a particular category is shared by multiple forms of execution, I will use each one to reflect on a particular aspect of that category. In one case I may focus on the witness' role of support for the execution, and in another focus on the diversity of the crowd. The complete picture is then built layer upon layer out of these individual pieces. I will indicate which of



The above diagram is a representation of (left) the way in which the categories of investigation will be presented and (right) a more realistic scenario where multiple modes of execution can share characteristics while only being truly individual in the technique used to carry out the sentence.

the categories are completely unique to a form of execution with a bold typeface. The only factor which we know to be completely distinct for each mode of execution is the technique used to carry out the sentence. As such, this is also the factor that has been used to organise the investigations in the following chapter.

The methods which are put forth here are those which have either fallen out of common use in the western world or those which have seen significant change in both the apparatus used and the mindset of the secular authority. They are presented in an order which is roughly chronological with their use as follows:

Stoning - This method of torture and execution can occur completely free of legal context, at the will or whim of the populace. It belongs to a realm of capital punishment that to a large degree defies an analysis based on the above outlined criteria, and as such will be discussed in a much more general way.

Burning at the Stake - An extremely old form of torture and execution, burning at the stake has long held associations with divine retribution. It has thus most often been used for the execution of heretics and those accused of crimes against God. Slightly more ritualised than stoning it still largely defies an analysis based on the above criteria and will thus be presented in a more general sense.

Breaking on the Wheel - Many forms of the wheel have been used over the centuries, both as torturing devices and as tools of execution. The later forms began to develop distinct rituals which help associate the practice more directly with the other

forms of capital punishment to be discussed. In it we also see traits similar to crucifixion, as the condemned can be left alive on the wheel, waiting for death to come.

Crucifixion - This method of capital punishment stands an early example of execution being used as a means to humiliate the condemned as well as to kill him or her. Those sentenced to be crucified were intended to come to a slow and torturous death, and to stand as an example for a long time; a clear and dire warning.

Beheading - In beheading we have a basic example of class distinction in executions, this method generally having been reserved for criminals of noble standing. It is also one of the first examples of a mode of capital punishment which has been changed by class reform, and has undergone a dramatic change during its history.

Hanging - Hanging is the method with which it is easiest to track the changes which have occurred in capital punishment over the centuries, this change occurring in parallel with reforms of public opinion. It is also the nearest to our minds of the historic methods, as it is still used to this day, though not in the same form.

With each of the following explorations, I hope breed a greater understanding for the essential qualities of the historic methods of capital punishment as outlined above, and bring to light how their architecture was constructed to support these qualities.

So, deeming he had won a means of easily accomplishing his fell purpose, to wit persisting alway in his savage practices against Christ's members, [The Devil] did cause all the great judges of those times to opine that this and this alone would make their wisdom renowned, if they aye ordered such men and women as were champions and heralds of our Religion to be most cruelly tortured, tormented and put to death with every agony and pain that could possibly be devised. Oh, such shallow ingenuity![1]

Stoning, Burning at the Stake, and Breaking on the Wheel



The above plate shows (top) a martyr being stoned to death (left) a martyr having his face broken by a stone (right) a martyr being beaten with fists and (bottom) a martyr being crushed under a heavy weight. The image comes from Gallonio's *Tortures and Torments* p. 96

Mankind has not been lacking in imagination when finding ways to inflict pain, torture, and death on his fellows, and not all executions were conceived for the purpose of spectacle, justice or even revenge. As stoning, burning and the wheel all belong to a time when spectacle and ritual weren't an integral part of the process of execution, each will be explored here in more general terms. Each of these forms of torture and execution have existed in many incarnations over the centuries, each having a different apparatus, spatiality, and motivation. This dauntingly broad scope has been explored already in great detail by the Rev. Father Antonio Gallonio in his writings *De SS. Martyrum Cruciatibus*, translated in English as *Tortures and Torments of the Christian Martyrs*. The author said of his work that

(1) Gallonio, *Tortures and Torments* p. 158

it was written “to treat of the divers instruments of Martyrdom and of the countless modes wherein the most glorious and unconquered soldiers of our Lord Jesus Christ underwent death with a brave heart for His honour,”[1] and was produced with the full authority of the church. Written in the late 16th century, it was produced in a period of reformation during which numerous Christians were persecuted and martyred, by other Christians. These occurrences set the stage for this potentially disturbing and controversial book, in which we see the obsession of an age with the idea of capital punishment, and martyrdom specifically. In fact, the book itself begins with the essential Christian martyrdom, the crucifixion of Jesus Christ, and goes on from there to describe the diverse other ways in which the faithful were martyred.

In this text we find a disturbingly complete index of the many ways in which Christians were punished for their Faith. Beating, Flaying, Burning, Hanging, Racking, Pressing, Drowning, Burying, Attack by Animals, Dismemberment, Boiling, Stoning, Breaking on the Wheel. This partial list shows just a few of the diverse means used in the past to torture and kill those who were not in agreement with the local belief system. Each of these had its own distinct associated apparatus and general rituals, some occurred in the depths of torture chambers, others out in the natural landscape, and others were public events held in large areas of town. The three methods mentioned above (stoning, burning and the wheel) feature in the work of Gallonio and can be seen to have great importance in the realm of martyrdom, but they have also occurred outside of this

(1) ibid p. 1

context, have been more fully documented in their use, or have had their general principles carried into the modern world. Each of these methods will be discussed in greater detail showing how each diverges from the more official methods of capital punishment, and how each can be seen to fit into the larger picture of the rites of execution.

First we will look at stoning. This form of execution is one which has an extremely close connection with its audience, but it is also one of the forms with the least constructed apparatus. By necessity it always occurred in large public squares filled with the accusing people, many of which would come equipped with large sharp stones. When the stoning was not carried out at the whim of the mob, but was determined as a punishment by the judicial powers, the condemned would be forced to take a position as determined by the governing power. This could be standing in the square or against a wall, in an open field, or even buried partially to make it difficult, if not impossible, to escape. The condemned would be surrounded by people, officials and guards many of which would participate in the execution.

Before the stoning would begin, the condemned's crime would be stated and his punishment declared. After this, the crowd would be given leave to start throwing or otherwise striking the condemned with the stones. Death would not come quickly, which is what places this form of punishment firmly in the category of torture. The stones would cut flesh, break bones, damage internal organs, but the condemned would die only very slowly. If he was lucky, a stone catching him in the head may have rendered him unconscious. As

the execution was carried out by the crowd, it is also likely that the stoning would not stop even after death had come to the victim, depending on how enthusiastic or enraged the people became. In the end the body would hardly be recognisable. After the sentence had been carried out friends of the condemned may have taken his body away for burial. If there were no such friends, it may instead have been removed by city officials. The body was unlikely to have been afforded any respect, and would be unceremoniously disposed of in whatever way was commonly used by the city in which the execution had taken place.

The architecture of stoning is one of anger, retribution and humiliation. In it the people found a strong way to express their own violent urges. This was certainly not a pleasant manner of death, but its memory still resides with us today, in a couple of ways. First we can look to Iran, a nation which to this day still uses stoning as a mode of capital punishment in cases of sexual infidelity. To many this practice is seen as horrible and criminal, as well as remarkably sexist as men and women accused of the same crime are treated very differently. On the website *Iran-e-azad.org* an undeclared author and activist wrote the article "Stoning to Death in Iran: A Crime Against Humanity" to expose the horror and sexism of the practice.

> The penalty for adultery under Article 83 of the penal code, called the Law of Hodoud is flogging (100 lashes of the whip) for unmarried male and female offenders. Married offenders may be punished by stoning regardless of their gender, but the method laid down for a man involves his burial up to his waist, and for a woman up to her neck (article 102). The law provides that if a person who is to be stoned manages to escape, he or she will be allowed to go free. Since it is easier for a man to escape, this discrimination literally becomes a matter of life and death.(1)

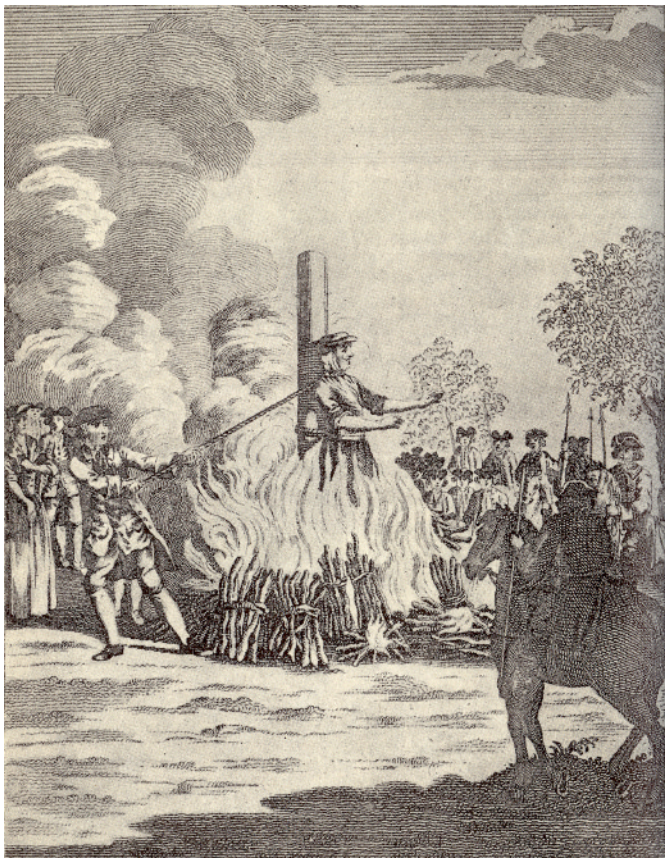
(1) Anonymous, *Stoning to Death in Iran* from http://www.iran-e-azad.org/stoning/women.html

The above quote is intended to bring this gender distinction to the forefront of our understanding, and also shows a very direct and extreme example of modern stoning executions. We can see through this example a cruelty that is felt to be barbaric and out dated by the standards of Western culture. While this degree of violence has been largely left behind in official executions, some of the basic principles of stoning remain today in the practice of death by firing squad, though it is no longer intended to be a means of torture. While it has none of the shameful connotations of its predecessor, being seen as an honourable way to be put to death, the condemned still dies at the hands of his peers and not an anonymous executioner. I will explain the use of the firing squad and its honourable associations in greater detail in a later chapter.(1)

There has been another method of capital punishment whose lack of ritual makes it difficult to analyse, and that has placed some of the responsibility for the condemned's death in the hands of the gathered crowd. This is the practice of burning at the stake. While this is an ancient punishment which has fallen completely into disuse in official circles, the ghost of its use can be seen in the actions of some sects or secret societies like the KKK. These actions are condemned by most people, but the strength of our associations both historic and modern cause the practice to remain strong in our minds and memories. It is scarcely possible to consider burning at the stake without thinking of the history of witchcraft or the martyrdom of Joan of Arc, but the practice has seen use outside of those better known examples. While burning does represent an extremely painful

(1) Chapter 5 - The Peer and Executioner

and torturous method of execution, it contains within it a sense of cleansing. Fire has often been used in religious metaphors as a test of faith and a force capable of purging sins. Dante in his Divine Comedy describes a blazing wall of fire at the top of Mt. Purgatory surrounding the Garden of Eden, and the path to Paradise.(1) These associations with fire were strong in the ancient mind, and for this reason its power has been used primarily for the execution of those considered evil, or those who have been tainted by a darkness. Thomas Cranmer, the Archbishop of Canterbury, was put to death on the stake in 1556. He was executed for his involvement in the attempt to put Lady Jane Grey on the throne, having signed a document at the behest of King Edward VI. When the attempt failed, he was arrested and tried for treason and heresy. He signed a recantation in an attempt to save his own life, but when called upon to openly state his opinions he chose instead to claim the lie and go bravely to his death. He said the following immediately before his execution:



The above image was produced in the early 18th century and shows the burning of Catherine Hayes. Note the rope held by the executioner, with which he was meant to strangle the victim before the fire set to her flesh. The image comes from Laurence's *A History of Capital Punishment* p. 19

> I have written many things untrue. And forasmuch as my hand offended in writing contrary to my heart, therefore my hand shall first be punished: for if I may come to the fire, it shall be first burned.(2)

The cleansing power of the fire was turned first to the source of Cranmer's downfall, the hand which signed both the document from the King and the recantation with which he tried to save his life.

(1) Dante, *the Divine Comedy: Purgatory* Canto XXVII lines 10-21

(2) Anonymous "The execution of Archbishop Thomas Cranmer" as quoted on Hanson's *Englishhistory.net*

Burnings, like stonings, have always been conducted as public events. In some occasions the accusation, sentencing, and execution may have all been carried out by the crowd, but for the majority of burnings there was an order and ritual imposed by the secular or religious authority. Unlike stonings, burnings were of necessity performed with an external apparatus, though it is fairly minimal. The execution required only a large stake onto which the condemned would be tied and a pile of wood placed at the base. For the execution to take place properly some external source of fire was also required, such as a torch or burning brand. After the condemned has been fixed in place to the stake, among the wood, their crime and sentence is called out to the crowd. After the condemned is allowed his or her last remarks, fire is set to the wood.

It is here where the practice of burning shows a variable relationship to its witnesses. In some cases the fire is set by an executioner, and the crowd is merely present to watch. In others, members of the crowd themselves hold the burning brands which are used to start the blaze. It has been recorded that death did not always come as a result of the fire. In fact, many persons were killed immediately after the fire was set, freeing them from the pain they would otherwise be forced to endure. This was accomplished by tying a rope around the condemned's neck while they were being fixed to the stake. When fire was set to the wood, an executioner would pull on the rope, strangling the victim before they caught fire themselves. This was not always successful, though, as shown by the account of the burning of Catherine Hayes:

> She was literally burnt alive; for the executioner, letting go of the rope sooner than usual in consequence of the flames reaching his hands, the fire beat furiously around her, and the spectators beheld her pushing the faggots from her, while she rent the air with her cries and lamentations.(1)

Hayes was executed for the murder of her husband, which at the time was defined as "petty treason." Petty treason was the label attached to any betrayal of a superior by a subordinate and was seen as a crime against the natural order. It differed from high treason only in the sense that high treason could only be committed against the sovereign. Petty treason was seen as a very serious crime, and as such it warranted a more severe punishment like burning at the stake. In the case of Mrs Hayes, had the executioner kept a hold of the rope and properly strangled her she would not have suffered as greatly on the pyre. In this case the fire would have been more of a symbol of a cleansing power and a restoration of order than a means of torture. In almost every recorded case the burning was a large public event which involved the gathered crowd to a high degree. Both this public nature and the extreme visual power of the execution have contributed to its strong presence in the collective memory of the people, even to this day. The architecture of burning is one of redemption, where all involved can rejoice in the destruction of evil, and in some cases cheer for the salvation of the condemned. Interestingly enough, these associations with salvation and cleansing power were not the only motivators at a time when burning at the stake was widely used; during the Spanish Inquisition. One convicted of heresy by the inquisitors would often be sentenced to burn, the execution to be performed by the local secular authority.

(1) The British Gazeteer "An Account of the Execution of Catherine Hayes" as quoted in Laurence, *A History of Capital Punishment* p. 9

Burning at the stake was chosen partly due to a motto of the Church, “ecclesia abhorret a sanguine” which translates roughly to “the Church shrinks from blood.” Burning at the stake was chosen because it didn’t cause the condemned to bleed![1]



The above image shows (top) a martyr affixed to a wheel and raised up, similar to the act of crucifixion and (bottom) a martyr affixed to the rim of a wheel and rotated over and into a bed of sharp spikes. The image comes from Gallonio’s *Tortures and Torments* p.28

The last mode of torture that I will be exploring in greater detail has been in use from the time of Ancient Rome and early Christianity to the Medieval era. This is the practice of breaking on the wheel. Many forms of this style of torture and execution have existed over the years. Gallonio’s *Tortures and Torments of the Christian Martyrs* outlines several of the different means and varieties of wheel used to punish those of faith, including martyrs strapped to spinning wheels and beaten, being rolled over blades and spikes, turned slowly over a burning fire, hung up to die of exposure, and rolled down the sides of mountains.[2] Some methods were intended to be viewed by many people, for example if the condemned was bound to the wheel and left to die of exposure, while others were intended to extract information of to try and force a renunciation of belief, and were thus not highly publicised. While in several cases a large crowd may have been desired, some uses

(1) Jones, *A Brief History of the Inquisition*

(2) Gallonio, *Tortures and Torments* pp. 28-33

of the wheel made it logistically difficult to have many people in attendance: could you really gather thousands of spectators to see a man rolled off a cliff? It would have been difficult.

For the pre-Christian Pagan world, the wheel can be seen to have a cosmological origin relating to the sacrifices and punishments inflicted by the ancient gods. One story specifically comes to mind, the classical myth of the mortal Ixion. Ixion was punished by Zeus for his attempt to seduce the goddess Hera; his sentence was to be affixed to the rim of a fiery wheel which was made to roll ceaselessly through the sky.(1) The wheel became a sun symbol, and an icon of pagan sacrifice. The rolling of the wheel was central to many of the pre-Christian execution rituals in which it was used, with the victim rolled over blades or spikes, over an open flame, or down a hill. With this, the Ixion myth seems a plausible origin for the practice. Even with this unified theory of origin, the wheel itself could take a great many forms, each with a different apparatus, degree of public character, and a different purpose. It would thus seem difficult to study the phenomenon deeper, and describe the essential qualities and universal rituals of death by the wheel.

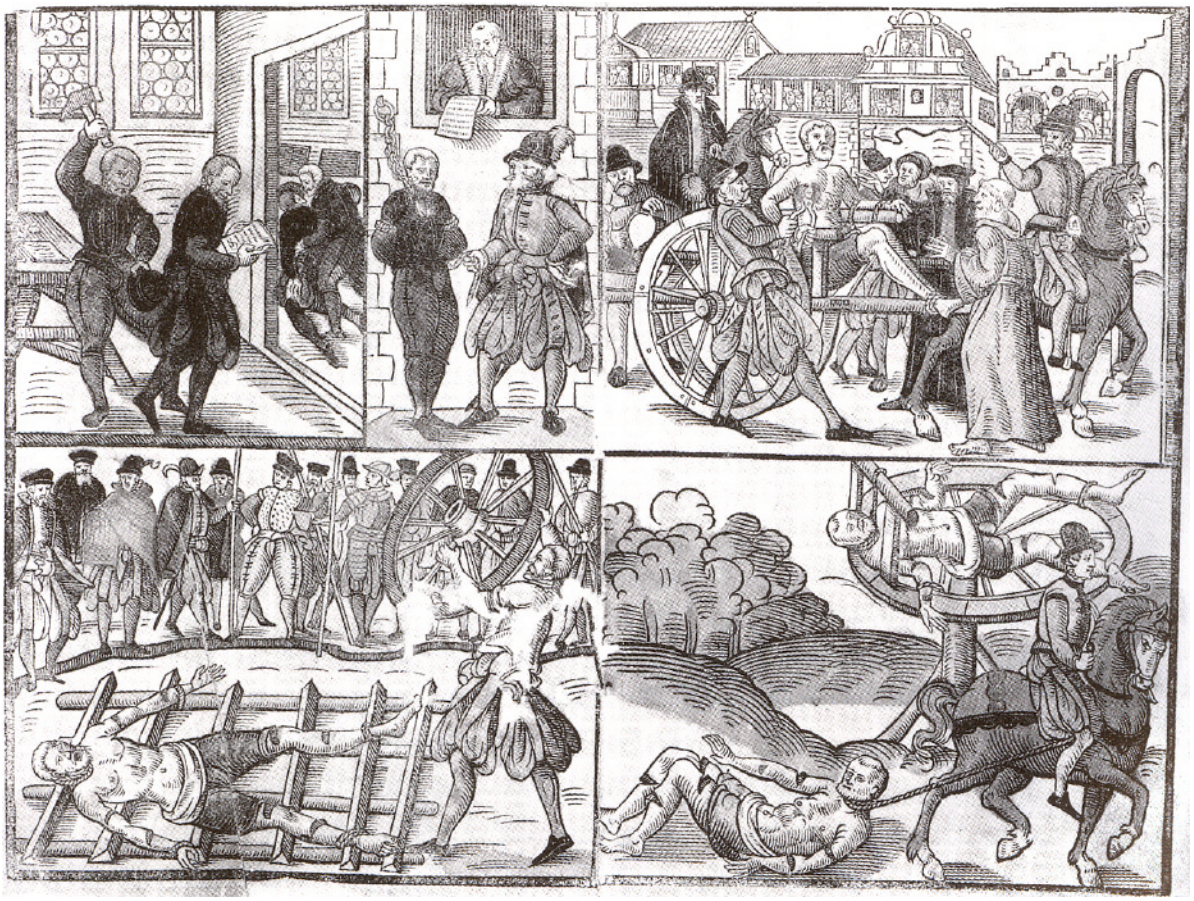


The above image shows (top) a martyr fixed to the rim of a wheel and slowly rotated over a fire and (bottom) a martyr affixed to the rim of a wheel which was then rolled over piles of sharp blades and other objects. Thr image comes from Gallonio's *Tortures and Torments* p. 30

(1) Merback, *The Thief, the Cross and the Wheel* p. 162

This is true as it pertains to the use of the wheel as a torture device in antiquity, but there are records of the wheel used as a device of execution past the time when it was used as a means to torture Christians. The practice can, in fact, be found in common usage in parts of mainland Europe well into the late 16th and early 17th centuries. Germany in particular had a method of 'breaking on the wheel' that was an accepted and often practiced method of capital punishment throughout the middle ages. The procedure was slightly more complicated and controlled than many of the other modes of using the wheel, and used a more regulated apparatus. The executioner required only two tools to carry out the sentence: a large cart wheel and a grid of slatted wood. As an official procedure, breaking on the wheel followed a defined set of ritual conventions. The condemned was allowed his last words, after which he would be affixed to the grid of wooden stakes. The official executioner, armed with a large cart wheel, would strike at the condemned's body where it rested between the pieces of wood, breaking bones and crushing internal organs. The ritual nature of the execution extended even to the number of blows with which the condemned would be struck. In a typical execution, eight blows would be struck, four at the legs and four at the arms. Occasionally a final blow would be struck at the chest as a coup de grace in order to end the suffering of the condemned. In other cases the number of blows related to the number of crimes committed or their severity.

The blows themselves could be struck in one of two ways, either from above or from below (starting from the head or the legs). If struck from above, the condemned was more likely to die quickly.



Above is a broadsheet produced by the Madeburg *Briefmaler* Leonhard Gerhart in 1572. The image depicts an execution by wheel occurring in Mainz, showing the passing of the sentence, the journey to the site, the condemned tied to a gridwork of wooden slats, and hie broken body raised on the wheel. The image comes from Merback's *The Thief, the Cross and the Wheel* p. 160

If struck from below, the condemned was doomed to suffer for much longer. The victim was not always killed during the breaking process, but he would be treated in the same way regardless. An eyewitness account of breaking exists in the travelogue of the Cardinal Luigi of Aragon, who travelled more than 5000 km across Europe during the early sixteenth century. The Cardinal describes here what is done to the condemned after the breaking process has been completed.

> Thus broken and shattered, the man is raised on the wheel and set atop a large beam upright in the ground - and there the wretch is left, breathing with difficulty. Such a death is very cruel: some unfortunate wretches have been known to live for two or three days afterwards, thus adding to the suffering and pain of this terrible spectacle.(1)

(1) excerpt from the *Travelogue of Cardinal Luigi of Aragon, 1517-18* as quoted in Merback, *The Thief, the Cross and the Wheel* p. 158

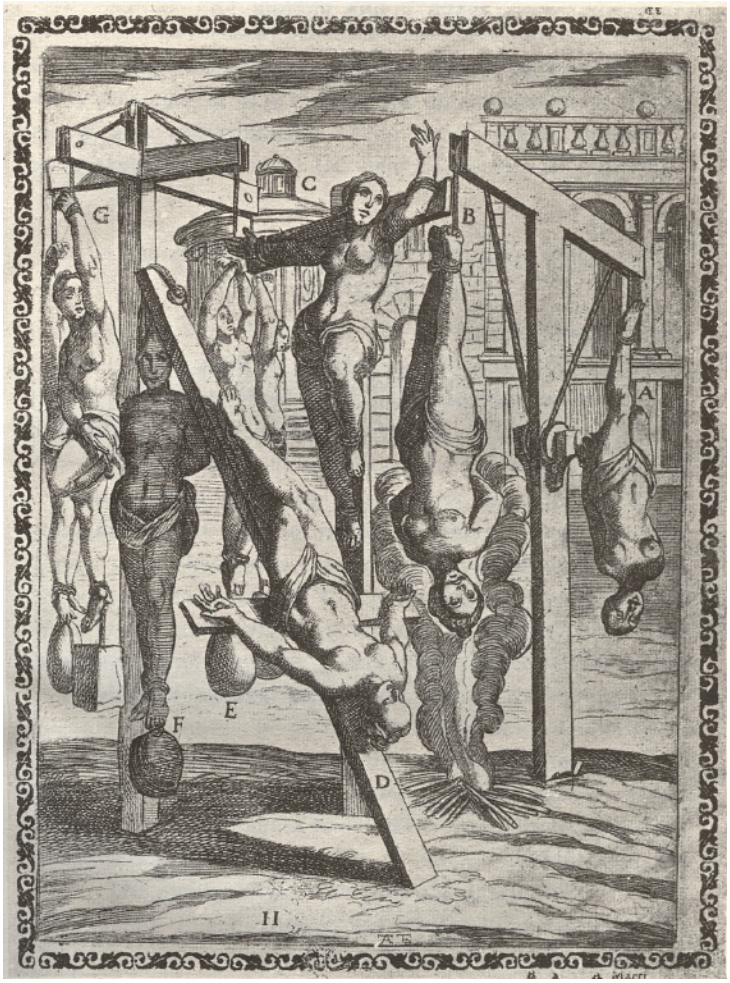
The condemned would not only be 'raised' on the wheel, but would have his shattered and pliant limbs braided through its spokes. If he was not killed during the breaking process, death could come slowly once he was raised on the wheel. The condemned would remain there for some time as a public spectacle, and after several days would be taken down, either by friends and family or city officials, and buried. The origin of this use of the wheel still retains a degree of mystery. While the pagan uses can be traced back to corresponding rituals and myths, there is no such indication of the wheel being used as an instrument for beating. In fact the earliest records of the wheel being used to break a body, dating from the 6th century in an account by Gregory of Tours, have no mythological or symbolic ties, and consist only of the condemned being run over by a heavily laden cart after being tied to deep tracks in the ground.(1) The ties seem to lie in between the pre-Christian use of the wheel as a device of torture and slow death with the martyr woven into the spokes, raised up and left, and the use of the cart as an instrument of breaking. By the 14th century at the latest the practice had taken final form with the cart wheel remaining as the instrument by which the sentence is carried out, and then used as the device to display the body afterwards. The architecture of the wheel is one of torture, justice, humiliation, and spectacle. Out of all the ancient methods of torture and execution put forth it bears the most resemblance to the more official modes of capital punishment which will be presented.

(1) Merback, *The Thief, the Cross and the Wheel* p. 163

> …after stripping them of their clothes, they hung them [on the cross] by means of four nails thereon. This done, they raised the cross along with the victims fixed to the same, and setting it up in a hole dug for the purpose, left them to the bitter agony of a lingering death, - hanging there till they rotted away.(1)

Crucifixion - Overview

The bitter agony of a lingering death. Even this simple statement already touches on one of the primary functions of crucifixion in the realm of capital punishment, and one of the roles it was intended to fulfill. Crucifixion was without question an execution of spectacle, and not only that of the moment of death. In some cases, the spectacle of crucifixion could begin at the sentencing. For condemned of note, the public could have played a role in condemning or saving the accused, though this would hardly have been the case in every sentencing. In most cases, the spectacle would begin with the procession to the site, during which the condemned would be at the mercy of the people. At the site the act of crucifixion was performed publicly; the vast expanses of empty land on which the crosses rose were ideal for gathering large crowds. And the



The above image shows (middle top) a martyr tied to a cross head to the sky and (middle bottom) a martyr nailed to a cross head to the ground. The image comes from Gallonio's *Tortures and Torments* p. 4

(1) Gallonio, *Tortures and Torments* p. 5

spectacle didn't end, even after the sentence had been carried out. The act of crucifixion left the condemned in the eyes of the populace, still alive, left to die slowly of exposure and starvation. He thus stood not only as a target of the taunts and jeers of the people, but also as a constant warning and a lingering presence in their minds of the consequence of criminal actions. The image of a man on a cross had a strong presence in the collective memory of the populace at that time, and can still be found with us today though we have never seen it ourselves save in Christian iconography. Though our strongest associations are with the Christian mythology of the crucifixion, it was in fact a common and widely used form of execution during Roman times. Many thousands of criminals were crucified for various reasons, and their bodies displayed to the public and travellers in the country. The crosses stood in the open landscape, unprotected from the savage elements and the assaults of wild beasts. The apparatus was very simple but could take a great many forms, some of which are hereunder described by Gallonio .

> From this I gather that crosses were not all of one kind, but differently made by different people. Some there were who hang the criminal head downwards, while others drive a stake through his entrails, and others again stretched out his arms on a forked gallows.(1)

Of the many forms of the cross, two come straight to mind when thought on. The Greek cross was made of large rough wooden logs which were lashed together and generally had all four arms the same length. The Latin cross (now recognised as the crucifix) stood taller on a longer base. The method for affixing the condemned to the cross could also vary a great deal. The first image to come to mind is

(1) ibid p. 2

that of Jesus Christ, nailed to the cross with his arms held wide, but there are many images showing criminals bent over the top, wrapped around the arms, and of dislocated or broken limbs wound around the wood. A cross could also be placed in the ground so that the victim's head pointed downwards. Nails were not the only means which could be used to affix the condemned to the cross, however. They could have also been tied in various ways or even impaled on sharp stakes. As the purpose of crucifixion was to exhibit the discomfort and pain of the condemned, care was taken to make the punishment look as uncomfortable as possible, and many individuals would come back to the site after the crucifixion to increase the suffering of the condemned. The architecture of crucifixion is one of slow, painful death, of exhibition, and of humiliation. It is an architecture of exposure represented both literally in the site and symbolically in the public wasting and death of the condemned, and one of constant presence that remained in the minds of the people.





Two images, drawn by Lucas Cranach the Elder in 1502, depicting the thieves crucified on either side of Jesus Christ. The images came from Merback's *The Thief, the Cross and the Wheel* p. 33

Crucifixion - Theatrics and Architecture

The rituals, architecture and theatrics of crucifixion were all constructed to add to the public nature of the event, and to include the local population at all stages of the process. This served to increase public involvement and support, increase the humiliation and suffering of the condemned, and maintain the presence of the punishment in the minds of the people.

1. Sentencing: The local magistrates and the governor had the sentencing rights during the heyday of crucifixion, which was the supreme penalty under Roman law and was frequently

used throughout the empire until the end of the third century CE. Not all sentencings were public affairs as crucifixion was seen primarily as a means to punish slaves, who by their social standing weren't deserving of formal legal attention. The sentence of a more infamous offender, on the other hand, would typically be handed down in a highly public forum, possibly from the balcony of a civic building, in a large public building, or in a courtroom in which many people could attend. For these more public sentencings, the rituals made the procedure highly inclusive of the public, and in few cases the crowd was even given the opportunity to save a condemned man's life. It is unlikely that this power was allowed them in every case, however.

2. The Wait: Waiting times during the Early Christian era were notoriously short. The condemned would be handed a cross and marched to the site almost immediately after the sentencing had concluded. This lack of waiting and confinement also ensured an increase in public involvement. With no delay and thus no time to forget about the crime or the execution, the people's need for vengeance - and their bloodlust - remained fresh in their minds. Witnesses of the sentencing could follow the condemned along his procession directly to the site and see him strung up, receiving immediate gratification for their vengeful desires.

3. Confinement: With little to no wait between sentencing and execution, there was very little need to confine the condemned. Large groups of offenders, such as masses of rebellious slaves,

could have been sentenced on the execution site and crucified immediately. For individual offenders, though, confinement could take place before the trial and sentencing, when the accused would be held in a local prison or other place of convenience. There was no need to ensure the seclusion or exposure of the condemned as he would shortly be making an appearance in court when the entire spectacle would begin. It is possible that such confinement was only considered necessary due to the amount of time it would take to build the cross on which the condemned would be hung. The final sentencing occurred once the cross had been prepared.

4. Time of Death: Sentencing and execution occurred during the middle of the day. There were several reasons for this. First, holding the execution at this time would ensure that large numbers of people could attend the sentencing and line the streets through which the condemned would walk to the site. Second, raising the cross in the middle of the day ensured that the condemned would begin his punishment at the mercy of the worst of the elements: the beating sun, the dusty air, with no water or shelter. Performing the execution at this time greatly increased the visual impact on the witnesses and the suffering and humiliation of the condemned. While the ritual of crucifixion was held during the day, the actual time of death was completely uncontrolled. The condemned's actual death may or may not be seen by any witnesses, depending on the time of day it took hold.

5. The Journey: For crucifixion, the journey to the site was an ideal time to increase the suffering and humiliation of the condemned, and to involve the throngs of witnesses directly in the event. These were primary requirements for the execution and would both make the punishment more effective and increase the presence of the practice in the memories of the people. The prisoner was forced to bear his own cross to the site, and to walk through streets lined on either side with laughing, jeering people. The spectators would often throw objects; food, garbage, or stones, or strike the condemned with sticks and whips. The streets themselves were usually dirty, and the condemned would arrive at the site covered in blood, garbage, sweat and dirt. The walk itself could go on for several miles, as the field of crosses was often located at a distance outside the city. Many of the condemned would succumb to exhaustion and fall under the weight of their cross, but would be whipped back up and into motion again. They were not allowed to rest, not allowed to eat or drink, not allowed any respite for the entire journey. It was to be as torturous as the time on the cross itself. In a bizarre twist of logic, the act of torture which may have preceded the actual crucifixion was often seen as a mercy. A flogging or beating could lower the resistance of



The image above is an engraving by Albrecht Durer titled "Christ Carrying the Cross" printed in 1512. It shows Christ falling under the weight of his cross as he bears it to the crucifixion site. The image was found on the website of the *Conneticut College Print Collection*

the condemned causing death to come sooner once he had been raised into position.[1]

6. The Site: The field of crosses could always be found in a high-profile location. Often located on the top of a large hill or in a vast plain, the grim sight could be seen for miles around. For instance, 6000 of the rebellious slaves who followed the gladiator Spartacus into revolt against the empire were taken prisoner after his defeat and crucified along the Via Appia, one of the primary routes between Rome and Capua.[2] Another of these sites, Golgotha, the place of the skull, is said to have been a well-known spot just outside of the gate of Jerusalem and on a major thoroughfare out into Judea. This made it an ideal spot for the crucifixion of many criminals condemned to that fate. Such locations were important, as the crosses were intended to stand as warnings to any who would go against the rule of law, and the power of the state. The highly exposed nature of the site also served to place the condemned at the full mercy of the elements. Bare land would be swept with harsh, dusty winds, stinging open wounds and driving sand into eyes and mouths. The sun would beat down relentlessly, glaring into eyes and burning flesh. The accessibility of the site allowed people to visit the condemned as they hung upon the crosses, both in attempts to ease their suffering and to increase it. Along with the actions of the witnesses and the crucifixion itself, the site had a primary role to play in the effectiveness of the execution both as torture and as spectacle.

(1) Merback, *The Thief, the Cross and the Wheel* p. 205

(2) Appian, *Civil Wars* book I sec. 120

7. Witnesses: From the beginning of the execution to the end, the witness played a central role. This involvement was desired as a means to firmly entrench the procedure into their lives and minds. From attending the sentencing and possibly having been given the power to free an accused man or condemn him to death, to lining the streets, throwing objects at the poor individual bearing his cross, to watching that same cross raised into place with the man affixed to it, to returning to the site while the condemned slowly wastes away to nothing, and finally to the retrieval and disposal of the corpse once the sentence has run its full course: the witness was present in all stages of the execution. Some may even have attacked the person on the cross, attempted to relieve their suffering and thirst, or tried to increase the degree of torture. The execution took a long time, so a witness may have even returned to the site several times before death came. The witness had the power to add to the exposed nature of the execution, and increase the suffering and humiliation endured by the condemned.

8. The Executioner: No one man was wholly responsible for the death of the condemned. The magistrates, religious authorities and public could all have had a hand in the sentencing, local law enforcers or military personnel were responsible for the act of crucifixion itself, and random spectators could use any means to make the condemned more uncomfortable, but death was typically caused by starvation, exposure to the elements, and the attacks of wild beasts and birds. Without a clear person on whom to lay the blame, it was easier to associate responsibility

for the death to everyone involved; magistrate, military and spectator. The nature of the public spectacle was an expression of the power of the state, and through their implication in the act, of the unquestioned support of the populace.

9. The Condemned: The victim had a central role to play in his own execution. In order to increase his suffering, he was compelled to bear his own cross to the site, rather than walk to a location where everything had already been prepared. He was allowed no rest, but while the condemned may have been denied any respite from his fate, he was still allowed to express himself during the process. The procession would be filled with pleas for water, for food, for aid in bearing his burden, and for redemption. Once on the cross, a prisoner could be heard calling out to any nearby person for help, asking either to be released from their fate, or put out of their misery. Such calls were rarely answered, and one who was proven of removing a criminal from the cross could suffer crucifixion himself. Being forced to bear the burden of your cross and the pleas for aid increase the humiliating power of the execution.

10. Technique: The quote which begins this section is a very good outline of the technique of crucifixion.[1] The condemned, stripped of his clothes, is lain on the cross. Here he is either tied in place with rough rope or has iron nails driven through his wrists and feet (while many images depict nails driven through the palms of the condemned's hands, it is unlikely that they

(1) see p. 61 above

would be able to support the weight of a body in this location). After the condemned has been affixed to the cross, it is raised into position and dropped into a hole which had already been dug. It is not dropped in gently, so the shock would add even more pain to an already painful procedure. Left to die at the mercy of the elements is a particularly cruel form of execution, and being nailed to a cross could have only made it worse. The toll of the days could be clearly seen on the body, increasing its visual power as a form of capital punishment.

11. Disposal: The Jews and the Gentiles both had very different approaches to the disposal of a corpse on the cross, a point brought forward and discussed by Antonio Gallonio in his Tortures and Torments of the Christian Martyrs. Of the differing approaches, he says the following:

> The latter, as we have just noted, left them to hang on the gibbet till they rotted; but the Jews did otherwise, for in accord with the Law as declared in Deuteronomy, ch. xxi., they were used to take them down the same day and bury them in a convenient place.(1)

If the body was not to be cut down by the secular authority, it would often be removed by the friends and family of the condemned. It was rare for the officials to involve themselves, and thus they were generally removed from the procedure, leaving it to the public. The people were thus involved at all stages, right from sentencing through to the disposal of the body. This involvement would invariably add to the strength of the collective memory held by the populace.

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(1) Gallonio, *Tortures and Torments* p. 5

12. Announcement: No announcement was made. The presence of the body on the cross was statement enough.

Crucifixion stands in history as one of the most public, cruellest, and most humiliating methods for putting an individual to death. In all of its theatrical aspects and its architectural constructions, it adds to this sense of public involvement and in the reduction of the condemned to something base, something to be gazed upon with scorn and ridiculed.

The Crucifixion of Jesus Christ

No true recorded history of the act of crucifixion is today as highly recognised as the story of Jesus Christ, in his life, his death, and his rebirth. Through it we can see the extreme importance of the act in the Christian mythology, and how its ritual and spatial characteristics were so faithfully represented in the various Gospels. Through these writings we can trace the entire ritual of crucifixion from arrest and sentencing through to the moment of Christ's death. In the sentencing we see an interesting two-stage approach which may have been used in several other cases of crucifixion as well. In the Gospel According to Matthew those who stood accused were first brought in front of the high priest or magistrate who passed judgement and called out the sentence. These people were then handed over to the Roman governor, who held the curious power to turn one of the accused free. The governor himself passed this power to the people, giving them the right to condemn or free one man.(1) This simple act implicated the crowd in the death

(1) The Holy Bible, *the Gospel According to Matthew* 27.11-27.26

of all accused who were not set free, and thus laid the blame for Christ's death on their shoulders. In fact this story is the basis of near to two-thousand years of anti-Semitic belief as it portrays the pronouncement of the so-called blood libel, in which the Jewish people took the blame for the death of Christ upon their shoulders and those of their descendents. The strength of this mythology has unfortunately roused a lot of anti-Jewish feeling, in spite of the lack of any concrete historical evidence to support it.

After the sentencing, the story of the crucifixion takes us along the path to the execution site, describing to us the gathered crowds, the guards accompanying Jesus while striking him with whips and cudgels, his fall, and the rejection of his pleas for water. Through the story we see the ritual of the journey used to increase the suffering of the condemned man, attempting to destroy his spirit and degrade him in the minds of the people. And after this journey, the story takes us to Golgotha, the place of the skull, where the field of crosses rose and where Christ is said to have seen his last days. Here we see the act of crucifixion itself; the laying of Christ on the cross, the driving in of the nails, and the raising of the cross into position. We see also the ways in which a witness can affect the condemned even after he has been crucified. In one instance the Roman soldier Longinus pierced the side of Christ with his spear as he hung on the cross awaiting death,[1] and in another the sponge-bearer Stephaton rose a sponge soaked in vinegar for Christ to drink from.[2] The story even tells us of the disposal of the body after death had come. In the case of Jesus, he was removed from the cross by followers and family, and

(1) The Holy Bible, *the Gospel According to John* 19.34

(2) ibid 19.29

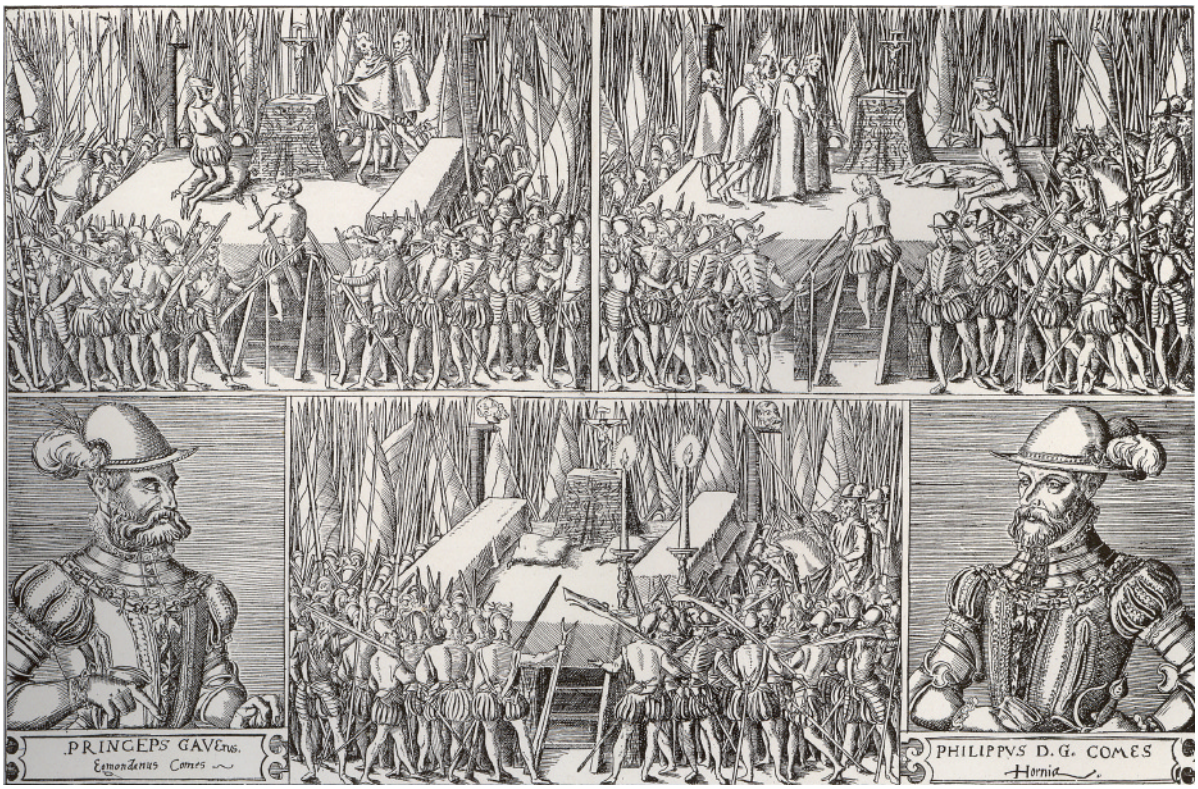
entombed in a cave with all due reverence and respect.

But why was it important that Jesus Christ be crucified? For the ancient Christian mindset, the cross was a dominant and very important part of their experience. Everyone alive in the Mediterranean during the time of the birth of Christianity knew that the cross was a horrible, torturous way to die. This degree of suffering is important to the Christian faith, and so was the time spent on the cross. The story would have been very different indeed had he been hanged, or beheaded. In the gospels, a great deal of attention is given to the period during which Christ was on the cross, before he died. Had he instead been sentenced to beheading, the suffering he endured would have vanished, he would not have been able to speak with the thieves, and with God. Christ's death would have been instant, and painless.

But it is not only this time for communication which added to the power of death by crucifixion, nor could it be attributed solely to the sheer force of presence held by the cross in the ancient mindset. The symbol of the cross, and its shape, are central to the iconography of Christ himself as the redeeming link between man and god, earth and heaven. The cross, rooted in the earth, reaches its head towards heaven, and its arms, reaching out to the sides, embrace all of mankind in its promise of salvation. If Christ were hanged, could we find such symbolism in the figure of the noose? And if he were beheaded, what could have been made of the image of the headsman's axe?

It is a remarkable commentary on human psychology that it should have been thought throughout the ages to be more honourable to have one's head cut off than to have one's neck broken. The axe and the sword were the instruments of capital punishment from the earliest times and we find Xenophon, at the end of the second book of the Anabasis, stating that beheading was the most honourable form of death. The sword, too, was considered to be a less degrading instrument than the axe.(1)

Beheading - Overview



The image above shows the 1568 execution of the Counts Egmond and Hoorne, two senior Dutch nobles who stood in opposition to the Spanish King Philip II. A politically motivated execution, it triggered the Dutch uprising against Spanish rule, which led to Dutch independence. Reading counterclockwise, we can see (1) the first condemned kneeling as the executioner -wielding a sword- mounts the platform (2) the second condemned kneeling alongside the coffin of the previous victim and (3) both coffins lying on the empty platform. The image was found in van der Meulen's *Platen-Atlas* p. 67

Death by the sword. Even to this day hearing this phrase carries associations with gallantry, honour, and high standing. As such, the practice of beheading is closely linked with class struggle, and has changed in form and application to reflect the results of these struggles. But why would it carry these noble associations? What about beheading as a means of taking life is honourable, or desirable? Two possible explanations come to mind. First, a beheading, when

(1) Laurence, *a History of Capital Punishment* p. 28

done properly, was the swiftest and most humane way to kill a person. Typically a good headsman could remove the head in a single blow, causing instantaneous death. Second, the sword and the axe are instruments of war, and as such are associated with valour and fortitude. Further to this, the sword was considered the weapon of a nobler class, a weapon of distinction, while the axe belonged to a mere soldier. To be killed in battle fighting for your lord or your beliefs was thought to be a desirable way to end one's life. To fall under the blade of an axe was to be killed by a soldier, but to die by a sword was to be killed by a nobleman, and thus by association a great warrior (though this was not necessarily true!). To be killed by a man of high standing would be seen as a worthy way to have one's life taken away, and the dead man would thus have been highly honoured, though posthumously.

Interestingly enough, this association with military valour is also present in other remote parts of the world. In the feudal era of Japan, to be killed in battle by a samurai was the greatest honour, and guaranteed fortune and well-being for your descendants for generations to come. It can be seen, however, that to the Japanese this association did not carry over to death by beheading. To be killed by the public headsman was a great dishonour. To the Samurai there was a way to end one's life outside of battle and still retain your honour, but it will be discussed in greater depth in a later chapter.[1] Beheading and hanging were both in common use at the same time, yet hangings were reserved exclusively for criminals of no rank. To die by hanging was a slow and painful process, and

(1) Chapter 6 - Honour in Death

while a common criminal might be hanged, it was not considered right to allow a person of noble birth to undergo the same indignity.

This noble association remains in the minds of the people even to this day, in spite of the fact that the class struggle implicit in beheading was removed during the history of its use. With the beginning of the French Revolution in July 1789 came a great reform in the procedures of capital punishment, and in the act of beheading. The change was itself revolutionary as it erased the class distinction and gave every condemned person the honour of being beheaded. In 1789 Dr. Guillotin proposed that no punishment more severe than beheading be placed on any man, and two years later this proposal was agreed upon. On May 3rd, 1791 the Constituent Assembly decreed that "every person condemned to death shall be beheaded."(1) In response to this decree the act of beheading needed to be made more reliable, and not dependant on the skill of a headsman. A machine, the Guillotine (named after the same man who had made the revolutionary proposal), was introduced to fill this need. This (semi-) automated beheading machine guaranteed an instantaneous and painless death to anyone who was laid under its blade, having been designed and constructed to effortlessly cut through flesh with almost no need for outside intervention. Its efficiency and effectiveness quickly made it the preferred mode of execution for all offenders, base or noble. The class barrier was broken in death, though its memory remains in our common understanding and in our everyday expressions. Over its history the architecture of beheading has been one of honour, nobility, and finally, equality.

(1) Laurence, *a History of Capital Punishment* p. 71

Beheading - Theatrics and Architecture

The rituals, architecture and theatrics of beheadings are constructed to support a public presence and (limited) participation in the event, but also to allow for the dignity deserved by the noble persons who are to be killed. After the introduction of the Guillotine the architecture changed to one of a public nature, of efficiency, and of equality.

1. Sentencing: As beheadings were reserved for offenders of high ranks, the trial and sentencing of these individuals were highly publicised and attended affairs. The sentence could be only handed down by the officials to a high-ranked lord, such as an Earl, a Duke, the Sovereign of a nation, or a religious leader. Many other high-ranked individuals would attend the sentencing, as would any number of peasants or other locals. While the decision rested solely with the magistrates, those in attendance would waste no breath cheering their support for the verdict, or jeering and booing in objection. A degree of order and honour would be maintained to give due respect to the rank of the offender. During the violent years of the Revolution, however, a formal sentence was often not passed. The French proletariat would as a mob capture, imprison, and execute many nobles in protest of their social situation.

2. The Wait: As beheading has been a widely used and much changed form of capital punishment, we can see a great variety in the specifics of time, location, wait and imprisonment. It is

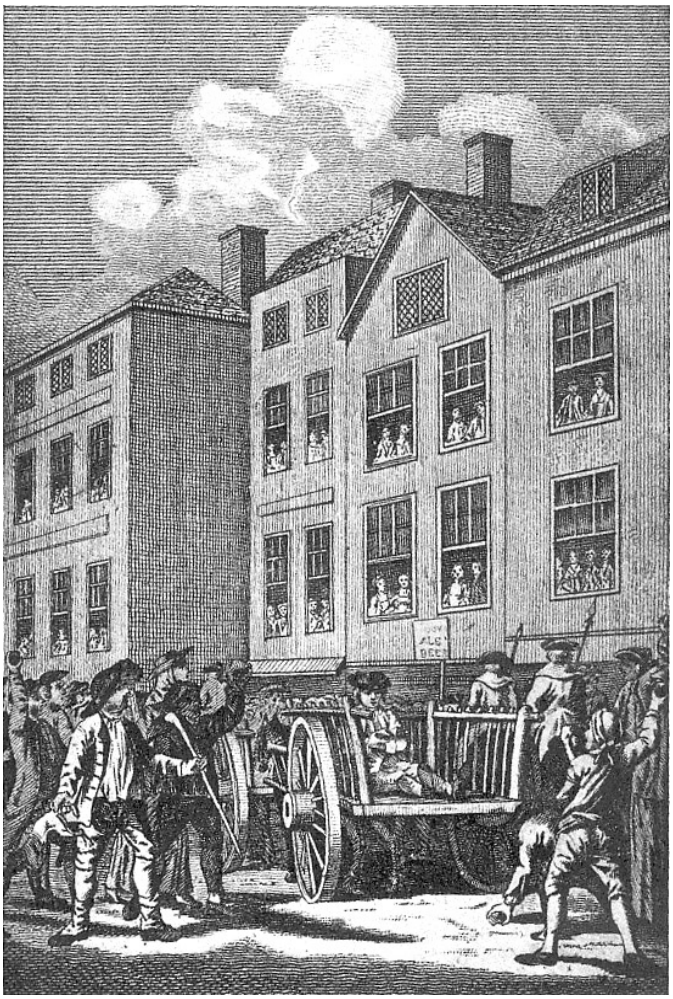
fair to say that there was a much shorter wait for the execution than we find in modern times. During the warring times of the Revolution a noble an Archbishop, a Duke, or a Queen may have been dragged to the guillotine in the Place de la Revolution immediately after he or she was condemned, or may have been left to wait for days, weeks or months in imprisonment before the sentence was carried out.

3. Confinement: It would have been extremely uncommon to see a prisoner condemned to death by beheading held in a county prison or common jail. As a noble, the condemned was given much better treatment than would be afforded a peasant criminal. Such a prisoner would be detained in much more fitting surroundings, and even perhaps under guard in their own castle. If their own castle was deemed to far or unfit, then one closer to the execution grounds would be chosen. Mary Queen of Scots was kept in various castles across England to be finally executed at Fotheringay.(1) Of course Queen Mary was not held after her sentence was passed. Her confinement took place before her condemnation and she was executed almost immediately after being sentenced. With her example it can be seen that the twelve criteria used in this investigation don't necessarily occur in the order they are presented. A condemned noble would not necessarily have been permitted to stay even in the same degree of comfort as Mary. A very dangerous or notorious criminal may have been kept in a large, high-profile prison like the Tower of London, and then executed on Tower

(1) From the "Mary Queen of Scots Biography" on Hanson's *Englishhistory.net*

Hill. The confinement was chosen to reflect the social standing of the condemned, in the same way as the form of execution.

4. Time of Death: A beheading would without fail be conducted in the middle of the day. It was important, partly due to the notoriety of the condemned, to perform the execution at a time when many people could attend. In some cases multiple executions may have been performed on the same day, and one would thus occur immediately after another. During the French Revolution the guillotines in large and provincial towns alike would operate from the break of dawn until the sun set in the evening, sometimes for several days in a row. In the town of Rennes it is reported that ninety people were guillotined over three consecutive days. The guillotine was built directly over a sewer to conduct the blood immediately underground.(1)



The image above shows a man being drawn to his execution, accompanied by armed guards. Spectators line the street and look out from windows to get a clear view of the procession. The image comes from Laurence's *A History of Capital Punishment* p. 218, where no additional information was given

5. The Journey: Passage to an execution site was always a grand affair, regardless of the class or notoriety of the condemned, but a high-profile criminal could and often would draw crowds numbering in the thousands. Even a short journey from the Tower of London to Tower Hill would have been a grand procession, but many journeys were much longer, often several

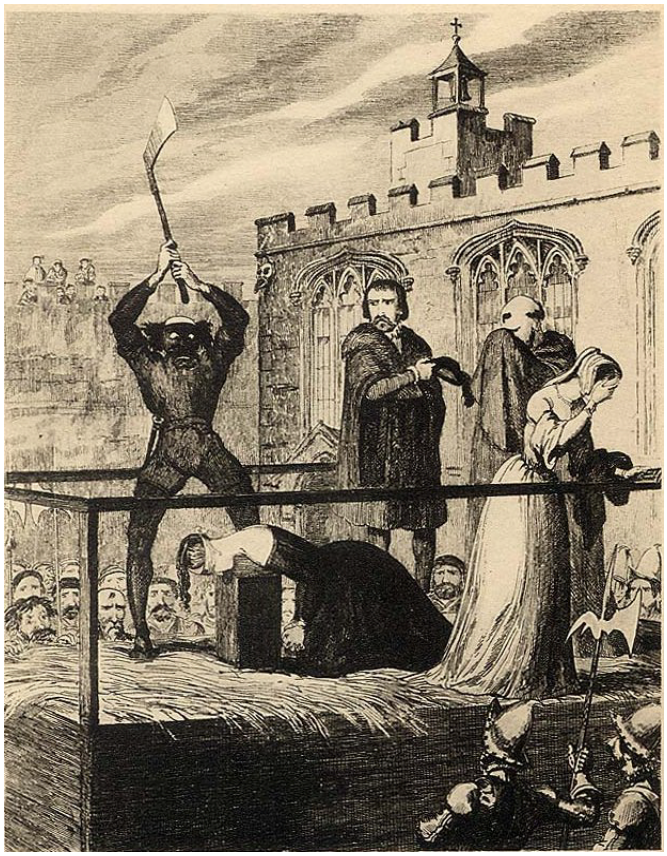
(1) Laurence, *a History of Capital Punishment* p. 74

miles long. The condemned could have been given the luxury of an enclosed coach surrounded by armed guards, but in spite of this the streets would still be lined with thousands of people from all levels of society. The procession, the carriage and the armed escorts served a few primary purposes; first to give due respect to the standing of the condemned, second to protect him or her from a pre-emptive death, and third to prevent any attempt at a rescue. It was a clear expression of the power of the state, be it ruled by the nobles or the Revolutionaries.

6. The Site: Beheading executions, like other historic methods, exhibited a need for the large visual impact of the event. Beheadings stood as a clear warning, a violent warning, that even nobility and power couldn't save a man from accountability, and from the axe. Sites were easily accessible, highly visually open, and often near places of note. Temporary scaffolds could be erected in public squares or in front of castles, but after a time semi-permanent execution sites were constructed to serve an ever-increasing number of deaths. Tower Hill and Place de la Revolution, both served at some point as semi-permanent execution sites and had seen in their time a large number of noble persons put to death. The site in Place de la Revolution was chosen specifically for the execution of King Louis XVI of France, primarily to prevent a rescue: the paths to the other well-used execution sites, Place de Greve and Place du Carrousel, were narrow and winding while the path from the Temple to Place de la Revolution was wide and easily guarded.[1]

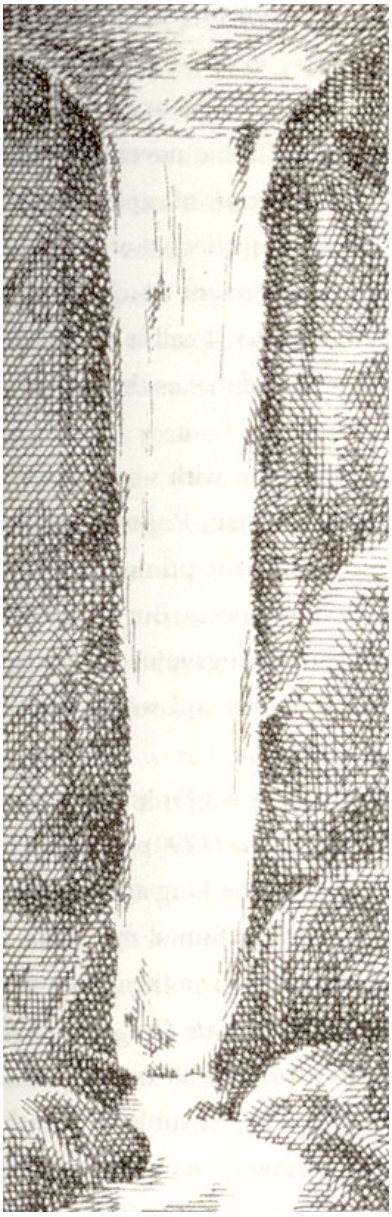
(1) Laurence, *a History of Capital Punishment* p. 73

7. Witnesses: European beheadings were a festival unto themselves, and as a result there were many witnesses who were widely varied in social standing. The public could see a degree of equality - an expression that not even the upper class was above the law - and the nobles received a similar message - to not feel themselves immune by virtue of their status. During the executions of nobles during the French Revolution, the audience consisted primarily of the downtrodden proletariat. The executions did not serve as warning to these people, but as an expression of vengeance. They watched for the savage pleasure of seeing a member of the 'ruling class' punished for the inequities of the age. Perhaps this can be seen as the beginning of the downfall of public execution, where its major (spoken) purpose was lost in the desire for vengeance, and the fascination with killing one's fellow man.



The image above is credited to George Cruikshank as a part of Willaim Harrison Ainsworth's 1840 publication *The Tower of London*. It shows the execution of Lady Jane Grey, the 'nine days Queen,' in front of the Tower of London in 1554. The image comes from "The Lady Jane Grey Internet Museum" at *bitterwisdom.com*

8. The Executioner: All beheading executions would be performed by the appointed public headsman. This was typically a highly skilled individual as a beheading could, if done incorrectly, go horribly wrong. The execution of M. De Thou, accused of treason and conspiracy against Cardinal Richelieu in 1642 for not revealing a plot undertaken by his friend Cinq Mars, was not performed efficiently or cleanly. In fact, the executioner had to



The above and facing images are a collaboration between the Scottish artist Ian Hamilton Finlay and the illustrator Gary Hincks, produced in 1987 and titled 'Two Landscapes of the Sublime.' The images equate the awe-inspiring power of the waterfall with the terror of the image of the guillotine, implying that post-revolutionary utopianism can't be held separate from the violence they rose up out of. The images come from Gerould's *Guillotine* p. 28

strike De Thou's neck 11 times before his head was removed.(1) The headsman acted as a part of the ceremony, as if playing a part in a play. His individual personality was often expressed, adding a flourish and flair to the execution. It was his job to bring the audience into the event, and let their bloodlust and desire for vengeance come to the surface. This theatricality faded, however, as the role of headsman vanished shortly into the Terror of the French Revolution. The executioner became a sort of assembly line worker, concerned with putting as many people to death as was possible in a short time. His job was to serve the apparatus, to ensure its flawless and efficient operation.

9. The Condemned: In early European beheadings the condemned were allowed a great deal of freedom to express themselves on the platform. This was due largely to the social standing and fame of the individual. Who could deny a king or a duke his last words, and his right to speak out against the state which had condemned him? In many cases the condemned would give very entertaining or derisive final speeches. Sir Thomas More, condemned to death for his refusal to accept King Henry VIII's separation from the Roman Catholic Church, was extremely weak from hunger after his confinement, but in spite of this was able to give a memorable final speech. In one of his final statements he is recorded as saying, "I pray you, I pray you, Mr. Lieutenant, see me safe up, and for my coming down, let me shift for myself."(2) Even in such a situation he was able to maintain a dignity and satirical humour. But in spite of this

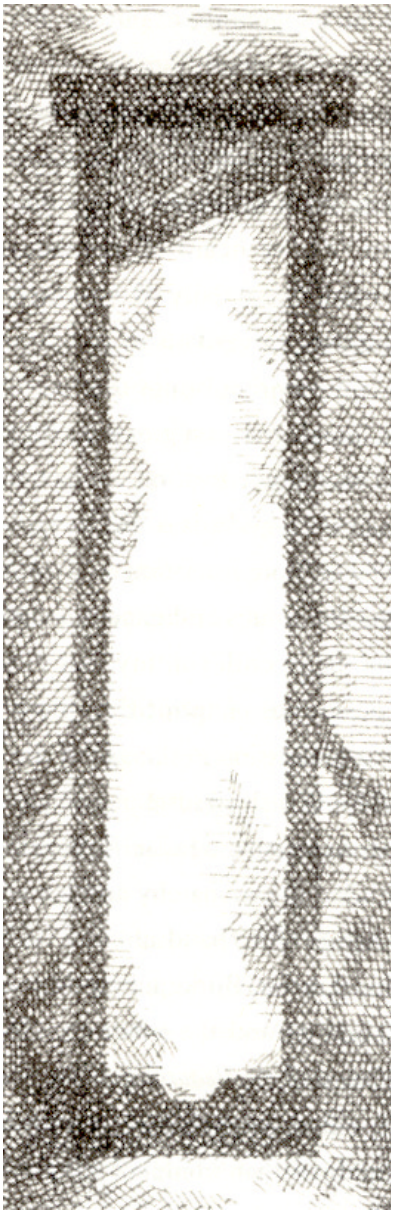
(1) ibid p. 36

(2) Roper, *The Life of Sir Thomas More*

apparent freedom, a great deal of care was taken to guard and restrict the movement and actions of the condemned. This was partly done to ensure the execution proceeded smoothly: a man of high standing was much more likely to have rescuers in a crowd, or those who would prefer to take the law into their own hands. During Revolutionary times, condemned would often make spectacles of themselves on the platform. Daniel Gerould, an avid collector of guillotine memorabilia and a Professor of Theatre and Comparative Literature at the City University of New York, speaks on the theatrical antics of the condemned men in his book *Guillotine, its Legend and Lore*:

> …the victims often sang, danced, and quipped in the face of the guillotine, formulating clever maxims and uttering memorable last words on their way across the scaffold. …these martyrs - whether doomed aristocrats or revolutionaries about to be liquidated by other revolutionaries - "performed" as though they were members of a theatrical troupe. Death became a splendid show.(1)

Though done in part to reduce the condemned's fear in the face of death, these spectacles also served to feed the enjoyment of the audience, turning death into a festival.



10. Technique: Beheadings remain to this day one of the most visually striking of all historic modes of capital punishment. The apparatus ranged from the extremely simple, a block and a sharp blade, to the very complicated, the Halifax gibbet or the guillotine. The apparatus could be designed to reduce this visual flair, or enhance it. A headsman's block could be designed to reduce the appearance of blood and make the spectacle easier to bear for those standing witness. Some blocks, for instance, were

(1) Gerould, *Guillotine* p. 10

composed of three parts; one for the head to lie upon, one for the body, and a small 1½ gap in between filled with a zinc receptacle. This space and its absorbant fill were intended to draw in the blood flowing from the severed neck, and thus prevent it from convering the block and the floor.(1) A headsman's skill with the axe also affected the visual effect of a beheading; there is no question that a head removed with a single blow has a distinctly different effect than one removed with repeated strikes. The guillotine took the skill of the headsman out of the picture, and removed a lot of the visual nature of beheadings. What it replaced it with, though, was equally powerful. The guillotine was a fearsome device, and the icon of its image held enough terror and awe to overshadow the relative lack of spectacle in the execution, compared to those conducted by a headsman.

11. Disposal: An executed criminal was intended to stand as a warning to all potential offenders, and was used to serve this purpose even after death. The head of the condemned would without question be preserved and displayed, but the body itself would often be sectioned into quarters and also displayed. Each of the portions of the condemned's body would have displayed in a place of prominence in the city. A person of greater notoriety could have their heads or bodies displayed in high profile locations, including the towers of the London Bridge, or gates into and out of the city. Rows of pikes could often be seen over the walls of castles and fortified cities, each decorated at the top with a head. These icons might not have been removed from

(1) Laurence, *a History of Capital Punishment* p. 37

their locations for a long time, standing untouched until they became rotted and unrecognisable, maintaining their identities only in myth and memory.

12. Announcement: Vast numbers of people attended the executions, which would seem to indicate that an official announcement was unnecessary. In spite of this they were still made. After an execution a pamphlet would have been distributed, containing in it descriptions of the event and execution, transcriptions of the last words of the condemned, and woodcut illustrations of the execution scene. These pamphlets were not distributed free of charge, the public nature of the execution made it a perfect forum to try and pick up a little extra cash. These broadsides were not the only notifications, the remains of the condemned on display around the city served as a strong announcement of the sentence having been carried out.

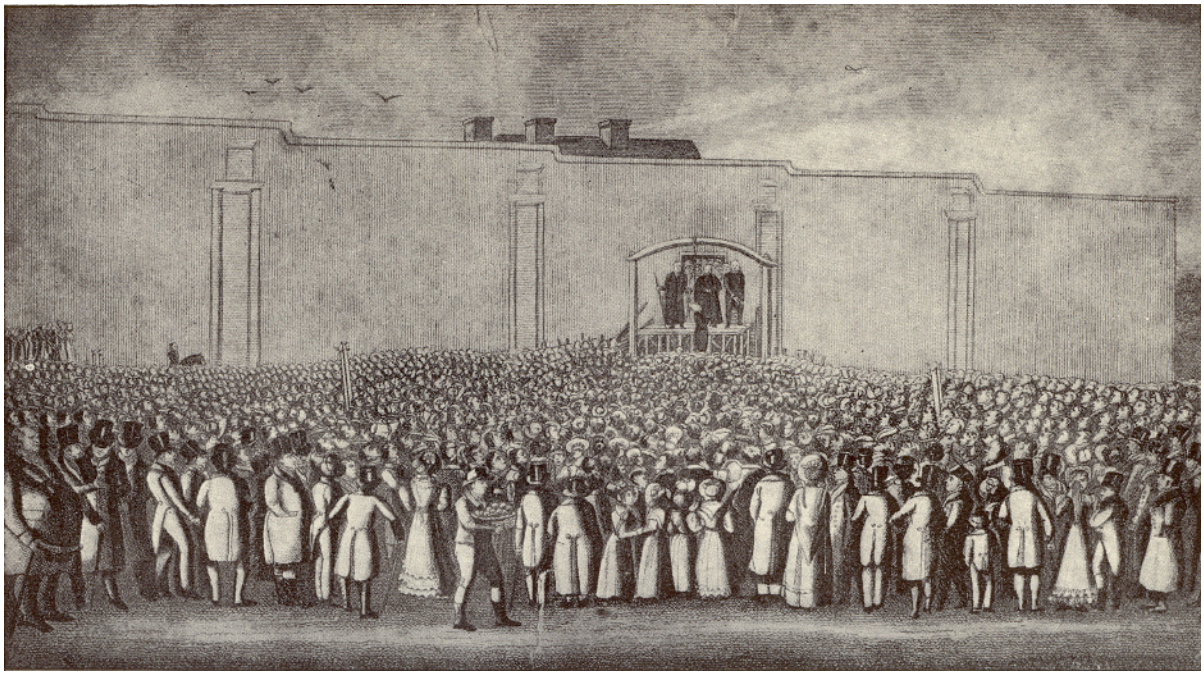
Beheading holds its place in history as one of the most visually spectacular of execution methods used, though the speed at which it can be carried out does tend to decrease the theatricality of the condemned man's suffering. Its architectural elements are constructed to either showcase this violence and spectacle, to reduce it by a small amount, or to ignore it in terms of efficiency. These elements and associated theatrics also speak strongly to the relationship beheadings held to class differences, and the eventual creation of an equality in death through the advent of the guillotine.

Modern societies remember the violence and spectacle of beheadings long past, and when attempting to make a political point have

in recent cases resurrected the practice. Fanatic Islamist militant groups in the Middle East have been releasing videos into the media depicting the beheadings of hostages, using them to make demands of the occupying military powers. They are highly graphic in nature, and make a spectacle of the entire event, from the pleading of the intended victim through to the decapitation itself. In these cases, the beheadings lose any relationship they once had with honour, but retain an association with war symbolism. The beheadings are treated as an act of war themselves.

> One of the earliest forms of execution, [hanging] has survived throughout the ages, and has gradually become more and more scientific and expeditious, until now it is looked on by many authorities as the most merciful form of execution.(1)

Hanging - Overview



The image above was produced in the 19th century to appear in a broadside announcing the execution of William Corder, who in a fit of rage murdered the young women whom he was to marry and left her buried in the Red Barn for many years until her body was discovered. Corder was executed at Bury St. Edmunds in 1828, and was transported to the surgeons hall immediately thereafter to be publicly dissected and anatomised. The image comes from Laurence's *A History of Capital Punishment* p. 227

Hanging has been with our society consistently for a longer period of time than any other form of capital punishment. The technique has survived nearly intact from its humble beginnings right up to modern times. While some minor changes have taken place in the apparatus and technique, it is society's attitude towards capital punishment has undergone a much greater change over the centuries. These changes in the mindset of the people have been expressed through the corresponding changes to the practice of hanging. The longevity and continued presence of the noose as a means of execution makes it an ideal case study for an exploration of the changing mentality of the people with regards to execution. In this

(1) Laurence, *a History of Capital Punishment* p. 41

first section hangings will be discussed in an historic context, tracing the changes in the practice up until but not including the modern age. I will then continue the investigation through modern times in a later chapter.[1] Hanging began very humbly as a method of convenience. The earliest gallows were tree branches, the earliest trapdoors ladders and carts. Historically the noose was used as a punishment for the common criminal, and was thus considered a less honourable death than being beheaded. Sites were chosen both as public venues and for their relationship to the crime itself, it was important to make a clear connection between crime and punishment so that the spectacle could have its full deterring effect. All hangings before the introduction of the long drop method in the late 19th century were a slow and painful way to die, the body being left to hang until the victim died of asphyxiation. Often times the condemned would have been cut down before he had died, and was eviscerated and burned while still alive. This was a particularly horrible way to die, and was generally reserved for especially serious crimes. The crime of high treason in particular warranted this cruel treatment, the particulars of the sentence defined as follows by King Edward III of England in the early 14th century:

> 1. That the aforesaid … be drawn to the gallows of …
> 2. He is there to be hanged by the neck, and let down alive.
> 3. His bowels are to be taken out,
> 4. And, he being alive, to be burnt.
> 5. His head is to be cut off.
> 6. His body is to be divided into four parts,
> 7. And his head and quarters are to be placed where our lord the king shall direct.[2]

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(1) Chapter 9 - Hiding Executions

(2) Marks, *Tyburn Tree* p. 31

These punishments seen to us horrible and cruel, so it is of no surprise to us to hear that many of the practices were condemned as inhumane. Beginning in the 19th century, society's approach to hanging changed to reflect this desire to avoid unnecessary cruelty and to suppress the violent urges of the populace. The secular authority introduced the long drop method of hanging in an attempt to reduce or eliminate the suffering of the condemned, and to reduce the sensationalist nature of the spectacle. In aid of this several permanent execution sites were created to house the new apparatus of the long drop. Many of these sites hold a certain notoriety to this day, including the Triple Tree at Tyburn (which predated the long drop but was modified in 1760 to include a short 'drop' platform[1]) and the long drop gallows at the debtor's door of Newgate Prison. Even though much of the spectacle had been taken from the hangings massive throngs still attended to see another person killed, which to the new humanitarian society was seen as a negative thing. To fix it the obvious solution seemed to be the complete removal of the spectacle. The beginnings of this withdrawal appear in ancient hangings, but take a much more deliberate form in modern practices. The architecture of ancient hanging is one of change, tracing the movement of a society of vengeance and spectacle to one of humanitarianism and withdrawal.

Hanging - Theatrics and Architecture

The rituals, theatrics and architecture of hangings have changed over the years, and through an examination of the practice, the beginning

(1) Laurence, *a History of Capital Punishment* p. 45

of a shift starts to reveal itself: a shift from spectacle and public involvement to an introverted, more humanitarian practice.

1. Sentencing: Ancient sentencing rituals were fairly public events, unlike those of today. In the courtroom you could find the magistrates, other members of the court, the accused, the accusers, possibly a jury, and as many members of the public who wanted to attend. Courthouses were constructed to allow for vast numbers of people and to set up a clear distinction between the prisoner and those who pass judgement. An extreme example of this visual hierarchy can be found in Amsterdam, in its town hall. The sentencing of criminals occurs in the central hall of this buildingm which has been constructed to express the idea of judgement arriving from on high. The condemned stands in a gallery surrounded on an upper level by balconies. It is in these balconies that the magistrates stand, and from here that they pronounce the doom of the condemned man.(1) This was an important and effective method used to express the power of the state and its implied semi-divine right to pass judgement.

2. The Wait: Depending on the specific circumstances, the wait before a sentence was carried out could have been very short. It in some cases a condemned person would be taken directly from the courthouse to the gallows and strung up, but it did not happen every time. When a condemned man was to be executed, a gallows was not always readily available, particularly in areas without a nearby permanent site or in times predating such sites.

(1) This information was gained from a conversation with Robert Jan van Pelt

It was thus often necessary to hold the condemned until the apparatus was built. A wait could be several hours, several days, or even several weeks. Often times the execution date, and thus the wait, would be changed to correspond with weather patterns, local festivals, or any other important events which could enhance or upset the spectacle. After the advent of permanent gallows it was possible to reduce some of the wait, as the structure no longer had to be built. At this time it became possible to regulate the date of execution to the date of sentencing, and it became custom that a person condemned to death would be hanged two days after the sentencing, unless his sentence was passed down on a Friday. If this was the case, he would be hanged on the following Monday.(1) No executions were held on Sundays. These regulations passed out of use in modern times when the gallows was moved inside of the prison, as the prisoner could be executed at any time of convenience.

3. Confinement: The sentence for hanging was typically handed down at a county or city level, so it was rare that a convicted criminal would be held at a large high-profile prison. It was far more likely to find them locked in a confinement cell in a city gaol. There was no desire at this time to separate a death-row prisoner from the other inmates so they were often kept in the same cells as or directly adjacent to petty criminals and thieves. As the wait for death was so short (often only one or two days) the condemned rarely had time to inhabit his cell, receive visitors, or become familiar with the guards and other prisoners.

(1) Laurence, *a History of Capital Punishment* p. 22

As the practice of hanging became more withdrawn, so did the condemned himself, retreating further into the prison away from all eyes.

4. Time of Death: While we can trace a general withdrawal in hangings, in ancient times they were still a public spectacle. As such they were held in the middle of the day at a time when large numbers of people could attend to 'learn' from the example being made of the condemned. As was the case in beheadings, if multiple hangings were to be performed a day long event could be made of the proceedings.

5. The Journey: The words of ancient hangings are 'Hanged' 'Drawn' and 'Quartered'. The true meaning of the word 'Hanged' is fairly straight forward, referring to the act of hanging the condemned from the end of the noose. The term 'Quartered' is also not often misunderstood, as it refers to the act of cutting the condemned's body into quarters after the execution. What many people don't realise is that the words above are in fact written in the wrong order, and that the word 'Drawn' doesn't mean what most people believe it does, the drawing out of the condemned's bowels. In truth the term 'Drawn' refers to the condemned being taken to the execution site.(1) Originally the condemned might have been pulled along the rough ground behind a horse, but this often resulted in their premature death. Soon thereafter a sledge or a cart was used to bring the condemned to the site, and could also be used as a part of the

(1) ibid p. 27

apparatus. The executioner used the cart as a platform on which to stand the condemned, which would then be pulled out to leave the victim hanging in mid-air. The journey itself could be likened to a festival parade; a street lined with shouting spectators, the condemned pulled along behind a horse, guards, priests, and magistrates, all participated in this procession which could be several miles long. Permanent execution sites near prisons reduced this distance and the associated spectacle by a great deal, and the relocation of the execution facility to the interior of the prison completely eliminated it.

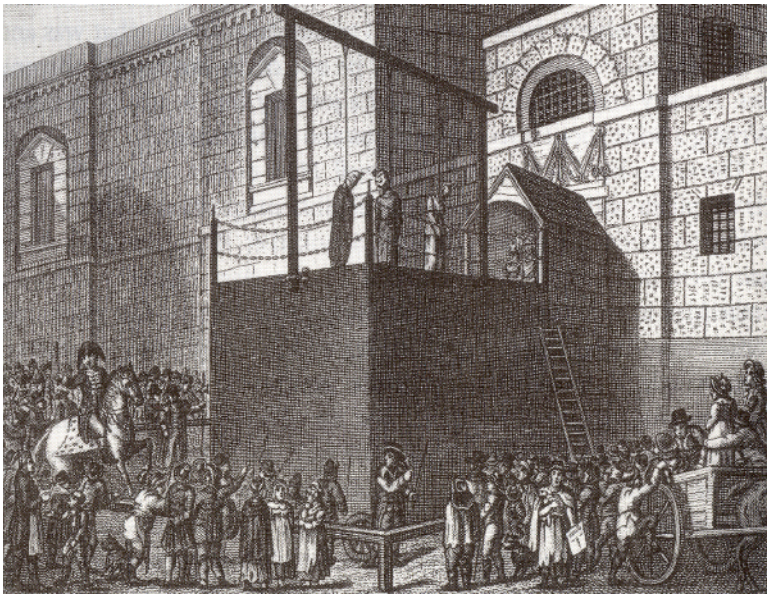


The image above was produced by James Montague as a part of *The Old Baily Chronicle* in 1783. It shows one Dr. Cameron being drawn on a sledge to his execution at Tyburn in 1753. Dr. Cameron was executed for the crime of high treason for acting as physician to his brother, whom had decided to take up arms in a rebel army in the mid 18th century. The image comes from Marks' *Tyburn Tree* p. 248

6. The Site: Hangings began with a direct connection to the site on which they were performed. Near the recorded beginnings of the practice it was common for the execution site to be at or near the site at which the crime had been committed. These sites were not always easy to access, however, and couldn't fit all of the people who wanted to attend. For this reason hangings were relocated into large public sites near the crime scene or sites of great importance. Permanent execution grounds were chosen to house the large new gallows so that they would no longer have to be taken down after an execution had finished. These sites were chosen for availability, for ease of access and for size, the hanging grounds at Tyburn is one of the most famous permanent sites with a long and

impressive history beginning as far back as 1108 AD and continuing its use until the last execution in 1783.(1) While many Englishmen today may not know specifically where Tyburn was located, they all know if its past existence. During the withdrawal of capital punishment from the public eye sites were built closer to prisons, including the drop at the gate of Newgate prison. Finally the gallows were relocated inside of the prisons themselves.

7. Witnesses: The sites were chosen for the ability to hold vast crowds, so the audience was typically composed of many people. In London crowds of 3000-7000 were standard, but some executions of notorious offenders such as the Cato Street Conspirators (who planned to overthrow the government in 1817) and the forgers Fauntleroy (executed in 1824) and Hunton (executed in 1828) were reported to have drawn up to 100000 people.(2) The members of these audiences represented many different social classes; in the crowd you could find working class men, women and children, nobles and the petty bourgeoisie, soldiers, priests, vendors and criminals. This diversity was greatly encouraged, as the state desired to spread their warning of swift and absolute justice to as many people as possible. Smaller and more difficult to access sites



The image above was produced in 1809 and shows the new 'long drop' scaffold at Newgate prison. In this image the height of the scaffold has been exaggerated and the crowd is shown much thinner than would actually be expected to attend such an execution. The image comes from Bleakley and Lofland's *State Executions* p. 159

(1) Marks, *Tyburn Tree* pp. 71-72

(2) Gatrell, *the Hanging Tree* p. 57

near prisons limited the number of witnesses who could attend, a trend which increased even more with the removal of the gallows to the interior of the prison.

8. The Executioner: The office of public hangman was fairly high-profile in times past. The hangman was well known for his personal style, his speeches before or after the execution, or the way he tied the knots in his noose. It was his job to involve the crowd on an emotional level, and he did it well. After the hanging he would also run his own side business, where he would sell pieces of the hanging rope for large amounts of money. At Newgate prison, after an execution, the hangman is said to have "sold the rope at a shilling an inch."(1) While not always well liked, the hangman was an integral part of the spectacle. His role also fell into a decline with the withdrawal of hangings from the public eye, vanishing with the gallows itself out of the eyes and minds of the people.

9. The Condemned: Freedom of speech and expression was not denied the condemned during the time leading up to his hanging, and indeed on the platform itself. Many would have long prepared final speeches, and were often encouraged to speak to the crowd, either to increase the hatred they held for him or to bring out his own humanity. In some cases the executioner would become impatient at the long-winded speeches of the condemned. Tom Galvin, an executioner well noted for his extreme

(1) Laurence, *a History of Capital Punishment* p. 56

impatiance. If the condemned spoke for too long, Galvin would often make comments like the following:

> "Long life to you!" he used to exclaim. "Make haste wid yer prayer; the people is getting tired under the swing-swong."(1)

In spite of this occasional impatience, these expressions of personality and humanity were desired by the governing authority. If the condemned was seen as a normal man, then his fate was brought closer to those watching his death. It became easier for the witness to imagine himself in the place of the hanged man.

10. Technique: A historic hanging was not quick and painless as the apparatus was not constructed to kill instantaneously. A short drop hanging would rarely if ever break the condemned's neck, and would instead leave him hanging from the rope, struggling, being slowly strangled to death. In some cases the executioner or friends of the condemned would be allowed to hang onto his legs in an attempt to hasten his death. In other cases, however, the condemned was not hung until death. Some were cut down while still conscious, at which point they would be eviscerated and have their intestines burned in front of them. The Scottish freedom fighter William Wallace was subjected to this torture during his execution in 1305.(2) This inhumane practice was abolished with the introduction of the long drop method, by which the condemned would be allowed to fall for several feet before taking up the slack on the rope. The exact distance was determined individually based on the weight and neck strength of the condemned and was intended to break his or her neck

(1) ibid p. 88

(2) Horan, *Scottish Executions* pp. 3-7

immediately, resulting in a relatively fast and painless death. This method came to common use during modern times, and is still in use today.

11. Disposal: There a few methods of disposal for the corpse after an execution. In some cases the family of the condemned was permitted to take the body away after death was confirmed and perform a proper burial service. In others the condemned was intended to stand as an example and his body would be quartered and the parts thereof would be displayed in high-profile locations around the city. Still others would be used to further a scientific understanding of the human body and would be publicly dissected and anatomised before being preserved or disposed of. What follows is the warrant for the execution of William Corder, introduced earlier as the murderer of Maria Marten in what came to be known as "The Red Barn Mystery." He was condemned to this fate.

> William Corder, this day attainted of the wilful murder of Maria Marten.
>
> Let him be hanged by the neck until he be dead, on Monday next, the eleventh day of August, instant; and let his body be delivered to the Surgeons of the hospital of Bury St. Edmund's, to be dissected and anatomized pursuant to the Statute.
>
> (Signed) W. Alexander, Harry Edgell, Clerk of the Assize.(1)

12. Announcement: Historic hangings were typically announced in the same manner as beheadings. Those who were in attendance would spread the word while at the same time large numbers of pamphlets would be distributed containing details on the condemned, his crime, the execution itself, and sometimes

(1) Laurence, *a History of Capital Punishment* p. 25

artists' woodcuts of the scene. With the withdrawal of hangings from the public the procedures for announcement changed as well. The details and results of this withdrawal will be discussed in greater depth in a later chapter.

We see in hangings an architecture of constant revision. From ancient times to just before our modern age the shift in ritual and apparatus is startling, foreshadowing the greater change and withdrawal yet to come.

Hangings form the bridge linking the practices of history to those of modern times. But before the investigation moves into the realm closer to our modern age, it is important for us to gain a solid understanding of what the executions of history have inserted into society's collective consciousness, as brought to light by the investigations in the preceding chapter. These conclusions will stand as a foil to those reached in the modern investigations, and both together will bring us closer to solving the myth of the hanging tower.

Chapter Four

Lessons from History: Architectural Trends and the Creation of Collective Memory

In each of the methods of execution which have been put forth in the preceding chapter there are distinct relationships set up between the executioner, the condemned, and the public. And while these relationships vary a great deal across techniques, some trends can be picked out and put forth as common to all.

Exhibition. Executions of history did not try to hide behind veils of humanitarianism or secrecy. Quite to the contrary they were typically brutal, violent affairs which seemed, in addition to any other purpose, to exhibit the suffering of the condemned to the masses. Broken by a wheel, burned at the stake, crucified, beheaded, and hanged, each exhibited the condemned and glorified the act of execution itself. This exhibitionist character was central to the intended deterring effect of the execution. It was felt that the more horrifying a punishment, the less likely another was to commit the same crime as the condemned. In many cases this horror and spectacle was extended beyond the actual execution and many bodies (or part thereof) were displayed around the city either near to the site of the crime or in highly visual places. Left to rot these corpses were constantly intruding into the lives and minds of the people.

Festival. Such executions were almost always conducted as public events, in attempts to ensure that many thousands of people could stand in attendance. With methods like burning at the stake the crowd may have participated, fields of crosses were placed along

major roads and even passers-by could come across a crucifixion in progress, and beheadings and hangings were typically held in great public squares in which the multitudes could gather. The day of execution was often treated as a time of celebration with many employers giving the day off to their workers and children even being given days off of school to attend. Journeys to the site were often grand parades, with marching soldiers and magistrates accompanying the condemned's carriage down wide spectator-lined streets. The execution site was filled with spectators to be sure, but also with vendors selling pieces of 'hangman's rope' or broadsheets advertising the execution, priests preaching to anyone who would stand to listen, and a fair few thieves and pickpockets taking advantage of the vast crowds. The festivals were highly anticipated by many people, and all would have known far in advance when the next execution day would be.

Symbolism. Historic executions have all typically held a reference to something greater, either a spiritual context, ideas of honour, or something similar. The ancient wheel was the sun and the fire held a cleansing power capable of purging the condemned of their sins. The wheel and the cross were used to humiliate and degrade as well as kill, and beheadings and hangings were reserved for offenders of high and low social standing respectively. The icon of the cross became a powerful symbol of Christianity as the image that ties all of humanity to heaven.

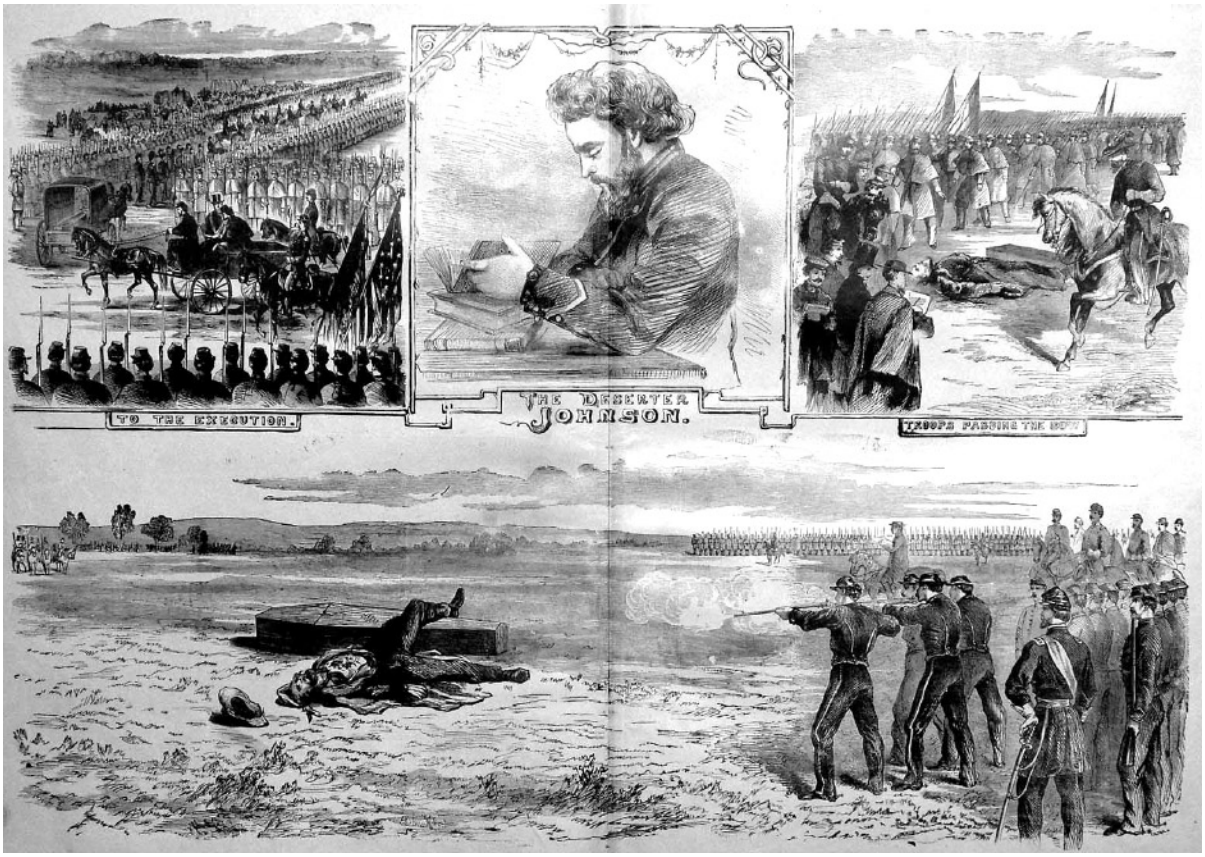
But what has this peculiar combination of Exhibition, Festival and Symbolism made of the practice of capital punishment? Exhibition

creates imagery that is difficult to forget and forces interaction with executions on a very deep, visceral level. At the same time it forces a continuing interaction between the members of the public and the threat of death through the exhibition of the body after death. Festival turns the event of execution itself into an entertaining diversion, something that a peasant leading an uneventful life would look forward to attending. It makes a mental connection between execution and holiday, placing the two in the mind with similar significance. And symbolism ties the execution rituals to something greater, an abstract concept with which it keeps a constant association. Symbolism is a part of the creation of culture, and thus execution symbolism becomes analogous to cultural symbolism, remaining in the public mind for generations.

It is these trends which have served to firmly place capital punishment into the historic collective consciousness, and which have also lent enough strength to the practice for it to remain in out minds even to this day. Later this thesis will explore the changes which have taken place in modern executions, and the effect this has had on the expression of our strongly held collective memory. But before that are three chapters which present a series of discrete investigations looking deeper into some parallel associations with capital punishment.

Chapter Five

The Peer and Executioner, the Anonymous Executioner: The Firing Squad



The image above shows the military execution of the deserter and collaborator private Johnson.

Reading counter-clockwise we see (1) the precession to the execution site in a closed carriage, surrounded by military personell (2) the execution performed by firing squad in view of the entire cavalry and (3) a ceremonial procession of troops marching past the body.

Though a deserter, Johnson was still granted an honourable military death. The image comes from the website for the *Webb Garrison Gallery*

Many of the historic modes of execution, beheading and hanging primarily, reserved a specific position for the executioner. With beheadings it was important that the headsman have some skill with an axe or sword, while hangmen held a great notoriety and often kept side-business related to their profession (i.e. selling the hanging rope). In firing squad executions, on the other hand, we see a completely different relationship to the office of executioner, and to the manner in which the condemned is treated or thought on. In many forms of execution, the condemned is degraded or made out to be something less than other men. In the rituals of the firing squad he is acknowledged as an equal, as a man of dignity, and is put to

death by a group of his peers. This method no longer sees use in the context of war, nor is it widely used by those states in America which still perform executions. In spite of this lack of use, it still has the same dignified associations. In some cases members of the public have submitted letters to the courts or prisons complaining that the condemned is undeserving of the honour implicit in the shooting. The following is one such letter received by the State of Florida in regards to an undisclosed execution:

> Baby killers do not deserve to choose firing squad. Only proud men deserve to die by firing squad. Baby killers should die a pussy's death with lethal injection. No final cigarette. Just give them a Milky Way. (1)

The Firing Squad - Overview

It is not clear exactly when the firing squad became the proscribed method of execution for military powers. When the sword was the primary tool for war, it was also the tool used for military executions. When the sword was replaced by the rifle, so was beheading replaced with the firing squad. In Europe and the United States of America the firing squad saw common use during the American Civil War as well as the First and Second World Wars. Commonly used as a method to execute spies, it has also been used as the highest penalty employed by courts martial in cases of cowardice, mutiny and desertion. Private William Johnson, a member of the Lincoln Cavalry, was convicted of deserting during the American Civil War after attempting to leave military service and rejoin his mother in New Orleans. He was captured, tried by a court martial, and

(1) Letter from a Florida man, as quoted in Gillespie, *Inside the Death Chamber* pp. 59-60

convicted to die on the 13th of December 1861 at 3 o'clock in the afternoon. Even as a deserter he was still afforded the respect due to his position in the military.(1) The firing squad was not used to execute prisoners of war, however, as they were typically hanged in the same manner as common criminals. Execution by firing squad has survived even outside of the context of the military and was used by many of the States in the U.S.A. to execute their criminals. Today its use has been greatly reduced, and the sentence is only offered as an alternative to lethal injection, in cases where use of the needle is impossible or impractical. Only two States currently offer the firing squad as a legal method of execution, Idaho and Oklahoma. In Utah any man condemned to death who chose the firing squad before March 2004 will have their request honoured, in spite of the fact that the practice has been banned. During its time, the architecture of the firing squad was one of respect and dignity, an association which remains in many minds to this day.

The Firing Squad - Theatrics and Architecture

The rituals, theatrics and architecture of the firing squad are constructed around ideas of equality and respect, warranting a quick death. It was intended to be humane and allow for the dignity of the condemned, while at the same time it took steps to hide the identity of the executioner from both himself and the gathered witnesses.

1. Sentencing: As the firing squad has been used in many different contexts over the years sentencing rituals have taken many forms. During times of war the condemned may have been shot

(1) "The Execution of Johnson" from *the Civil War Harper's Weekly*, Dec 28, 1861, as found at www.sonofthesouth/net/leefoundation/civil-war/1861/december/execution-deserter.html

without an official sentence, but it would be far more common for a man to be sentenced by a court martial. These courts follow similar procedures to the modern criminal courts, and their sentences carry the same weight as a federal conviction. Participants and witnesses are severely limited during the sentencing, consisting mainly of the magistrate or presiding officers, the condemned, and the attorneys for the defence and prosecution. Witnesses to the crime in question would also be permitted to attend, but all unrelated parties would be denied admittance. Unlike many other sentencing rituals, those used by military courts martial are not intended for public consumption. Outside of the context of the military, death by firing squad is provided as an alternative to other methods of execution, as chosen by the condemned. While his condemnation would likely be conducted as a public event, his choice of method could be made in private, away from the public eye.

2. The Wait: Once again, the extreme variation in context for firing squad executions makes for a similarly wide-range in the wait given to those convicted to die. In modern times it isn't uncommon for a condemned man to wait on death row for many years, fighting to save his life with stays of execution or commuted sentences. These waits were much shorter back when shooting was implemented by the Americans as a method of capital punishment. In 1886 one of the first firing squad executions carried out by the State of Utah took place a mere 8 days after the sentence was passed.(1) Such short waits were

(1) Gillespie, *Inside the Death Chamber* pp. 57-58

often common when sentences were passed by courts martial, though in some cases the wait could extend to several months, as we can see in the case of Private Eddie Slovik, condemned to die during the American Civil War. His sentence was passed on November 11, 1944 and he was executed on January 31, 1945.(1) This relatively short wait ensured that the fate of the condemned was not removed from the context of his crime, and was seen as being more fair as well. A long wait leading up to an execution could have caused a lot of mental anguish, so carrying out the sentence quickly was a sigh of respect.

3. Confinement: Those condemned to death by firing squad during times of war would have been confined in a military prison until the time of their execution. Held there they would be denied most visitors but would still be treated with a respect and dignity befitting their standing as a soldier. One condemned to die was not treated badly but was instead kept in relative comfort. Those condemned to death by firing squad in modern times are detained in the same conditions as all other death-row inmates. They are held in an isolated block in the prison away from the other convicts, are highly restricted in the visitors they are allowed to receive, and when the date of execution draws near they are relocated into the death cell and put under constant surveillance. Death by firing squad no longer carries with it a sense of respect, at least not officially, but is merely an alternative to hanging, electrocution of injection.

(1) Huie, *The Execution of Private Slovik*

4. Time of Death: When performed out-of-doors, it is necessary that there be plenty of light so that the executioners can have a clear view of the condemned. As such all firing squad executions during times of war were carried out during the day. The procession for the execution of Johnson, as mentioned earlier, began at 3 o'clock in the afternoon and the sentence was finally carried out at half past 3. This timing also allowed for a substantial military presence at the execution. Those few executions by shooting that have occurred in more recent times have taken place inside of buildings, in rooms specially constructed for the purpose. As such they are able to take place at any time, and are thus usually performed at midnight, at the same time that all modern executions in the United States are carried out.

5. The Journey: Death by firing squad, as practiced by military powers, has two ritual marches that occur; one before the sentence is carried out and one after. The first is conducted with great ceremony and brings the marshal, the squad, the coffin and the condemned to the previously prepared site. The procession held for Private Johnson is included below, as presented in the *Harper's Weekly* newspaper:

> The Provost Marshal, mounted and wearing a crimson scarf across his breast, led the mournful cortege. He was immediately followed by the buglers of the regiment, four abreast, dismounted. Then came the twelve men-one from each company in the regiment, selected by ballot-who constituted the firing party… The coffin, which was of pine wood stained, and without any inscription, came next, in a one-horse wagon. Immediately behind followed the unfortunate man, in an open wagon… The rear was brought up by Company C of the Lincoln Cavalry, forming the escort.(1)

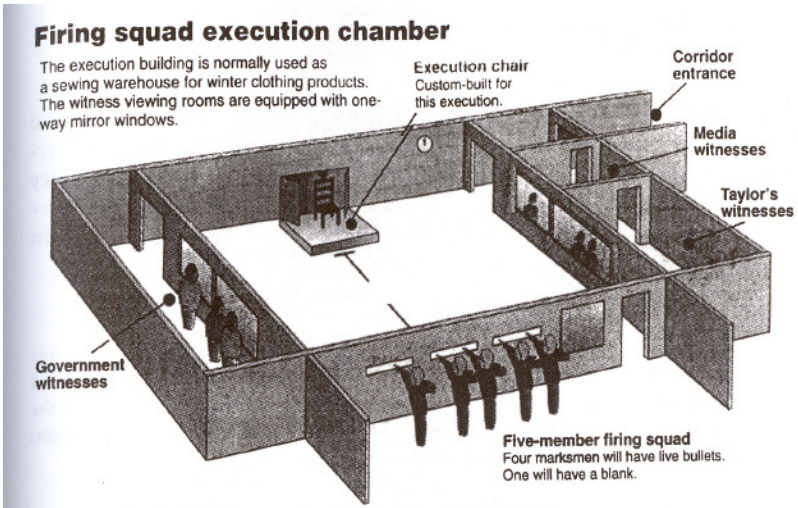
(1) "The Execution of Johnson" from *the Civil War Harper's Weekly*, Dec 28, 1861, as found at www.sonofthesouth/net/leefoundation/civil-war/1861/december/execution-deserter.html

A second procession takes place after the execution has been performed; the soldiers would all march past the condemned to pay their final respects, and to see the penalty for crimes of cowardice and desertion. Firing squad executions performed under the jurisdiction of the federal government would take a different approach to the final journey. At the time of his execution the condemned would walk the proverbial 'last mile' to the execution chamber where he would meet his end. While some men might balk at this last journey, struggle, and have to be forced into position, there are some who face their fate with a quiet dignity. Andrew Mircovitch, executed in May of 1913, walked to the chair of his own accord, sat, and declared himself ready to meet his fate. He was executed without a blindfold while looking bravely at the rifles.(1)

6. The Site: Firing squad executions have taken place in many different locations during their use. Many images from the civil war show those condemned to die sat on chairs or on top of coffins in the middle of large empty fields, surrounded by military men from the company of the condemned. These fields would be used for the execution of soldiers convicted of cowardice or desertion. Symbolically the condemned is executed with under the authority of his squad, his peers. Images of other executions show the condemned blindfolded and stood up against a brick wall. This was the typical procedure for the execution of spies who belonged to no company. There were very few requirements for an execution site; all that was needed

(1) Gillespie, *Inside the Death Chamber* p. 58

was a place to put the condemned, a place to put the firing squad, space for the witnesses, and some means to prevent the escape of the condemned. Federal executions made use of more defined execution sites and took measures to ensure the anonymity of the executioners as well. The execution of John Albert Taylor, convicted of the rape and murder of the 11-year-old Charla King, took place in January of 1996 and was one of the last firing squad executions performed in the United States. It took place inside of an old sewing warehouse in Ogden, Utah which was re-fitted to facilitate the carrying out of the sentence. The death chamber was equipped with a custom-built chair complete with restraints, the five-man firing squad was located behind a wall that hid them from view and fired through small openings, and the witnesses were located on either side of the death chamber, viewing the proceedings through one-way glass windows.(1)



Firing squad procedure for execution of John Albert Taylor, 1996. *Standard-Examiner*, Ogden, UT. Reprinted by permission.

The image above was printed in the Ogden *Standard-Examiner* in 1996 and shows the death chamber as prepared for the execution of John Albert Taylor. The chamber was built inside of a sewing warehouse and was subdivided into rooms for the condemned, the executioners, and three sets of witnesses. The image comes from Gillespie's *Inside the Death Chamber* p. 59

7. Witnesses: Executions ordered by courts martial would have been witnessed by a great many people: magistrates, officers of high rank, and the company to which the condemned belonged would all attend the execution. Many of these would take part in the ritual procession past the condemned and from these

(1) ibid p. 59

people the members of the firing squad itself would be chosen. The sentence may have been handed down by superiors, but it was carried out by equals. Non-military executions have a distinctly different character, however. The first federal shooting executions took place inside of prison yards, so large crowds were not able to attend. The witnesses would have originally stood in the yard with the condemned and the riflemen. With later executions the witnesses were withdrawn further from the proceedings, as shown in the aforementioned execution of John Albert Taylor: the witnesses were not only located in a room separate from the condemned, but were further subdivided into government witnesses, media witnesses and Taylor's own witnesses. The groups were hidden from both the condemned and each other.(1) The function of the witnesses would be only to verify the death of the condemned, where in military executions they stand in part to show a degree of respect to the condemned man.

8. The Executioner: Positions on a firing squad are not filled by professional executioners. When the execution is performed at the order of a court martial, the executioners are soldiers from the same company as the condemned man who draw the role from random lots. In federal executions, the post is typically filled by volunteer executioners from the law enforcement agencies in the county that the execution is to take place in. The state does not accept volunteers from the public, though that has never stopped the flurry of letters coming in from would-be executioners when

(1) see image on facing page

a sentence is announced. In one such letter a man from Florida wrote:

> I was an expert rifleman in the military and continue to keep up my talent five days a week at the gun club. I can at 300 yards hit [my target]. I'll do it for nothing. You keep the $300 and give it to the…poor. I want the real bullit [sic] in my piece.(1)

In Nevada plans were made to remove the human element and use a firing squad 'machine' to perform the executions in the stead of real people. The machine consisted of three rifles fixed to a block and pre-aimed at a mark on the condemned's chair. This machine would serve to eliminate the margin for error that a human hand would bring to the execution. In spite of this, the executioner was almost universally a person who was turning a gun on another person, making the relationship between condemned and executioner surprisingly intimate.

9. The Condemned: The wants and needs of the condemned were typically well taken care of before he was executed. He was allowed his last words, allowed to make a final request, and permitted one last cigarette. The symbol of the last cigarette is in fact one of the icons of death by firing squad, along with the blindfold. It is held as a symbol of great courage for the condemned man to refuse his blindfold, and choose to face his death directly. Each of these small elements are expressions of the respect and honour associated with a firing squad execution. It has always been held as important to make the condemned more comfortable, and feel more relaxed about his fate.

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(1) Gillespie, *Inside the Death Chamber* p. 59

10. Technique: Mode of death in a firing squad execution is typically massive trauma to the heart, caused by multiple gunshot wounds. The members of the firing squad are provided with high-calibre rifles and are told to aim for the heart in order to cause a fast death. The condemned was not meant to suffer. Some care is taken to hide the identity of the executioner, as one of the rifles is issued without a live round, loaded instead with a blank or with only powder. The theory is that none of the executioners knows if he has a live round, so each can console themselves with the fact that it was not their bullet that killed the condemned. This seems like a sound theory, but many marksmen denounce it saying things like "that's ridiculous…anyone who's ever fired a gun knows if he's firing a blank, because he won't get any recoil!"[1] While this is true, the knowledge that one of the rifles isn't loaded makes it easier to take the shot in the first place, and reduces the likelihood that one of the executioners will aim away from the heart or not fire at all. Unfortunately this is not always successful and in many cases members of the squad will purposefully miss their target or not fire at all. When Private Johnson was executed he was not killed immediately and a reserve squad was called in to finish the job. It was found that two members of the original squad hadn't


THE WAR BUDGET SATURDAY, OCTOBER 10TH, 1914.

SHORT SHRIFT FOR GERMAN SPIES.

The image above was printed in 1914 as a real execution, but in truth it was staged by a reporter (here acting as the victim). Though it was staged, it is fairly typical of what such executions looked like. The image comes from the *Wikipedia.com* article "Firing Squad in World War I."

(1) Trombley, *The Execution Protocol* p. 11

fired at all. They were immediately arrested and taken away in irons. Such lack of resolve and lack of respect were not tolerated in an execution meant to preserve the dignity of the condemned man.

11. Disposal: Methods for disposal once again vary by the authority under which the condemned is executed. If put to death by military powers, the condemned would likely be buried by the military either on the spot he was executed or in a military graveyard. It is likely that his belongings would be returned to his family. If he was instead executed by the federal authority his body could be delivered to family or friends, buried in the prison graveyard, or cremated and buried in a mass grave. Little ritual is associated with the disposal of the body.

12. Announcement: Executions by firing squad would generally be announced in newspapers or broadsides which in some cases (especially those during the Civil War) may have contained accompanying images of the execution scene. In more modern times it would be likely for the truth of the execution to be shrouded in pretty phrases which turn the death into an artistic redemption. The condemned was not shot to death, the firing squad sent "a leaden messenger of death through his heart, with an air of nonchalance."(1)

The firing squad presents to us, in its original military usage, an architecture geared towards respect, dignity and equality. The condemned was held in relative comfort, given all due respect before

(1) excerpt from the *Reno Evening Gazette* as quoted in Gillespie, *Inside the Death Chamber* p. 58

his execution, and was killed by a group of his peers in the company of his equals. After the execution, the entire military company marched by in a further show of respect. In modern use, the firing squad has been geared more to hiding the executioner than placing him as equal to the condemned. In spite of this is still holds the ghost of those same preoccupations with respect and honour. Honour in death as associated with military valour and execution will be discussed in greater detail in the next chapter.

Chapter Six

Honour in Death and Executions in Feudal Japan: Death by the Sword

The firing squad contained within itself ideas of honour and distinction, much like many other 'military' style executions including the beheadings of ancient times. As such it was typically not used as a means to execute war criminals, who would have typically been hanged in the same manner as a common criminal. This has not stopped such ill-fated prisoners from requesting the firing squad, however. Many soldiers condemned to death have requested this death of distinction, but not all have had their wishes granted. This distinction can be made clear by looking at one famous execution, that of the German generals Wilhelm Keitel and Alfred Jodl. Convicted of war crimes due to their actions during the Second World War, both were condemned to die by the Nuremberg International Court. Both generals requested to be put to death by a firing squad, as befitted their rank in the German Army. The request was heard by the court, but was denied. They were sentenced to die by hanging. The following quotations are the reactions of each man upon hearing their sentence, as described by one Dr. G. M. Gilbert, a psychiatrist who had been hired to monitor the mental state of the prisoners.

> Keitel was already in his cell, his back to the door, when I entered. He wheeled around and snapped to attention at the far end of the cell, his fists clenched and arms rigid, horror in his eyes. "Death - by hanging!" he announced his voice hoarse with intense shame. "That, at least, I thought I would be spared. I don't blame you for standing at a distance from a man sentenced to death by hanging. I understand that perfectly. But I am still the same as before. - If you will please only - visit me sometimes in these last days." I said I would.

> Jodl marched to his cell, rigid and upright, avoiding my glance. After he had been unhandcuffed and faced me in his cell, he hesitated a few seconds, as if he could not get the words out. His face was spotted red with vascular tension. “Death - by hanging! - that, at least, I did not deserve. The death part - all right, somebody has to stand for the responsibility. But that -” His mouth quivered and his voice choked for the first time. “That I did not deserve.”(1)

Each clearly believed that they were being treated unfairly, and not in keeping with their rank. Both had accepted death as inevitable, as appropriate for their actions, but to die dishonoured at the end of a rope was more than they had counted on. The degree of shame and anger felt by each seems surprising to those of us looking into this society from the outside, but there is no denying its importance those who fit into one of its classes.

Death by firing squad has historically always been associated with the honour and valour of the military, and has maintained this association in our imaginations and in its more modern use. But when thinking on an honourable and noble death, the Western military powers are not the first associations to come to mind. Indeed, when speaking of the word ‘honour’ it is difficult to avoid associations with the samurai class of ancient Japan. As a group highly concerned with honour, it is unsurprising that they would hold strong ideas of what is a good death. For the individual condemned to die, the end could come in one of three ways, each with its own degree of associated honour or dishonour.

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(1) Ibis, *Eyewitness to History*

A Dishonourable Death: Beheading

In the Western world, beheading was historically reserved for the noble class, or offenders of high-distinction. It had a clearly honourable association. Interestingly, this connection with honour was not paralleled in the ideals of feudal Japan. Quite the opposite: beheading was a distinctly undesirable and dishonourable way to be put to death. While the honour of beheading in Western cultures could be attributed to its association with battle, the Japanese seem to look on the practice with a more realistic eye. When being beheaded, the condemned is NOT in battle. He sits or kneels, no weapon in hand, waiting for the deathblow to fall. For a proud warrior culture calmly accepting death would be a sign of weakness, and would have no association with a glorious death in battle.

While the execution yards would employ a man to perform the beheadings, the post could also be filled by other people. The administrator of the grounds could permit a samurai wanting to practice his cutting technique to behead condemned criminals. There was unfortunately no guarantee of skill in these temporary executioners, so it would not be unheard of for a beheading to be ill-performed. A prisoner executed in such circumstances would not be afforded an honourable burial either, nor would his remains be returned to his family. He would be buried inside of the execution grounds themselves.

Unfortunately, in a society so concerned with the stigma of a dishonourable death, the presence of the unclean spirits of executed men gave the facility a bad reputation. Thus the employees or

anyone who visited for a reason other than to perform beheadings would have to endure a slight on their honour. Such visits rarely occurred.

In spite of this, it was possible for a samurai to achieve honour in death outside of battle. While being used as a test subject or being beheaded would bring shame on the condemned and his entire family, taking his own life would erase this entire stigma and eliminate all dishonour. The ceremony through which this became possible was highly ritualistic, not allowing for public witness. As such is was not until comparatively recent times that the practice was witnessed by a Westerner and thus brought into the consciousness of much of the world. The first Western witness was one Lord Redesdale, afforded the right to attend as the criminal act was made against the camp at which he was stationed. The execution took place in 1868, and was recorded by Redesdale in his 1871 book *Tales of Old Japan*, from which the following excerpt is taken.

> The Samurai, or gentleman of the military class, from his earliest years learns to look upon the *hara-kiri* as a ceremony in which someday he may be called upon to play a part as principal or second. In old fashioned families, which hold to the tradition of ancient chivalry, the child is instructed in the rite and familiarized with the idea as an honourable expiation of crime of blotting out of disgrace.(1)

The Honourable Death: *Seppuku* - Overview

But why does the quotation above use the term *hara-kiri*, while the section itself promises to give an overview of *seppuku*? The answer to that question lies in the intricacies of the Japanese language. The term *seppuku* comes from the Japanese reading of the two

(1) Redesdale, *Tales from Old Japan* as quoted in Seward, *Hara-Kiri* p. 19

Chinese characters 切腹, meaning "cutting the stomach." When placed in reverse order the characters can be pronounced *hara-kiri* or "stomach cutting." This latter pronunciation is much more common in everyday use, but is far too informal and colloquial for use with regards to the actual ceremony.

The ceremony of *seppuku* formed an integral part of *bushido*, or the warriors' code of honour by which the samurai lived. Every samurai knew that one day he may be called upon to act as support to another warrior condemned to die in this way, and if condemned to death himself, he welcomed the honour which came with the permission to carry out the sentence on his own body. As the name implies, the act of *seppuku* takes form in a disembowelling, at least symbolically. It is interesting to note, however, that the actual deathblow is struck by the assistant, and is in fact a beheading! The rituals surrounding the rite of suicide remove all of the negative and dishonourable connotations held for beheadings, however. But why is this held to be true? The answer is intent, and symbol. The samurai who has performed the act of disembowelling has shown the proper resolve and has already symbolically taken his own life. If left alone after the act, he would die eventually but would suffer greatly in the interim. A central tenet of *bushido* commands respect for your opponent, and mercy for the one who is facing death. It was this respect that gave meaning to the role of *kaishaku*, the one who assists the samurai in his death.



The image above is a woodblock print by Utagawa Kuniyoshi, circa 1849. It depicts a kabuki actor dramatizing the ritual suicide of one of the 47 ronin who simultaneously committted *seppuku* after killing a rival lord in revenge for the death of their master. The image comes from Seward's *Hara-Kiri* p. 72

After the disembowelling the *kaishaku* strikes the actual deathblow - the beheading - to show mercy and compassion for a fallen warrior. While the entire ritual carries a degree of honour, a further hierarchy is set up within the larger framework. The location of the ritual and the size and splendour of the execution space would vary depending on the standing of the samurai condemned to death. A higher ranked lord would die in much grander surroundings than a mere retainer.

Seppuku is often thought of as an ancient ritual, present only in the films of the modern world and in the ancient traditions of a culture which has since moved on. On paper, this is largely true, as the act of ritual suicide was abolished from the criminal code in 1873. In spite of this, some cases of *seppuku* still occurred: a military man killed himself in front of the Imperial residence at Akasaka in 1880, General and Mrs. Nogi committed suicide with the death of Emperor Meiji in 1912, and a young assassin committed *seppuku* after successfully carrying out his attempt on the life of a Japanese Foreign Affairs officer in 1913. Such cases were recorded up until 1945. Immediately following the unconditional surrender of Japan on the 15th of August, many ultra-nationalistic Japanese military officers and patriotic citizens disembowelled themselves while cursing the U.S. military.[1] The appeal of the Samurai's code and the honour of self-immolation did not disappear after the Second World War. In fact, a ritual suicide has been recorded as recently as 1970, with the case of the author and right-wing political activist Yukio Mishima. On the 25 of November Mishima and some followers broke into the office of the commandant of the Japan Self-

(1) ibid pp. 97-100

Defence force, from which he gave a speech which was intended to rouse the troops into a coup-d'etat against the government and restore the emperor as the ruler of the nation. The troops were not receptive of Mishima's ideas, and their jeers drove him to re-enter the office and commit *seppuku*. His *kaishaku*, Masakatsu Morita, attempted but was unable to properly behead Mishima. His deathblow was thus struck by another of his followers, one Hiroyasu Koga, who like Mishima thought of himself as a samurai. Considering Mishima's willingness to commit *seppuku*, the speed at which he did so, and the fact that he had ensured that his affairs were all in order hint that he was aware that his coup attempt would be unsuccessful, and that he used it only as a pretext to commit *seppuku*, to die in the manner of the samurai with which he was enamoured.(1) The story of Mishima's death was told to the entire world with the film titled *Mishima: A Life in Four Chapters* which won the award for Best Artistic Contribution at the Cannes Film Festival, due in part to the beautifully composed score by Philip Glass.

Seppuku - Theatrics and Architecture

The rituals, theatrics and architecture of *seppuku* all speak to this desire to show and achieve honour in death. This need carried through to all levels of the practice, and was expected of all involved, regardless of what capacity they served.

1. Sentencing: This is a strange subject when examined in terms of ritual suicide, for many reasons. The first and most bizarre

(1) Nathan, *Talk of the Town*

aspect of sentencing was that the condemned was generally not aware that he was fated to die until very near the time of his execution. During his detainment great care was taken to not inform the samurai of the possibility that he may be called upon to kill himself. Sentencing rituals are also difficult to define due to their variability. There were so many reasons why a samurai could be ordered to perform this self-immolation, and so many who could pronounce this doom that there were hardly any specific rituals in place to be followed. The only requirement for sentencing could be found in rank. Only an individual by whom he was employed, or one for whom his employer worked (and so on) could order a samurai to destroy himself outside of the normal judicial system. But *seppuku* was not always a pronounced sentence. In many cases its need was implied by a lord, who offered the samurai a choice between death with honour, or dishonour and life. In other cases the act was performed at the will of the samurai himself, with no order or external slight to his honour. The act could also be performed out of respect for a dead lord, whom the samurai wanted to follow into death to remain in their service during the afterlife.

2. The Wait: Generally a samurai condemned to commit *seppuku* would be held in custody for several days of longer, but the wait never stretched out to longer than a week. On rare occasions a condemned man may have been commanded to commit *seppuku* on the same day as his sentencing, but this was a very rare occurrence. In the case of Lord Asano Takumi-no-Kami, sentenced to die for the crime of damaging a golden sliding door

in the Pine Corridor of Tokugawa Castle, the condemned was placed into custody at four o'clock in the afternoon and was slated to die that same evening.(1) The extremely short lapse of time between sentencing and execution was almost unheard of, making it one of the most widely known incidents of *seppuku* that occurred during the Tokugawa reign.

3. Confinement: When condemned to die, the samurai was placed into the custody of a high-ranking noble. It became the responsibility of the retainers to this noble to look after the condemned, both to prevent any untoward happenings and at the same time had to be careful to not inform the samurai of his sentence. Those appointed to watch over him had to be careful to not excite of offend the condemned man, and if he were to ask them if he would be commanded to commit *seppuku*, they were to lie and say that they knew nothing of it. During his confinement the samurai was permitted to receive guests; family, friends, and messengers from his own lord were allowed in to see his before the sentence was carried out. At this time a farewell banquet was held to honour the condemned, and was arranged by the lord who had custodianship of the samurai. It was the responsibility of this lord to ensure that the condemned man cause no disturbances during this solemn affair. The official announcement of the sentence would be announced at the end of this banquet, though by that time the condemned already knew what was in store for him.

(1) Seward, *Hara-Kiri* p. 52

4. Time of Death: The *seppuku* ceremony typically occurred during the night, allowing for the full day of ritual farewells and final meals. The precise time was dependent on the arrival of the *kenshi,* or official inspector, who would proclaim the sentence carried out and bring news back to the ruling lord. Such ceremonies were performed in the depths of night, as were any notices sent of the sentence, as it was believed that such ill actions and news should not defile the morning (or auspicious) hours of the day.(1)

5. The Journey: Rituals of *seppuku* occurred either in the house of the retainer or in the temple or manor in which the sentence was to be carried out. As such the journey to the site was not given undue formality or ritual. The condemned would merely travel to the site, likely in a closed carriage and accompanied by the custodian lord, his retainers, and the samurai's assistant. Care would be taken to ensure that the condemned would not be able to escape his fate, an occurrence which was not entirely outside of the realm of possibility. Not all samurai would calmly accept their fate.

6. The Site: A *seppuku* ceremony was typically held in one of two locations, either in the precincts of a Buddhist temple or in the mansion or garden of the lord who was acting as custodian to the condemned. It is interesting to note that the ceremony was never held in a Shinto shrine, as the Shinto religion stated that corpses were anathema to holy precincts and priests. As the structure of Buddhism is centered around ideas of death and rebirth, the

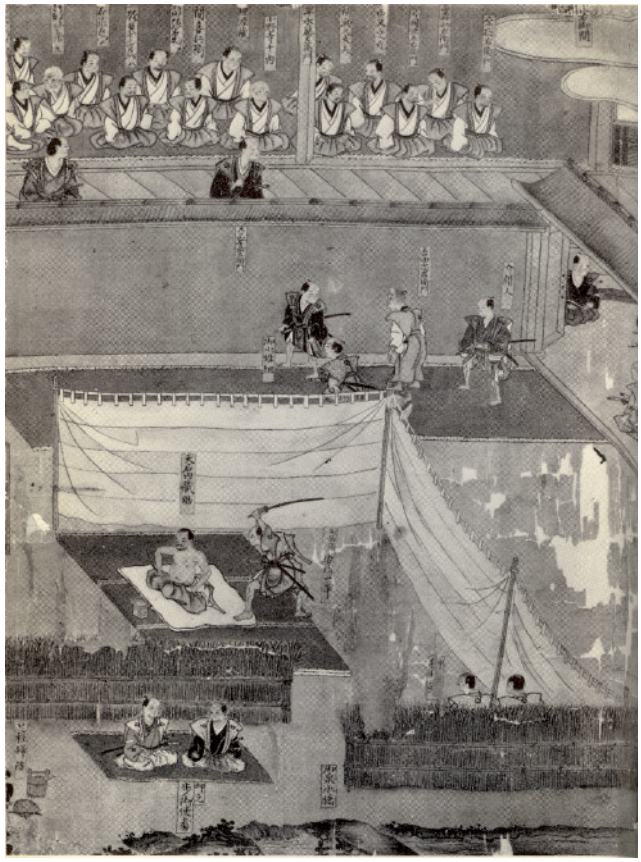
(1) ibid, p. 48

temples formed ideal sites at which to perform the ceremony.(1)

The following quotation is from a book by Jack Seward titled *Hara Kiri* and describes a site as prepared for a ritual suicide:

> For offenders of comparatively high rank, the size of the place of disembowelment was 36 square *shaku*, the *shaku* of those days being about 14 inches. There were entrances to the north and south. The north gate was called the *shugyo-mon* (ascetic gate) and the south gate, the *nehan-mon* (Nirvana gate). Two white-edged *tatami* (reed mats) were arranged to form the figure 'T.'
>
> A white futon (cushion) about four feet square was placed on the *tatami*. At the four corners, poles were erected and surrounding curtains were hung from these. Right in front of the *tatami* was a gate approximately 9 feet high and 7 feet wide. It looked like the entrance gate leading into the premises of a temple…
>
> Four white streamers called *mujoki* (banners of heartlessness) were flown from the tops of the four corner poles.(2)

The site was often outside, but if it was to be held inside of the house, a seldom used room would be chosen. To have the ceremony inside of a frequently used room was a sign of great respect to the condemned.



The image above is a woodblock print from the mid 19th century. It is a depiction of the tale of the 47 Ronin, who committed seppuku after avenging their fallen lord and provides a good representation of the basic characteristics of a seppuku site. The image comes from Seward's *Hara-Kiri* on the frontispiece

7. Witnesses: Those who were premitted to stand witness were as bound by ritual and formality as every other aspect of the practice. The official *kenshi*, who appeared by direct command of the shogun, would be the one to deliver the final notification that the sentence had been carried out. Along with him the ritual would be witnessed by the custodian and his caretaker. Others in attendance would include the *kenshi*'s retinue (including sub-inspectors, judges and

(1) ibid p. 42

(2) ibid, p. 44

constable) and other chosen witnesses representing the wronged party. All are required to hold themselves with a restraint and dignity in keeping with the solemn nature of the ritual.

8. The Executioner: Two men participate in the carrying out of the sentence: the samurai and his *kaishaku*. The position filled by the *kaishaku* is difficult to define by our Western concept of capital punishment, a point brought into sharp focus by a description of the role by Lord Redesdale:

> The word *kaishaku*, it should be observed, is the word for which our modern word executioner is no equivalent term. The office is that of a gentleman; in many cases it is performed by a kinsman or friend of the condemned, and the relation between them is rather that of principal and second rather than that of victim and executioner.(1)

This 'gentleman' had a difficult role to fill. It was his job to take the life of his fellow samurai, but in a way that allowed both to maintain their standing and honour. For some the request to fulfil the role was a thing to be feared, as the slightest mistake could dishonour both victim and assistant. The *kaishaku* was meant to act in concert with the samurai, performing the final cut either when signalled by the condemned or at a moment determined by his best judgement. An act of mercy, the cut was intended to prevent the victim from suffering unduly, and if he felt it appropriate the *kaishaku* could perform it even before the condemned had plunged the knife into his belly. Additionally, the he had to be wary that the condemned may try to reach for his sword in an attempt to break free of his fate. It was a difficult position to fill.

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(1) Redesdale, *Tales from Old Japan* as quoted in Seward, *Hara Kiri* p. 16

9. The Condemned: One sentenced to die was allowed freedom to speak before his execution, but the rituals of the event defined the content of his words to a great degree. Generally his speech would be limited to an expression of gratitude for being given permission to take his own life and an assertion that he didn't deserve the honour, an admission of his crime. He would thank the custodian lord for his hospitality, and thank the witnesses for taking the time to attend his death. He would say nothing else, though he might make a small verbal signal to his *kaishaku* to signal the moment of decapitation. At all times the condemned would bear himself proudly, and never would he allow fear or pain to cross his features. Such expressions would show weakness or lack of resolve, and could dishonour the samurai.

10. Technique: There are two facets to explore under the technique of *seppuku*, that is the technique used by the condemned and the technique used by the *kaishaku*. Both seem deceptively simple, but hold subtleties that if not attended to could dishonour both parties. The basic and most painful disembowelling procedure was called the crosswise cut. In its full form it begins with the short knife (called a *tanto*) plunged into the abdomen to a depth of about two inches on the left side. The knife is them pulled across the belly to the right. At the end of this cut across, the condemned twists the knife one quarter turn so that the edge is facing vertically, and cuts upwards towards his ribcage. At this point the cut is completed. At any time during this procedure an expression or cry of pain could cause much embarrassment. If the *kaishaku* feels that the condemn might utter such a cry,



The series of photographs above and on the following pages were taken by Chantal Cornu, a masters student at the University of Waterloo, in April of 2005 and feature the author dramatising the ritual procedure for seppuku.

The procedure as shown is not completely accurate; the samurai would never be allowed to carry his sword, he would not use his own knife for the disembowelling, and he would have removed his kimono to the waist before proceeding.



he can perform his killing stroke before the crosswise cut is completed. The beheading cut itself seems simple, but it is not. Only a very skilled swordsman would be chosen to perform the cut as it would have taken an impressive amount of control. The role of the *kaishaku* is NOT to remove the head with a single cut. This seems counter-intuitive, but if the head were to come completely free and roll across the floor it would dishonour both the condemned and the *kaishaku*. To prevent this, the sword must cleanly cut through most of the neck, but leave about an inch of flesh intact at the throat. He then gently pulls his sword back towards himself and severs the last bit of skin, allowing the head to drop gently between the condemned's knees. Stopping the sword in mid-cut like this takes an incredible amount of control, a control which is drilled into all aspiring young swordsman. In fact, several martial arts which concern themselves with swordplay contain a *kata* (technique) which mimics the motions of the beheading cut, so that it can be perfected should a need ever arise to put it to use. In the art *Iaido,* an art focused around the use of the *katana* sword, this *kata* is appropriately called *kaishaku*.

11. Disposal: The procedure for disposal depended on one factor: where the head was to be brought. For an offender of high rank, it was common for the head to be sent to relatives. For an offender taken as a military prisoner and executed in his defeat, it was common for the head to be used as a war trophy (or *bundori*). In either case the head would have to be prepared, the procedure for which is described quite well in Seward's book.

> …the hair was well combed, scented, and the head wiped clean of blood. If the eyes were open, they were closed. If the eyes would not stay closed, they were sewn shut with hair from a horse's tail. These attentions were called *kubi-shozoku* or "head-dressing."(1)

If the head was not to be sent anywhere it was reaffixed to the body in the coffin and shipped to the temple at which the samurai was registered. There it would be buried according to the local custom.

12. Announcement: No public announcement would be made. The kenshi would on his way back home stop into the house of the local magistrate to announce the successful carrying out of the sentence. He would be expected, and candles would be left burning for him. No other official announcement was made, save the final report from the kenshi to the Shogun.



Seppuku as a mode of execution arose from a culture so firmly entrenched in ritual, custom and honour. As such it isn't at all surprising that its customs are so defined and ritualised themselves. Being allowed to take one's own life was a great honour, and being denied this right was a humiliation. A death in feudal Japan could be reduced to even less than a dishonour and humiliation, however. It was possible, through execution, to erase a condemned man's humanity entirely, turning him into a mere object to be used.

A Nobody's Death: *Tameshigiri*

During the feudal age the least desirable of all deaths was to serve as a test subject. A master craftsman would often times want to test the keenness of his new creation, see how well his new sword (called a *katana*) will cut. Sometimes the blade would be tested

(1) Seward, *Hara-Kiri* p. 60

by a series of cuts performed on dampened rolled straw mats or pieces of bamboo, but these targets only approximated the feel of cutting through human flesh. For a more accurate test, a real body was needed. A ready source of these test subjects was easy to find at the local prison. The process of 'test-cutting' was referred to as *tameshigiri*, and was highly formalised. A great deal of control was required to ensure accurate and dependable results so the whole procedure was regularised for the sake of consistency. A series of 19 cuts were identified in order of increasing difficulty, ranging from the relative ease of cutting off a hand at the wrist to the extreme difficulty of cutting a man in half across his hips. During a test these cuts would have been performed in order of their difficulty, so a test subject would remain alive until he recieved a fatal blow. The body would continue to be cut even after the subject had died. Each of these cuts was given a name, some of which were highly romantic and artistic while others were more descriptive. To cut off a hand was called *sode suri* (sleeve cut) and cutting across the hips was called *ryo guruma* (the two wheels) while cutting down through the head was called *kami tatewari* (top vertical cut). Diagrams were produced to specify the locations and orders



The image above shows a test-cutting diagram for the act of *tameshigiri*.

Considered a highly dishonourable way to die, *tameshigiri* reduces the condemned to a mere object to be used. The image comes from an engineering design website titled *Design as a Generic Tool*

of these cuts, and the results of the tests were often inscribed on the blade. One of these inscriptions reads "seven bodies in a single cut."[1] To be killed in this way, as an object rather than a man, was an extreme dishonour. The criminal became nothing but a physical representation of a diagram, and an inscription on a sword.

The act of tameshigiri stands on a border in the realm of executions, between that which is sanctioned and potentially serves a larger political service, and a dark other that, thorugh the denial of many core aspects of capital punishment, seems to belong to something else. Tameshigiri is done in private, away from all public and even political eyes, it can be performed by anyone who wishes to test out a sword or a technique, and it denies all of the rights of the condemned to speech, witnesses or a proper burial. In fact, the only tie it has to legitimate executions is sovereign support, though this support is not publicly represented.

This characteristic of the dark other carries through to additional pseudo-executions which we have seen during world history, events and practices that have used space and ritual to erase both the condemned and the act of killing itself. These 'other' executions will be explored in the following chapters.

(1) The information was found in the article titled "Tameshigiri" as found on *www.japaneseswordschool.homestead.com/aticle6.html*

Chapter Seven

The Invisible Condemned: Bare Life, the Mob, and the State of Exception

> "Inscribed as a presupposed exception in every rule that orders or forbids something (for example, the rule that forbids homicide) is the pure and unsanctionable figure of the rule's own transgression (in the same example, the killing as a man not as natural violence but as sovereign violence in the state of exception)." (1)

The power of the state to dehumanise a condemned man has already been presented in the prologue through the works of Giorgio Agamban. In his book *Homo Sacer* he shows capital punishment as a practice falling into an ambiguous zone between what is legal and what is illegal. By its own law, the state forbids the act of taking another man's life, but in upholding this law, the state transgresses it. In this way the controlling power operates within what Agamban refers to as the 'state of exception.' Through the taking of life and other state transgressions like the removal of property and the erasure of basic human rights, the state shows that it does not have to follow the letter of the 'law' on order to create or uphold those same 'laws.' These exceptions are not hidden by the sovereign, but express themselves as an integral part of the law. The exception does not set itself apart as something else, but is defined by the fact that it belongs to the law which it itself breaks.(2) If you kill, you will be killed. It is as simple as that in the eyes of the historic state, and remains today - though in a more withdrawn form - in the modern state. But it isn't only the sanctioned governing body that finds itself operating inside of the exception; this right to transgress the law in order to uphold it has been appropriated by many other individuals and groups over the centuries.

(1) Agamben, *Homo Sacer* p. 21

(2) ibid p. 22

The most basic of these localised states of exception can be seen in the vigilante, so often portrayed in modern times as the hero crime-fighter. Popular culture, both historic and modern, is littered with references to this man who, by operating outside of the normal letter of law, is able to achieve results unattainable by the official 'protectors of society.' This hero is almost always something more than a normal man, has a trait or quality that sets him apart. A popular comic book, a television series and several movies focus on the figure of Spiderman, a normal person gifted with superhuman abilities. Our hero Spiderman lives his life to capture wrongdoers, but as he acts outside of the law he is constantly chased by the police and slandered by the people. A hero need not have superhuman powers, however. Another of our favourite modern vigilantes has only an endless supply of money and amazing gadgetry to help in his fight against injustice. This is, of course, Batman. The billionaire socialite turned crime-fighter takes information from his contact inside the police department but isn't bound by their limitations in capturing criminals. With his troubled past, Batman presents a much more sinister vigilante, with motives teetering on the edge between justice and revenge.

The fantasy can be compelling, intoxicating, but the reality is far less romantic. As an individual the vigilante lacks the public acceptance necessary to maintain the state of exception, and is thus often subjugated by the law of the sovereign power. In addition, as a normal man the modern real-life vigilante doesn't have the same - almost supernatural - personal powers needed to support his claims of individual sovereignty. In spite of the apparent difficulties this

figure has existed in the past, though contrary to the achievements of the classical superhero his actions have not always been seen as working for the good of society. The story of Jack the Ripper comes to mind. This man (or men) is held responsible for a series of murders and mutilations to women acting as casual prostitutes in London in the later half of 1888. It is thought by some that this shadowy figure was punishing these prostitutes for their illegal and immoral actions. Far from being seen as a hero or crime-fighter, Jack the Ripper is viewed historically only as a mass-murderer. This lack of societal support limits the potential power of the vigilante, preventing his actions from taking on a public character or having a defining role in the behaviours of the masses. But what if the power of the exception is taken up by a larger group, one capable of withstanding the protests of society or government? This is potentially much more dangerous. Vigilante justice is then replaced by mob justice, and the sovereign has a much more difficult time maintaining control or bringing these practices to a halt. Many forms of mob justice have been recorded over the years, but one in particular can be seen as a parallel to execution practices in the Western World: The Lynching.

Lynchings were particularly frequent in the United States around the time of the civil war, and were generally used as a way for the local white population to punish the blacks for their alleged transgressions against the societal norms. It is interesting to note how the rituals of lynchings, and the rituals of mob justice, closely follow those of ancient hangings. In one major distinction, we see that a trial and a proper sentencing is not required for the lynching to

take place. Typically the accused is confronted by the crowd and publicly condemned, after which point he is immediately taken for punishment. The execution site is always one of convenience, but is typically chosen to be high-profile or close to the site of the alleged crime. Let it be seen what the punishment is for behaving in a way not in keeping with your social standing!

Generally a tall tree is chosen, not far from the site of sentencing. The mob moves en masse to the site, pulling their victim along with them. When the site has been reached a rope is thrown over a sturdy branch and looped around the neck of the condemned. Several members of the mob then haul on the rope and pull the condemned off the ground, leaving him hanging by the neck until death comes. Some of these victims were also burned as they hung on the rope, to the delight of everyone who watched.

> Thousands roared, "Burn him!" …The executioners repeatedly lowered the boy into the flames and hoisted him out again. With each repetition, a mighty shout was raised.(1)

In this case the implied public involvement we saw in ancient executions is taken to a literal extreme. It is the mob who performs the execution. In surviving photographs we can see several images taken of these mobs, and the diversity shown is somewhat shocking. They stand gathered under the hanging body, often laughing, smiling, or pointing, and in the crowd we see businessmen, farmers, women, and even small children: a crowd as diverse as those who attended an ancient hanging, all enjoying the event as if it were some festival.(2)

For those in attendance, the spectacle was not meant to be a warning.

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(1) Allen, *Without Sanctuary* p. 174

(2) see image opposite

Never did the mob engage the condemned as another human being. He was denied the basic rights to defence, he was denied any self-expression or last words, and he was denied any disposal after the sentence had been carried out. The body would remain hanging in the tree for a long time, until friends or family came to cut it down, though they may have feared to do so. The mob performed its 'justice' as a part of the localised state of exception, but didn't hold the mindset that they were punishing a human such as themselves. It was as if he was not considered alive as other men were, but instead as something other, outside, and not deserving of the same treatment as 'real' men.



We come back here to Agamben's concept of homo sacer, the sacred man. A man so designated stands in a unique position relative to the rest of society; as something other, something outside of law and having no human rights as a result. We see in this the basis of the mob mentality, their attitude towards their victims, and that which allowed them to perform the lynchings. It is here that we see the beginning of a disturbing shift in the mentality of taking a life. Each of the previously explored forms of execution presented to the gathered crowd a very different image of the condemned man: the wheel and the cross may have humiliated

The image shown above was taken during a lynching and was distributed as a postcard in the mid 1900s.

Small children are shown not only to be in attendence, but also to be enjoying the experience. The image, along with many other like it, can be found in Allen's *Without Sanctuary*

him, the noose may have been a symbol of vengeance, the fire may have cleansed his sins and the sword may have left him his honour. Inside of these differences, however, there was a common thread; he was still killed as a man. With lynchings that thread was broken. The victim was not a man as everyone else. Indeed, lynchings presented the execution of a non-man, a lower man. To the mob, their differences of race or belief made them little better than animals. Thus they could be killed without consequence, and would be afforded no special treatment or ritual. Agamben states that the body of homo sacer represents a subjugation to the power of death, is excluded from all life, and can not be redeemed through ritual means. His existence is only death.(1)

Agamben states that in Germanic law, the figure of homo sacer can be equated to the wargus, or wolf-man, whose image was seen as analogous to the bandit. Peace in this context was achieved by the exclusion of the wrongdoer, who, being seen as a monstrous hybrid of man and animal stood in the realm between nature and the city, belonging to neither. The man so banned was either considered as already dead, or may have be killed without punishment.(2) To the sovereign, all citizens are potentially homo sacer, and to homo sacer, all citizens are potentially sovereign. His death is a mere actualisation of his capacity to be killed. Homo sacer can not be killed in a grand way, he can't be sacrificed, he can only be exterminated like vermin.

The figure of homo sacer, and the sphere in which he can be killed,

(1) Agamben, *Homo Sacer* p. 99

(2) ibid p. 104

belong to the realm of biopolitics, a place described by Agamben where politics transform into the realm of bare life and allow for total domination.(1) The politicisation of life is one of the fundamental characteristics of totalitarian states, and is what makes possible the apparent sudden transformations to these states from seeming democracies. In biopolitics the body, not the individual, stands as the bearer of rights, but this natural born right vanishes into the figure of the citizen whose rights are preserved by the actions of the sovereign.(2) In modern times any tie to legitimate sovereignty has vanished, and the door has opened for powerful groups to label entire populations as sacred, robbing them of their property, their rights, and their lives. Outside of the law as these victims are, the taking of their lives is not seen as an abhorrent action to the condemning body. But is there a basis for this discussion on the sacred race? Have we seen any example of an entire group of people treated in such a way, as less than human?

The term Genocide comes to the forefront here, the deliberate and calculated wiping out of an entire group based on racial distinction or religious belief. Of course we have seen the mass sacred man. We have seen him in Rwanda, in Bosnia, in China, and most famously during the Second World War.

The right of birth was the foundation of the Nazi regime which was predicated on ideas of who was a citizen and thus who had the right to be identified as 'sovereign subject.' It is Agamben's opinion that it was through biopolitics that the regime endeavoured to redefine

(1) ibid pp. 119-120

(2) ibid pp. 127-128

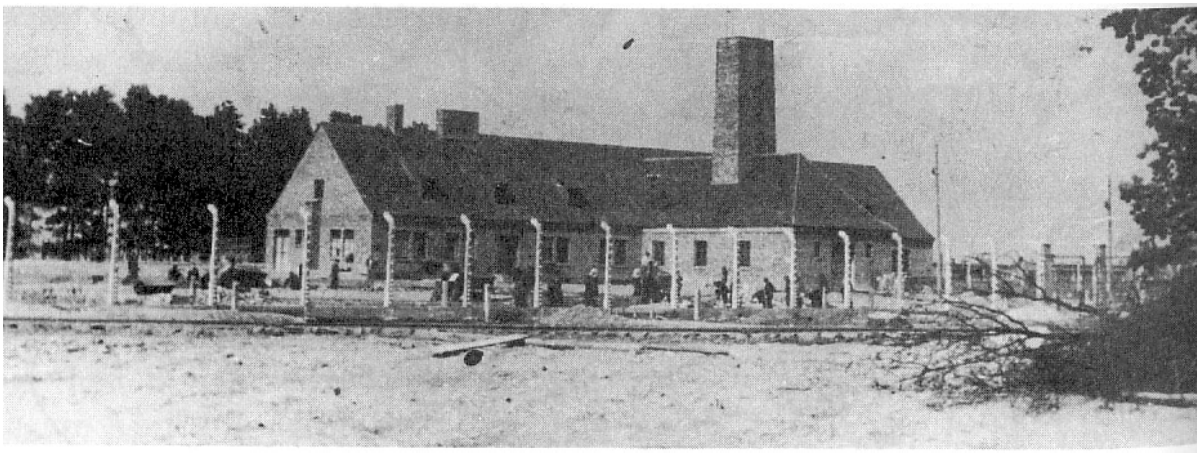
the threshold between inside and outside, defining both the citizen and the new sacred man.[1] It is through these means that the regime passed the 'Authorisation for the Annihilation of Life Unworthy of Being Lived' and defined what life was devoid of value: those "incurably lost" or "incurable idiots."[2] The category of 'life unworthy of being lived' corresponds exactly to the figure of homo sacer, and the juridico-political structure that allows for his subjugation and death is the camp.

The camp opens when the sovereign state of exception becomes the rule, and as a result attains a permanent spatial arrangement.[3] As a space of exception, everything becomes possible inside of their jurisdiction; every inhabitant is homo sacer, and thus no crimes can be committed against him.[4] In the case of the Nazi 'final solution' the decision on who would be included in the space of exception was not based on situation or fact, but on community of race. The decision placing the Jews in the category of a 'life that does not deserve to live' was made by the sovereign, the Fürher, and the lives were taken by those who had sovereign power in the camps.

(1) ibid p. 130
(2) ibid p. 138
(3) ibid pp. 168-169
(4) ibid p. 171

Chapter Eight

A Visit to Hell: The Holocaust and the Final Solution



The image shown Crematorium 3, Auschwitz-Birkenau, in 1943. Most of the main floor was taken up with the ovens, with the undressing room and gas chamber located underground. The image was found in Dwork and van Pelt's *Holocaust* p. 306

It was the politicisation of death and the designation of 'life that does not deserve to live' that made possible the aforementioned creation of entire societies of non-men. As was stated in the preceding chapter, this designation began with the euthanasia programs designed to eliminate those 'incurably lost' or 'incurable idiots' from the German people. A direct tie between this program and the regime's 'Final Solution' to the 'Jewish Problem' is difficult to trace without the understanding that to the Germans the health of the nation was analogous to the health of a person. Thus a political parasite that damaged the health of the body politic was no different than an individual afflicted with a terminal disease or a career criminal. The Jewish race was one of these political parasites, seen by the rulers of the Reich as no better than lice or rats: Lower men, non-men.

> [The Jew] is and remains the typical parasite, a sponger who like a noxious bacillus keeps spreading as soon as a favorable medium invites him. And the effect of his existence is also like that of spongers: wherever he appears, the host people dies out after a shorter or longer period.(1)

(1) Hitler, *Mein Kampf* pt. 1 ch. 11 as found on the Hitler Historical Museum at www.hitler.org

Holocaust - Overview

In the Holocaust of the Jewish people we can see one of the most well-documented cases of the mass sacred man, an entire people designated as less than human and condemned to death for reasons of race and religion. If in the rituals of mob justice we saw the basis of the localised state of exception, in the rituals of the Holocaust we see the basis of a mass sacred man. The actions taken against the Jews were calculated to rob the entire people of its humanity, to treat them in a way that was in keeping with their position as lower men. They were forbidden to live alongside non-Jews, and forbidden to marry non-Jews.(1) In time they were refused the right to buy property or pass on their existing estate to their young. They were prevented from owning and running businesses, and were forced to wear insignias declaring themselves as outsiders.(2) Eventually they were rounded up and forcefully exported, their property forfeit and their possessions taken from them.(3) They were gathered into ghettos, isolated from all non-Jews and forced to work as slaves for the Germans.(4) Eventually they were taken away even from this isolation, and were relocated to a camp set up for the sole purpose of killing them.

The elimination of such a large group of people posed a major logistical problem, but soon the Nazis found a method of extermination much more efficient than shooting or starvation; they found gas. It is interesting to think that our modern gas chambers have some connection to those used in this horror. Also interesting

(1) Dwork and van Pelt, *Holocaust* p. 86

(2) ibid p. 213

(3) ibid pp. 203-204

(4) ibid p. 210

is how we can examine these exterminations in a similar way to how we looked at state sanctioned 'legal' executions. We find our first major distinction in the sentencing procedures. To put it simply, the Jews were not sentenced. They could not be, as they had been convicted of no crimes. There was little public knowledge that these exterminations were taking place and no chance for the public or a jury of peers to dispute the sentence. When condemned the Jews were taken directly to the site of their demise. The journey was hellish, and once again conducted outside of legal process and the eyes of the people. Packed into vans and trains the condemned would be taken to the camps or would die during the journey.(1) Once at the camps the situation did not improve. Held in these places the Jews were once again hidden completely from the eyes of the populace. It was worse by far than in our modern prisons, where a condemned man can at least expect an occasional visitor and be confident in a steady diet. The penitentiary places the inmate under the protection of the law. The concentration camp places him in a state of exception where nothing is illegal and anything can happen to him.

Upon arriving at the camp the condemned would either be condemned to immediate death or forced to work until their bodies gave in to exhaustion and starvation.(2) When the time of death came, the Jews were stripped of their clothing and belongings, and then forced into the gas chambers. After being locked in the gas would be introduced, and the condemned would die, still in complete anonymity. As a result there were hundreds and thousands

(1) Lanzmann, *Shoah* p. 44

(2) Dwork and van Pelt, *Holocaust* p. 312

of bodies which had to be disposed, for which no ritual would be afforded or respect given. The bodies were often times piled into mass graves, but the process was not always fast enough. Many of the bodies were incinerated in the ovens, which were in turn run by more Jews. They were gathered in anonymity, forced to work in anonymity, and then killed in anonymity, robbed of their individuality and humanity. They were all homines sacri, in possession of only bare life. The camps were the exceptions, places which existed outside of the law and where these deaths could take place without reason or consequence. The architecture of the Holocaust is one of dehumanisation, invisibility and denial.

Holocaust - Theatrics and Architecture

The rituals, theatrics and architecture of the Holocaust, and the gassings which occurred within its context, operated within a shell of secrecy and denial which attempted to hide their presence from the world. It attempts to remove 'The Jew' from the minds of the people, remove his humanity, and remove him entirely from the world. He was designated as sacred, incarcerated in the camp in a state of exception, and coldly and systematically erased.

1. Sentencing: The gas 'executions' did not belong to the realm of capital punishment. The 'Final Solution' lacked many of the supporting rituals which define the sanctioned and legal practices of the state, including a proper sentencing. To put it simply, the Jews were not sentenced, at least not in any historic or contemporary sense of the word. In fact, they were never even convicted of any crimes, which even those poor victims of

lynchings often were. No, the Jew was condemned, outside of all legal process, solely on the basis of race through the teachings of anti-Semitic dogma. How was it so easy to condemn 'The Jew,' when by all rights he didn't look that different from any other human being? But he wasn't considered human as the rest of humanity was, and in the propaganda films of the time, in *The Eternal Jew* and *Jud Süß*, the Jew was portrayed as a disease, as less than vermin.

2. The Wait: Every day during the war could have been the last for a Jew. Each knew that their death was a near certainty, that at any time they could be shot, they could succumb to starvation of disease, or that they might be herded into a gas chamber. This wait for death could take many forms, varying by the abilities of the individual person or by the location in which they were held. Skilled or strong Jews spent their wait working for the Nazis, Jews in hiding spent their time avoiding detection, Jews in the ghetto spent their wait in horrible conditions and constantly at the mercy of the Germans, and young, old or infirm Jews had no wait, they were killed immediately.

3. Confinement: Confining an entire people can be a major logistical problem, so an innovative solution had to be reached to hold the Jews until they could be exterminated. Under the title of 'resettlement' entire populations of Jewish villagers were moved into the ghettos and the concentration camps, and from there transported to the machinery of death. Conditions in the ghettos were themselves bad enough to further the elimination of the people.

> It was not a world. There was not humanity. Streets full, full. Apparently all of them lived in the street…Crying and hungry. Those horrible children - some children running by themselves or with their mothers sitting. It wasn't humanity. It was some…some hell.
>
> This is apparent that they are subhuman. They are not human.
>
> Stench, stench, dirt, stench everywhere, suffocating. Dirty streets, nervousness, tension. Bedlam. (1)

The Jews were kept in these horrible, death-ridden conditions, these totally dehumanising conditions, until they could be relocated to the camps themselves. There work, hunger and death were the rules.

4. Time of Death: Death was a constant presence in the camps and the ghettos. There was no set time when the Jews would be put to death. The camps were in fact run as factories of death, operating constantly from morning to night, gassing, moving and burning. Efficiency was the rule in the camps, their function was to exterminate as many Jews as possible in as short a time as possible. There could be no hang-ups about when these deaths were to occur.

5. The Journey: To the camps, or to a grave. There was little variation in the journey, save the vehicle used and the intended destination. In some cases the mode of transport was also the machine of death, these were the gas vans.

> *Describe the gas vans.*
>
> Like moving vans.
>
> *Very big?*
>
> They stretched, say, from here to the window. Just big trucks, like moving vans, with two rear doors.
>
> *What system was used? How did they kill them?*

(1) Lanzmann, *Shoah* pp. 159-160

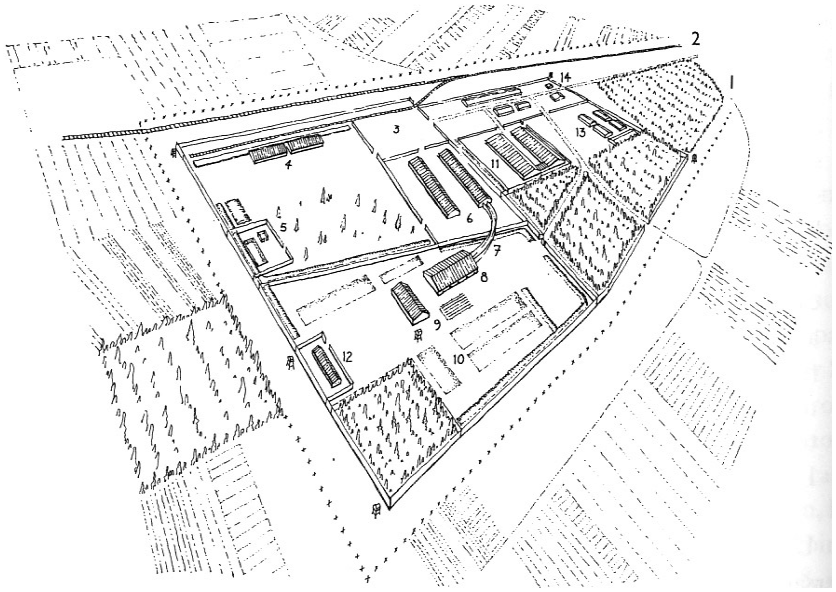
With exhaust fumes.

How fast did the vans go?

At moderate speed, kind of slow. It was a calculated speed, because they had to kill the people inside on the way. (1)

These large anonymous tools of death were used to kill masses of Jews on their way to the very graves in which they would be buried. But not all transport was intended to kill, others brought the (mostly) live Jews to the camps, where they would in turn be killed. These Jews were transported in heavily overcrowded train cars to places such as Treblinka and Auschwitz/Birkenau to the gas chambers and crematoria which represented the ideal of the 'final solution.'

6. The Site: The camps were the primary sites for the 'execution' of the Jews, and in the camps the gas chambers formed the primary apparatuses for this extermination. The camp at Treblinka was built in such a way to facilitate the killings, and to hide from the Jews held within it that the exterminations were taking place. The camp was split into two major areas separated by a camouflaged fence with the primary means of access between the two sections being the 'funnel,' another heavily camouflaged area.



The image shown above is a birds-eye view of the camp at Treblinka. Indicated on the map we can see (2) the rail line which brought in the prisoners, (6) the undressing barracks, (7) the 'funnel,' (8) the gas chambers, (9) the ovens used to burn the bodies and (10) the former mass graves in which the ashes were buried. The image was found in Dwork and van Pelt's *Holocaust* p. 290

(1) ibid pgs. 65 and 90

Can you describe this "funnel" precisely? What was it like? How wide? How was it for people in this "funnel"?

It was about thirteen feet wide, as wide as this room. On each side were palisades this high…or this high.

Walls?

No, barbed wire. Woven into the barbed wire were branches of pine trees. You understand? It was known as "camouflage." There was a Camouflage Squad of twenty Jews. They brought in new branches every day. (1)

After being unloaded from the trains and undressed, the Jews would be passed through the funnel and into the extermination area of the camp. Women were forced to wait in the funnel, while men, who could cause more trouble, were sped through and killed first. The gas chambers in this camp could process approximately 12000 in a day, and the ovens burn them.

7. Witnesses: It was intended that there NOT be witnesses to the exterminations of the Holocaust. In fact, all that survive today are 'accidental' witnesses, present as the 'Final Solution' was interrupted before it was fully realised. Through interviews with these few eyewitnesses the filmmaker Claude Lanzmann has reconstructed a shockingly graphic portrait of the exterminations in his landmark documentary film and book *Shoah*. These accidental witnesses include Abraham Bomba who was forced to cut the hair of the Jewish women before they were gassed(2) and Filip Muller who worked in the ovens, burning the corpses of those who had just been liquidated.(3) For the outsider, such as the Polish citizens living alongside the doomed Jews, all of their understanding had to come from "sidelong glances."(4) For the German, their understanding came from the arrangements, and

(1) ibid p. 100
(2) ibid pp. 101-108
(3) ibid pp. 48-51
(4) ibid p. 87

the results. From getting the Jews to the machines of death, and disposing of them once the machines had done their work. From orders handed down they understood, but were forbidden to talk of it. And even now they try to deny knowledge, and claim they performed their duties unknowing of the horrors they were aiding. The following is a direct question posed by Lanzmann to Walter Stier, former head of Reich Railways Department 33, and his response:

> *Did you know that Treblinka meant extermination?*
> Of course not! (1)

A problem arises when one searches for direct eyewitness evidence of the deaths themselves. Holocaust deniers claim that there is no clear, concrete evidence that a Jew was ever killed in the gas chambers, and this fact can unfortunately not be contested. What took place inside of the chambers could not be observed as all who saw it firsthand would have died from the gas.

8. The Executioner: Who was the executioner in this case? It is difficult to say precisely, as so many Jews were killed, in so many ways, by a lot of different people. Was the executioner Hitler himself? While many people might contend that he is, it would be more reasonable to cast him in the role of judge and jury, the one who hands down the sentence, but doesn't actually carry it out. Then who was it, the men who selected who would live and who would die? The soldiers who dropped the gas into the chambers? To put it simply, there was no single executioner.

(1) ibid p. 125

There were simply hundreds of maybe thousands of soldiers who were forced into the role, were just following orders blindly, or took it on willingly. In his book *The Case for Auschwitz* historian Robert Jan van Pelt details the circumstances surrounding the high-profile libel case brought forth by David Irving, accused of Holocaust denial. In this book he touches on this ambiguity in the role of executioner, as outlined by the French historian Pierre Vidal-Naquet and based further on the arguments of one of the defence attorneys in the Frankfurt Auschwitz Trial (1963-1965).

> …one of the attorneys for the accused … argued that those involved in the selection of the arriving Jews were not separating those fit for work from those unfit for work; they were separating those who would be sent to replace the disappeared work force from those who would be killed right away. As the decision to kill all Jews had been made before, those involved in the selection ought to be considered not killers but saviours of Jews, and those throwing the Zyklon B into some innocent-looking vents were only following orders.(1)

This ambiguity in turn makes the whole event easier to hide or deny. Since there was no one man whose job it was to execute six million Jews, since so many different people participated at so many different times, it is easier to hide and deny the numbers or place the whole event into the realm of 'accident' or 'happenstance.' But this lack of an official framework also pulls these 'executions' far away from the realm of capital punishment, and into cold-blooded murder.

9. The Condemned: The condemned's ability to express himself could vary greatly depending on the situation in which he found himself. Generally any displays of anger, pleas for mercy of condemnations would fall on deaf ears, as no witnesses would be

(1) van Pelt, *The Case for Auschwitz* pp. 8-9

around to hear them. But that doesn't mean that these displays didn't occur. In the greatly amusing Holocaust film *Ghenghis Kohn* we see a Jewish comedian attempt to hold on to his dignity before his death, by yelling out "Kish mier an thuckas!" to the Nazis who were about to liquidate him. This show of dignity and contempt then became his lever to enter into the lives of these former Nazis after the war, and change their lives in dramatic ways. Another Jew who was meant to have been executed, and who was indeed shot through the head but survived, made a dramatic impact on the witnesses to his confinement in Chelmno.

> *Why does the whole village remember him?*
>
> They remember him well because he walked with chains on his ankles, and he sang on the river. He was young, he was skinny, he looked ready for his coffin. Ripe for a coffin! (1)

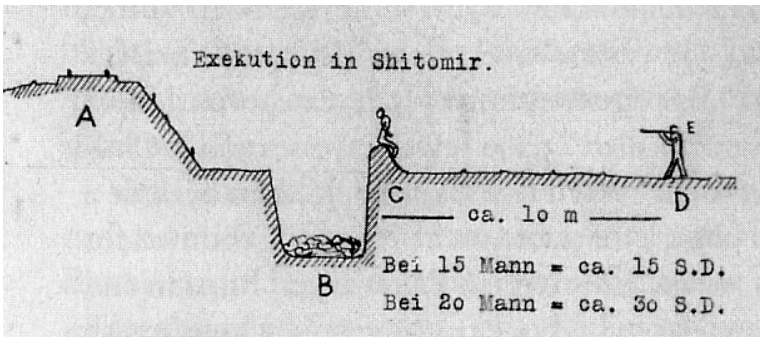
The condemned were not permitted to speak of their plight, and indeed some didn't even know until the end what was in store, but they could still have an impact on those around them, either positive or negative. In such difficult circumstances it is hard to think that the condemned may still hold and express a fierce pride, but Filip Muller, Czech Jew and member of the 'special squadron' in Auschwitz, was witness to just such a display, described as follows in his interview with Lanzmann:

> The violence climaxed when they tried to force the people to undress. A few obeyed, only a handful. Most of them refused to follow the order. Suddenly, like a chorus, they all began to sing. The whole "undressing room" rang with the Czech national anthem, and the Hatikvah…
>
> One of them said; "So you want to die. But that's senseless. Your death won't give us back our lives. That's no way. You must get

(1) Lanzmann, *Shoah* p. 85

> out of here alive, you must bear witness to our suffering, and the injustice done to us."(1)

10. Technique: With the widespread nature of the killing of the Jewish people it shouldn't be surprising to know that there were a variety of techniques for bringing about these deaths. Gas was the primary method, but was used both in the vans and in special chambers. Shooting was also widely used. When a group of Jews was to be shot, they were often lined up in front of the very grave in which they were going to be buried. This was of course done as a matter of convenience, as the bodies would thereafter not need to be moved, and could just be covered up with dirt and left. The Technique for van gassings was slightly more ritualised, with the Jews being forced into the vans, locked in, and killed with the exhaust fumes produced as the vehicles drove to the graves or ovens. The vans themselves were specially designed for the task, and even underwent technical changes to improve their performance. These changes are outlined in a letter in which great care is taken to not mention the true nature of the cargo being 'transported.'



The image shown above prortrays the basic method used for shooting large numbers of Jews. Indicated are (A) a rail embankement to catch the bullets, (B) a trench / mass grave, (C) the victim kneeling before the pit and (D) the location of the firing squad, composed mainly of young men. The image was found in Dwork and van Pelt's *Holocaust* p. 276

> The van's normal load is usually nine per square yard. In Saurer vehicles, which are very spacious, maximum use of space is impossible, not because of any possible overload, but because loading full to capacity would affect the vehicle's stability. So reduction of the load space seems necessary. It must absolutely be reduced by a yard, instead of trying to solve the problem, as hitherto, by reducing the number of pieces loaded. (2)

(1) ibid pp. 151-152

(2) ibid p. 92

In the gas chambers themselves the task of extermination became even more ritualistic. In the account by Abraham Bomba we have outlined for us in fragments the rituals undergone before the deaths of the condemned.(1) After being unloaded the Jews would be taken to the undressing area where they would be forced to take off all of their clothes. They would then be brought to the gas chambers, under the misconception that they were in fact decontaminating showers. In these rooms the women would have their hair cut off, but be given the impression that they were in fact getting a nice haircut. After this the doors would be closed, and the pellets of Zyklon B gas introduced through the hollow column. Death would follow shortly thereafter.

11. Disposal: After death, the corpses were burned. Even those who had been buried in mass graves before the introduction of the ovens were dug up and burned. The incinerators worked all day and night, run by Jews who would toss in the corpses of their friends and family while stirring the fire. The reason for this, in terms of the nature of the Holocaust, is obvious. A grave can be exhumed, and bodies counted. A burned body can not be counted. The holocaust was about secrecy and denial, but it is tough to deny when there are six million corpses staring you in the face. So, they were disposed of.

12. Announcement: There could be no announcement. Care was always taken to never refer to the 'final solution' as what it actually was. Never was it mentioned that the Jews were being

(1) ibid pp. 101-108

exterminated. Such an announcement would have defeated the veils of secrecy that had been lowered over the practice. There was no announcement.

We see in the execution of the Jews an architecture of power and hatred which operates its rituals outside of the realm of law. The theatrics of the 'Final Solution' operate as a complete inversion to those of executions over history. Executions of the past were a public affair, attempting to dissuade criminal behaviour by clearly exhibiting the consequences. Quite to the contrary the theatrics of the Holocaust were entirely insular and hidden. While the atrocities were occurring, no evidence was being presented to the outside world. Now, after the fact, we find a major shift in the theatrical representation of these events. Modern media is littered with documentaries and specials dedicated to the events of the Second World War, with a major focus on the Holocaust itself. These theatrics serve an analogous purpose to those of historic executions; they are intended to act as a deterrent. These representations serve the 'never again' agenda, and are a part of a network of ritual and spatial constructions including Holocaust memorials like the one in Treblinka, and Yom Hashoah, the Holocaust Remembrance Day.

Executions and the Holocaust exist in an inverse relationship. The Final Solution was hidden in the past but is now completely exposed, while in the past executions were open to all but are now hidden and withdrawn. Is this also a result of the modern 'never again' agenda and the corresponding unease with the taking of life?

Chapter Nine

Hiding Executions: The Modern 'Humanitarian' Position

Jurisdiction	Method	Jurisdiction	Method
Alabama	Lethal Injection or Electrocution	Nebraska	Electrocution
Arizona	Lethal Injection or Gas	Nevada	Lethal Injection
Arkansas	Lethal Injection	New Hampshire	Lethal Injection
California	Lethal Injection or Gas	New Jersey	Lethal Injection
Colorado	Lethal Injection	New Mexico	Lethal Injection
Conneticut	Lethal Injection	New York	Lethal Injection
Delaware	Lethal Injection	North Caorlina	Lethal Injection
Florida	Lethal Injection or Electrocution	Ohio	Lethal Injection or Electrocution
Gerogia	Lethal Injection	Oklahoma	Lethal Injection
Idaho	Lethal Injection or Firing Squad	Oregon	Lethal Injection
Illinois	Lethal Injection	Pensylvania	Lethal Injection
Indiana	Lethal Injection	South Carolina	Lethal Injection or Electrocution
Kansas	Lethal Injection	Soutn Dakota	Lethal Injection
Kentucky	Lethal Injection	Tennessee	Lethal Injection
Louisiana	Lethal Injection	Texas	Lethal Injection
Maryland	Lethal Injection or Gas	Utah	Lethal Injection or Firing Squad
Mississippi	Lethal Injection	Virginia	Lethal Injection or Electrocution
Missouri	Lethal Injection or Gas	Washington	Lethal Injection or Hanging
Montana	Lethal Injection	Wyoming	Lethal Injection or Gas

The above table shows which of the United States still use the death penalty and which are their primary or alternative methods of execution. The information comes from the website of the Clark County Prosecuting Attournry at *www.clarkprosecutor.org*

This work has so far explored historic forms of capital punishment which have either fallen out of common usage or have been changed dramatically over the years, the peculiarities of execution rituals found in highly class-based societies and those concerned with honour, and the particular sub-species of capital punishment found in the practices of the mob or those who take sovereign rights upon themselves. The investigations of each of these focused on their motivations and desired effects, and the architectural features and rituals which supported these desires. Spectacle, humiliation, torture, honour, deterrent, vengeance, power and control, bloodlust; executions have served many purposes over the centuries and have been a strong part of the daily lives of the public.

These executions were frequent occurrences in the past as the number of capital offences punishable by death was high and steadily rose over the centuries. In England by the late 17th and 18th centuries there were as many as 222 of such offences including such seemingly minor crimes such as theft in the amount of five shillings and robbing a rabbit warren.(1) While this multitude of offences punishable by death did exist, the actual number of executions began to diminish around the first quarter of the 19th century as juries and judges were less willing to hand down the sentence. In 1823 the first laws were passed abolishing 100 capital offences, a number which increased to over 190 by 1860. All of this was done in response to the urgings of a society that was growing uneasy with the taking of life and a government that was afraid that frequent executions roused the bloodlust of the people. The modern execution as presented in this thesis came into being through the Act of 1868 which abolished public executions, requiring that the condemned be executed in the prison and buried in the prison graveyard. Originally the act also required the death certificate to be displayed, a black flag raised and the prison bell tolled for the half-hour period surrounding the execution. The requirement to raise the flag and toll the bell was abolished shortly thereafter.(2)

In this way, executions were withdrawn, becoming more hidden, more secretive. The modern execution expresses this withdrawal, with each newly introduced form representing an innovation in 'humanitarianism.' Each of these new executions once again have distinct architectures of ritual, space and apparatus, but all can

(1) Laurence, A History of Capital Punishment p. 14

(2) ibid p. 26

be seen to fit into the modern trend of invisibility. This chapter begins where the explorations on historic executions ended, with hangings, and investigates the four primary methods of modern capital punishment. Once again I will discuss each in general terms of their characteristics and goals, and then present each in greater detail in a series of components.

The same set of criteria will be used here as were used for the historic modes of capital punishment in chapter 3 of the text.[1] From rituals of sentencing, through the apparatus and technique used, to the disposal of the body and the official announcement, I will once again discuss each criterion specifically in terms of their architecture of execution. Each of the methods included in this chapter are those which can still be found in common use today, or those which have been used in the past century in the Western world. The order in which they appear in the text is once again roughly chronological with when they were introduced, as follows:

Hanging - The modern approach to hanging has diverged greatly from its roots in history. I will continue this chapter's investigation from the time at which the previous left off, with the withdrawal of executions inside of prisons. It stands here as the first example of this withdrawal of capital punishment from the public eye.

Electrocution - As a mode of capital punishment electrocution was pioneered to result in an instantaneous and humane death. The development of this technique shows the beginnings of the

(1) see pp. 42-43 above

'industry' of capital punishment as the call for humane treatment and painless death spurred the re-engineering of execution hardware.

Lethal Gas - Lethal gas executions were another attempt to reduce the suffering of the condemned, and to make the truth of execution more invisible. Complications with the technique and its unpredictable visual results have removed this method from common usage, as it seemed in most cases to exhibit the suffering of the condemned, rather than reduce or hide it.

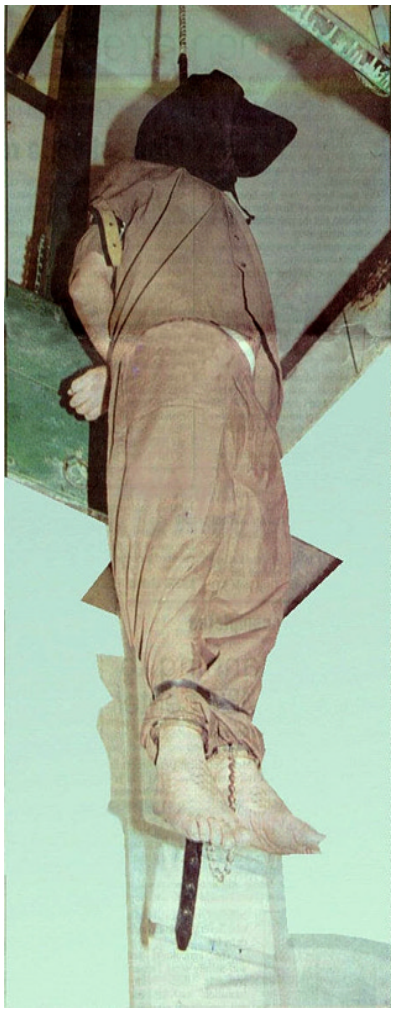
Lethal Injection - The modern invisible execution reaches its final form here in the ultra-efficient and apparently humane lethal injection method. With almost no evidence that an execution is actually taking place, the architecture of this technique represents an almost complete withdrawal of the practice from the public eye.

The above explorations act as a foil to the practices investigated in the chapter on historic executions. They outline the drastic changes that have taken place over the centuries, exhibiting the ways in which our modern practices differ to those of the past, and bringing to light those elements which we have lost as a result. When these experiences are removed from us, will we turn to find them in other places?

> I hope I have put to rest the myth that hanging was a barbaric form of capital punishment… The execution was over so quickly that the condemned man could scarcely have registered what was happening to him; certainly he suffered no pain. To this day I have yet to hear of any other place where criminals are put to death more quickly…Hanging was a merciful method of dispatch.(1)

Hanging - Overview

Aside from a few technical innovations, the essential qualities of hanging are almost identical today to what they were in ancient history. True, the modern enlightened society no longer causes the condemned man to die of asphyxiation, dangling at the end of a short rope struggling and gasping until death takes hold, but the rope and the fall remain to this day a central part of the practice. Society has left behind the humble tree branch and cart and have opted instead for a permanent wooden structure and a trapdoor. In some cases the 'gallows' structure has also been abandoned and the rope is instead fixed to the ceiling by a hook or pulley, contained in an anonymous room deep inside of a prison and hidden from all prying eyes. These changes in apparatus and location are the products of a change in the mentality of the public with regards to the 'humane' treatment of criminals, and of the local authority's understanding and fear that common exposure to the spectacle of death will increase the rate of violent crimes. The previous exploration on hangings in history brought these trends of withdrawal into focus.(2) In this chapter I will discuss hangings their modern context, finishing the narrative begun in the pervious investigation.



The above image shows an official photograph of the execution of a drug trafficker in Kuwait in 1998. The image comes from Clark's *Capital Punishment Worldwide*.

(1) Gillespie, *Inside the Death Chamber* p. 55

(2) Chapter 3 - The Many Forms of Historic Capital Punishment

Starting at the beginning of this period of withdrawal we now find executions occurring inside of the prisons in which the condemned were being detained. This move was not only a physical relocation, but also paralleled the removal of the condemned from the public eye, a greater control over those permitted to stand witness, and the disappearance of the traditional 'executioner.' There was no longer a grand spectacle; no more were the pain and suffering of the condemned exhibited for public consumption. All hangings now used the long drop method which was thought to cause instant death, and barring a few unfortunate accidents, seemed to work with fair consistency. The accuracy of calculations required in the long drop method did leave room for error, though. If the condemned was given too short a drop, the fall would fail to break his neck and death would come slowly as a result of asphyxiation. This was seen as undesirable to authorities attempting to reduce the sensationalism of executions as well as to advocates of the humane treatment of criminals; seeing a man slowly strangled at the end of a rope destroyed any image of a new kindness. On the other hand if too long a drop was given, the consequences could be equally disastrous and a bloody spectacle could result as the condemned's head might have been taken clean off his body.

A simple body weight to length of drop ratio was not sufficient to determine the proper drop, a truth that was brought to light in Ireland, the nation credited with the invention of the long drop process. Two men were executed, each weighing the same amount (160 lbs), and were thus afforded the same length of drop (14 feet). In the first case, the hanged proceeded smoothly with the vertebrae of the neck

breaking as intended. In the second, however, the condemned's head was removed by the rope.(1) Obviously a simple chart could not provide all of the answers, and some expert would have to be present to account for other contributing factors, such as the weakness of the condemned's neck muscles. This possibility for error shows that even the modern practices of hanging could neither be fool-proof nor fully humanitarian, a fact that was likely a prime contributor to the development of other methods of capital punishment. The architecture of modern hanging is one of withdrawal, and of transparency striving towards complete invisibility.

Hanging - Theatrics and Architecture

The rituals, theatrics and architecture of modern hangings are the end result of a change which has occurred over many years. The past trend of gradual withdrawal has culminated finally in a desire to hide the execution, to erase the fact that a life has been taken by the state, and to make the death as painless as possible in an attempt to avoid the objections of a 'gentler' people.

1. Sentencing: Modern sentencing procedures are among the most public of all aspects of the execution process. It is likely that a criminal of enough notoriety to warrant the death penalty would be given a great deal of publicity while in court and the result of the juries' deliberation would doubtless be the front-page headline of every local newspaper. In some cases the trial is televised and a fairly large number of people are allowed

(1) Laurence, *a History of Capital Punishment* p. 47

to attend. The sentence itself is proclaimed by the judge, but not necessarily directly after the final verdict has been passed. Often times the sentence is declared in a sentencing hearing, after which the condemned will be led back to his cell, through throngs of reporters and photographers. This notoriety, while high at the time of sentencing, does not always last through to the date of execution.

2. The Wait: There is a major shift in the length of wait with respect to historic hangings. While in the past it was common for a criminal to be hanged within the week of his sentencing, and often times sooner, the wait for modern hangings can extend to several years. In Cook county, Illinois a convicted criminal Russell T. Scott was held on death row from his conviction in 1924 until his execution date in 1927, winning many appeals over the three years of his incarceration. Interestingly, he ended his own life shortly before his execution, having hung himself from the roof of his cell with his belt.(1) This wait, while longer than those seen in historic hangings, is still much shorter than those seen today, a single generation later. Afraid to condemn a man who has any chance of innocence, large amounts of time are given for lengthy appeals, stays of execution, and anything else which might save the life of a convicted felon. Even those of which there has been no doubt of their guilt can wait on death row for years or even decades before they are finally executed, and in some cases the condemned may even die a natural death on the row, before they can be executed.

(1) Bauman, *May God Have Mercy on your Soul* pp. 256-258

3. Confinement: Today's condemned is held in very different surroundings than his historic counterpart. There is no local, public cell here, but only the isolated cells on death row. The cell is small and unadorned, but generally not uncomfortable. The most striking characteristics are the isolation, the boredom, the repetition. L. Kay Gillespie, while researching for his book *Inside the Death Chamber* spent several hours locked in a death row cell, during which time he gathered the following impressions:

> My death row cell, my "house," was exactly ten feet long, six feet wide, and ten feet high. I measured it. What else did I have to do? When I got through measuring it, I paced it. When I got through pacing it, I counted 283 cinder blocks within my view, sixteen bars, and the only colors I could discern were white and some institutional shade of turquoise blue.(1)

The cells are small, the prisoner has very little to do, and even fewer people to interact with. The condemned is separated even from other prisoners, and is allowed almost no visitors. In addition to this, when a time and date of execution have been set the condemned is relocated into the condemned cell, which separates him even from the other death row inmates.

4. Time of Death: Once again we find a situation where the methods of modern hangings are precisely the opposite to those of historic hangings. Where hangings in the past were held in the middle of the day, our modern hangings are performed in the depths of night, at or near midnight. There are two main reasons for this trend: first an execution performed at this time is less likely to have throngs of people appearing in support or

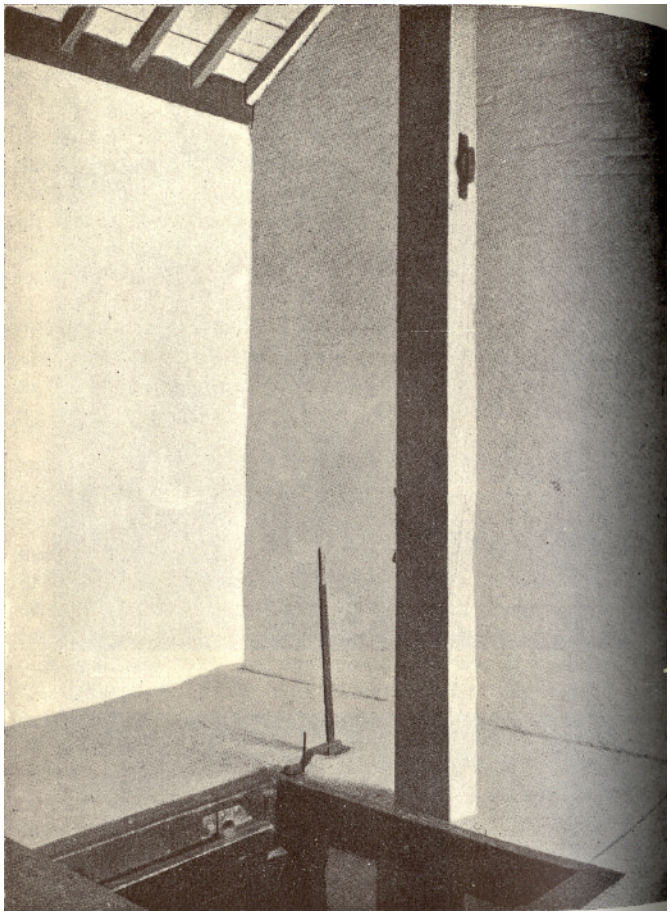
(1) Gillespie, *Inside the Death Chamber* p. 35

protest, and second performing the execution at the last possible moment during the day allows more time for the appearance of that coveted stay of execution, desired both by the condemned who doesn't want to die, the state that may not want to kill him, and the protestors who don't want anyone to be executed. This new ritual powerfully supports the new approach to capital punishment, removing the procedure from the public consciousness and providing ample opportunity to prevent the execution itself.

5. The Journey: The spirit of the ritual procession is preserved here in the proverbial 'last mile,' though this is not a literal mile, and not lined with screaming spectators. The final journey begins with the last meal and gives the condemned the opportunity to eat some of his favourite foods. It then takes the condemned to a priest if he should want to confess, to a shower for a final bathe, and finally up to the scaffold and on to the trapdoor. The final climb onto the scaffold was often historically 13 steps high, but this was not universal to all gallows. The presence of these thirteen steps finds its root in superstition, as 13 has often been thought of as an unlucky number. This superstition rose partly due to 13 being the number of people present at the last supper before the crucifixion of Jesus. The condemned walks this path in the company of several prison guards and the warden. No witness sees his final walk.

6. The Site: No longer do we find hangings near the site of the crime, nor in public squares, or even right in front of the prisons. Modern executions aren't even performed in prison

yards, but are instead held inside small isolated rooms in the same block as death row, or in adjacent enclosed buildings constructed specifically for the purpose of executions. In Maidstone Prison, located in the country of Kent in the United Kingdom, executions were held in a shed near the condemned cell at one end of the exercise yard, while the shed at Wandsworth Prison in London stands apart from the prison entirely.(1) Adjacent to the gallows room in most modern facilities you will find the witness room, which is generally separated by a large glass window. The execution room itself may contain a classical gallows made of wood and a large platform with a trapdoor, but this is not always the case in modern facilities. In other cases a plain white room may be used, the trapdoor built not on a platform but directly into the floor, and the rope slung not from a wooden beam but from a metal hook or pulley. A small lever or button controls the trapdoor. There is only room for the condemned, the guards and warden, and about a dozen witnesses. There are no large crowds.



The image above shows the long drop gallows in Wandsworth prison in the south of London.

The gallows is located in a closed shed slightly apart from the main body of the prison, and is referred to by the inmates as the 'Cold Meat Shed.'

With the absence of the noose or other obvious icons of hanging the above room apears almost completely anonymous and enigmatic. The image was found in Laurence's *A History of Capital Punishment* p. 131

7. Witnesses: The presence of witnesses, though highly restricted, is still required at a modern execution. Their primary function

(1) Laurence, *A History of Capital Punishment* p. 53

is to verify that the sentence has been carried out as mandated by the court, and after the execution they must sign a document declaring that they saw put to death the man indicated on the form.(1) The witness is much more detached from the modern execution than from its historic counterpart. Many have no emotional attachment to the event at all, except for those related to the condemned or his victim. Such attachment isn't necessary for the witness' role. The witness room is adjacent to the gallows room and is rather small, so the number of witnesses who are permitted to attend the execution is severely limited. The witness crowd can include the family of the condemned, the family of any victim, spiritual advisors, prison and state officials, and select members of the press. No images of the execution are permitted so cameras are not allowed in the witness chamber. Additionally the reporters are persuaded to not describe in to great detail the execution itself, and often use evasive platitudes to describe the event, saying that the condemned 'was launched into eternity' or that he 'paid his debt to society.' The actions of the witnesses are strictly controlled as is their access to other areas of the prison and the condemned himself. Their experience of the rituals of capital punishment is severely limited.

8. The Executioner: In modern hangings the executioner is completely anonymous. The witnesses will see a man place the noose over the condemned's head, but this same man will not be the one who opens the drop. Of the man who actually releases the trapdoor the witnesses see nothing. The one who is chosen

(1) Gillespie, *Inside the Death Chamber* p. 5

for the job is kept completely anonymous during the execution, and sometimes doesn't even know if it is his actions which result in the death of the condemned: In some cases several "hangmen" were employed, each to pull a different rope to open the trapdoor.(1) Naturally, only one of these ropes was actually attached to the latch. The executioner is removed completely from the ritual of execution.

9. The Condemned: The freedom of speech afforded the condemned has not changed a great deal over the years, although his audience has. In his last words he might ask for forgiveness, assert his innocence, pray aloud to a higher power, thank the prison officials for their cordial treatment, condemn the state for his fate, or read a prepared speech or poem. While vocal expressions are allowed, any physical display is strictly controlled and the condemned is kept under constant guard to ensure his good behaviour. To help ensure that no physical outburst occurs the condemned has his arms pinioned behind his back prior to mounting the scaffold, and to hide any grotesque expressions that may cross his face after he has been dropped the victim is blindfolded as well. The freedom of speech and expression allowed the condemned is not a liability for the invisible execution as the audience is so small and controlled, and discouraged from speaking too freely to others about what they have witnessed.

10. Technique: The technique and apparatus of the modern hanging are both designed to minimise both the physical suffering of the

(1) ibid p. 84

condemned and the visual impact on the witnesses. All modern hangings use the long drop method by which the condemned is dropped between five and fifteen feet through a trapdoor. The type of trap used has been modified over the years, from simple falling platforms to single leaf doors, and finally to the now universally used double leaf trap.(1) The length of drop is calculated in relationship to the weight of the person to be executed and the relative girth and strength of their neck. Ideally the drop would be calculated to fracture the vertebrae in the neck and cause instant brain death. As was mentioned before, a failure to drop the condemned far enough could result in a slow death by strangulation while dropping them too far might cause their head to tear free of their body. The apparatus is constructed to deal with these potential complications, however. When the condemned drops, he falls into a closed and shielded pit below the floor. If he is not killed by the drop his struggling is hidden from the eyes of the witnesses, and if he is decapitated the witnesses are spared the sight of blood and gore. This does, of course, depend partly on the length of drop given. A man dropped only five feet would not vanish completely into the drop pit. Even so, the architecture of hanging makes a method which attempts to remain invisible even in the event of failure.

11. Disposal: The body of the condemned is hidden even in death; the witnesses see nothing more of him after the trapdoor opens. After the sentence has been carried out and verified the corpse is lowered into the pit below where it is retrieved away from prying

(1) Laurence, *a History of Capital Punishment* p. 47

eyes and disposed of. While actual procedures vary by the laws of the authority under which the victim was condemned, there are generally two actions taken to dispose of the body. First it may be handed over to family for a proper burial, in whatever ceremony they would like to provide. Second, if the family won't take the body or if there is no family to take it the local governing authority will take it upon itself to bury the corpse. The body will be interred in a state graveyard or in the precincts of the prison. In some rare cases the body may be taken after execution and harvested for transplantable organs, but only if specific permission is granted by the family or the condemned himself. Regardless of the action taken, the body disappears after the execution and is not seen by most of the witnesses ever again.

12. Announcement: Where the sentencing can be highly publicised, the announcement of the execution is generally downplayed. The warden will exit the death chamber and address the crowd which will invariably have gathered outside, informing them that the sentence has been carried out. In addition a formal written notification is submitted declaring the name of the condemned, the time of death, and sometimes the length of drop given. This notice would be posted in a local newspaper instead of being sold or distributed by hand to a large number of people, as was the case in the past.

Modern hangings sit at the end of a road laid down through the changes which have occurred in the practice over the centuries. Moving from roots of spectacle and sensationalism, it now occurs

as a hidden art, almost fully withdrawn from the common experience of the people. The modern understanding of hangings held by the public comes only from what is described in books, what is portrayed in art and the media, and the impressions held in the collective memory of the populace. But few people can picture hangings as they actually occur now, in closed anonymous rooms with a handful of witnesses and no gallows. No, when most think on hangings, and when hangings are shown to the public in a variety of ways, its interpretation inevitably takes a form from history, from those spectacles that have long been left behind.

Hangings are rarely - if ever - used as a mode of execution anymore. Of the 38 States still employing the death penalty, only Washington retains hanging as an option. Hanging is still used as a method of capital punishment in many Commonwealth countries such as Malaysia and Singapore, as well as in Iran and Japan, but has been replaced with other methods in most other parts of the world that still perform executions.

'What basically happens,' Fred told me, 'is that the first jolt causes an adrenaline riot.' While this should make the victim go into shock, the adrenaline keeps the heart beating. Allowing ten seconds for the adrenaline to dissipate ensures that the second jolt stops the heart. 'Basically,' said Fred, 'it's a matter of speed. If all goes well, it should take just 4.16 milliseconds to lose consciousness in an electric chair.'(1)

Electrocution - Overview

With electrocutions I enter into an investigation free from historic associations. As such, these executions can be seen as purer representations of our modern capital punishment system. The procedure was in fact invented to pull us away from the 'barbaric' practices of history, and to reinvent the execution as a humane art. Electrocution had been though of as a fast and painless way to die ever since it had first become controlled, being hailed as such by advocates using the many accidental deaths by alternating current and the destruction of a body struck by lightning as their basis.(2) The evidence seemed to promise a quick death, and a method that once established could be used for all executions for the foreseeable future. But that doesn't mean that electrocution didn't undergo its own changes over the years; in fact the practice has seen some fairly major revisions during its common use. The difference between these changes and



The image above is credited to William Vander Weyde and was taken in the late 1800's. It depicts a condemned man being strapped in to the electric chair at Sing Sing prison. The image comes from Mulligan & Wooters' *Photography from 1839 to Today* p. 437.

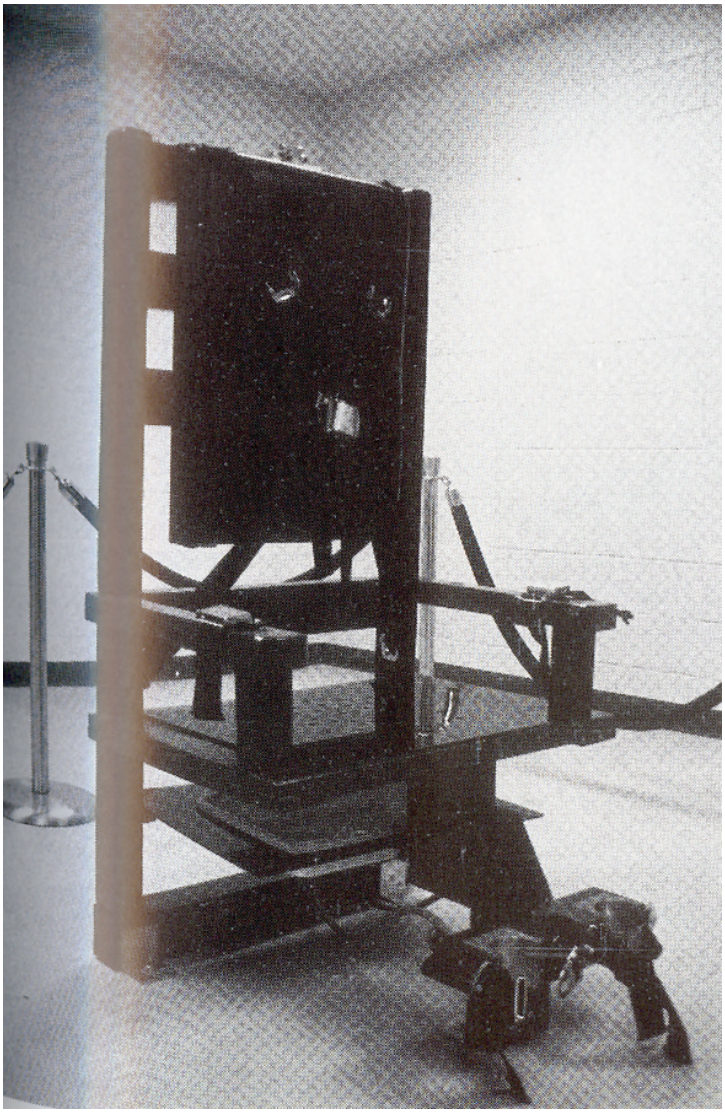
(1) Trombley, *The Execution Protocol* p. 35

(2) Laurence, *a History of Capital Punishment* p. 63

those which occurred in the practice of hanging is that that they didn't represent a change in opinion or desired effect in the minds of the people. Every change in electrocutions was implemented to better conform the procedure to the societal ideal it was created in response to, to enhance the humanity and painlessness of the affair. The procedure and apparatus have both been affected by these changes over the years, maintaining in themselves the same spirit yet moving far away from their humble beginnings. The first electrocutions were performed on animals during a bitter rivalry between Thomas Edison and his market competitor, George Westinghouse. It was Edison's goal to prove that his direct current generator was less dangerous than the Westinghouse alternating current generator. With the experiments on animals he proved that a much lower voltage and current was required to cause death in AC electrocutions. At this time several of the United States were searching for generators to power their new electric chairs, and these experiments prompted them to purchase three generators from the Westinghouse Company. Westinghouse was reluctant to sell the generators and accused Edison of defaming his generators through this association with capital punishment. The chairs were built anyway.(1) Many of the early electric chairs were made either by carpenters, by prison staff, or by the prisoners themselves. With no professional electricians involved in the process, it is not difficult to see that they were not constructed very well. Having no official procedure to conform to, the executions were fairly hit-and-miss affairs, with the condemned being killed, not being killed, and being

(1) Trombley, The Execution Protocol pp. 18-19

maimed on an equally regular basis. Although the penal system introduced electrocution in the hope of creating a humane form of execution, the results seemed to contradict this idea. Its use continued relatively unchanged, however, until the 1980's when a certain advocate of 'humane' executions entered the scene. Fred Leuchter was a self-proclaimed believer in "Capital Punishment, not Capital Torture"[1] and with his moderate knowledge of construction and engineering he took it upon himself to reinvent the apparatus used for electrocutions. Fred's first electric chair was constructed from the wood taken from an existing chair in Tennessee (called "Old Sparky"), which was in turn constructed from their old gallows. The chair was large, very sturdily built, had a padded back, and a perforated seat through which the bodily waste could pass when the condemned lost control of his bowels (as invariably happens during an execution). The electrodes and sponges were all constructed to make conduction as efficient as possible to ensure quick unconsciousness and minimise the visual impact on the body.[2] All aspects of the Leuchter chair were designed to make the process as easy on the participants and



The image above shows the Leuchter Electric Chair that was installed in Tennessee State Penitentiary

The chair is designed for ease of use, reliability and for the comfort of the condemned prior to his death. The image was found in Trombley's *The Execution Protocol* p. 36

(1) ibid p. 23

(2) ibid pp. 36-37

witnesses as possible, and to ensure the quick, efficient and relative painless death of the condemned. Ideally after an execution the body of the condemned has little to no visual scarring and the officials have as easy a time as possible removing it from the chair and cleaning up any mess. The architecture of electrocution is one of minimal impact and maximum efficiency, in an attempt to make the process easier to bear for all involved, condemned, witness or executioner.

Electrocution - Theatrics and Architecture

The rituals, theatrics and architecture of electrocutions are a direct expression of the desire of the people to see a more humane execution. The trend of hiding executions has a strong presence in electrocutions, but doesn't undergo a great deal of development during the common use of the practice.

1. Sentencing: Electrocution, like hanging, is currently an active form of capital punishment in the United States of America. As such it shares an identical sentencing procedure to hanging, with the only difference being the mode of death which is proscribed. The sentencing itself still occurs within a courtroom, either at the end of a trial or at a sentencing hearing, and may or may not be highly publicised depending on the notoriety of the accused. Front page news or a small article inside of a newspaper, it is likely that there would be a public notification of the sentence. Once again, the attention given to this article would vary in a direct relationship to the fame (or infamy) of the condemned man.

2. The Wait: In the death wait we find another way in which electrocution is identical to the modern practice of hanging. Our modern aversion to putting a man to death, even should he be so condemned, causes us to keep him isolated on death row for many years. This does allow for the lengthy appeal processes which inevitably follow a decree of death, but may also serve a secondary purpose. If a man is put to death shortly following his sentencing, he remains strongly in the mind of the people who only recently read of his fate in the newspaper. On the contrary, leaving the condemned to sit isolated from the world, often for a very long time, helps to remove him and his fate from the minds of the public. James Dukes, convicted of killing a police officer, was the last man to be executed by electricity in Cook County, Illinois. He was detained on death row for six years before his sentence was carried out.(1)

3. Confinement: The condemned will rarely see anything outside of his cell and the visitor's area. On top of this, the visitors he is allowed to see are highly restricted. Members of the press are generally forbidden unless a special request by the condemned is granted. He is allowed to receive visits from family, although these too are strictly controlled. The condemned is also permitted to exercise in the prison yard, but is generally only allowed out at times when the other prisoners are in their cells. Since so much of his time is spent in his cell, the condemned can be afforded certain luxuries denied the other prisoners. The modern aversion to unnecessary torture drives us to keep the

(1) Baumann, *May God Have Mercy on your Soul* pp. 423-426

prisoner in a degree of comfort historically unheard of.

4. Time of Death: Electrocutions, like hangings, are typically performed at or near midnight. While this is intended in part to eliminate the attendance of the public, it is not always entirely successful. While they are not able to witness the execution itself, or even be near the location where it will be performed, many people will still attend. It is common to see crowds of anti-capital punishment activists holding a vigil during the execution, perhaps hoping in some small way to make a difference, and make their voices heard. The desire to hide the practice of capital punishment is not always successful, in spite of all the measures taken to make it vanish, or soften it in the eyes of the people.



The above image shows a crowd of anti-execution activists protesting an execution, as protrayed in the film *The Life of David Gale.*

5. The Journey: The final trip to the execution chamber exists in electrocution much as it does in hanging. There are a few differences in the journey, namely in the preparation of the condemned's body beforehand. Prior to being placed in the electric chair the condemned must have the top of his head and his calf shaved (or both calves, in the case of Leuchter's chair and its two leg diodes[1]). This is a necessary step as hair in these locations can interfere with the conduction of current, can burn, and can otherwise make the execution an unpleasant affair. At the end of his journey the condemned was at one time brought

(1) Trombley, *The Execution Protocol* p. 34

in and strapped to the chair in full view of the witnesses, but now he is placed in the chair behind a closed curtain and is not revealed until all of the preparations for the execution have been completed.

6. The Site: The execution chamber has undergone many changes during the time in which electrocution has been in use. Originally the electric chair would have been placed in a room of convenience, like an abandoned storeroom or something similar. The witness chairs would be arranged in front of the chair like pews at an altar. The chair and its control panel have always been in different rooms to hide the identity of the executioner, but this posed a problem when the practice of electrocutions was introduced, and before the procedures were defined and known to all involved. These communication problems have been the cause of more than their share of botched executions, one of which was the 1980 execution of William Kemmler, convicted of killing his lover Tillie Ziegler with a hatchet. Leuchter described the spectacle of Kemmler's execution during an interview with the author Stephen Trombley, who recounted it as seen below in his book *The Execution Protocol*:

> Durston knocked twice on the door of the room adjacent to the death chamber, and Edwin Davis threw the switch.
>
> A reporter from the New York World described what followed. "Suddenly the breast heaved. There was a straining at the straps which bound him…The man was alive. Warden, physicians, everybody, lost their wits. There was a startled cry for the current to be turned on again. Signals, only half understood, were given to those in the next room at the switchboard…
>
> The first electrocution, like many others which followed, was botched. (1)

(1) ibid p. 21

These difficulties faded slowly away as the procedure for electrocution became more defined, with less room for error. As the technology for electrocution advanced, and as these occasional botched executions caused adverse reactions from the witnesses, the chair was separated from the witnesses and placed in a special room. The artefact now stood alone in this room, and the witnesses could only see what was happening through a window. The visual power of the chair stood strong regardless of the surroundings into which it was placed, and its iconic presence is just as strong as those historic apparatuses, the gallows and the guillotine.

7. Witnesses: Like in modern hanging executions the witnesses to an electrocution are strictly controlled. They are limited to the close family of the condemned and his victim, officials, clergy, and select members of the press. The comfort of the witnesses has had a great impact on the practice of execution. A botched electrocution in the past once resulted in an awful smell which caused many witnesses to become sick, and was one of the reasons why the condemned was moved into a separate chamber. Descriptions of botched executions such as this have often been gathered by opponents of the capital punishment industry, and are often publicly displayed. An unidentified author of a webpage listing botched executions provides the following account of the execution of Pedro Medina, a mentally ill Cuban refugee convicted of stabbing his former teacher to death:

> March 25, 1997. Florida. Pedro Medina. With the first jolt of electricity, blue and orange flames sparked from the mask covering Medina's face. Flames up to a foot long shot out from the right

> side of Medina's head for 6 - 10 seconds. The execution chamber clouded with smoke, and the smell of burnt flesh filled the witness room. (1)

These horrors have fuelled the anti-capital punishment activists, but have also served as a factor in the desire to update and improve the hardware of the machines of execution. Electrocution has always been concerned for the witness, and many of its features show a relative sensitivity to their comfort, in addition to that of the condemned.

8. The Executioner: In electrocutions the executioner has always been anonymous, hidden from the eyes of the witnesses behind a barrier or in another room. The post has typically been filled by a single man who was specially trained, as if the current was not applied correctly the execution would not go smoothly and there could be disastrous consequences. As will be explained more fully in the technique section, a single continuous jolt does not always ensure death and may cause the body to burn or scorch. The executioner would stand behind his screen and respond to oral commands when carrying out the sentence. Leuchter's electrocution system removes the need for a specialised executioner. The entire process is automated and controlled by a computer; the only input it requires is the press of a button on the control panel. The panel itself is located in a separate room so the identity of the executioner is not known to either the condemned or the witnesses. The role of executioner is typically filled by one of the prison employees, but when the State of Illinois decided that it didn't want one

(1) Anonymous account of an execution as qouted on Parkinson's *Botched Executions in the USA*

of its corrections officers to perform the grisly task letters from 'volunteer' executioners began to pour in:

> From a 73-year-old Mississippi resident. "Nothing would give me greater pleasure than pulling the switch on John Wayne Gacy, Jr."
>
> From a 42-year-old prison inmate. "I will soon…be appearing before the board of parole and I do need a job, plus a new start in life. I know a little about electricity, but then again, I am quick to learn."
>
> From a 38-year-old technician and "born again Christian." "I believe in capital punishment and look on this act as I do jury duty… realising that everyone does not feel this way, I feel compelled to volunteer."(1)

9. The Condemned: Once again we see the condemned given a fair degree of freedom for self-expression before his death. He is permitted to speak some final words in front of the collected witnesses, and while there is no true control exerted over the content of these words, the condemned is encouraged to repent, ask for forgiveness, or accept his fate. There are some condemned who take this opportunity to express hatred and contempt for the witnesses and the guards for the part they have played in his execution. While speaking to the gathered witnesses the condemned's face is exposed, but after he has finished speaking he is fitted with a cloth hood, hiding his face from the view of the crowd.

10. Technique: In electrocutions there is a lot of room for error, so the technique is highly regulated and controlled. If the correct method is not used, the condemned may not be killed by the shock or he may suffer horrid marring to his body. The electrocution begins with the condemned being strapped into the chair and having the electrodes fixed to his body, with a

(1) Gillespie, *Inside the Death Chamber* p. 62

sponge soaked in a saline solution inserted in between to aid in conductivity. The current is them applied: a single jolt of 2000+ volts, a short respite, and a second jolt of the same magnitude. In theory the first jolt causes almost instantaneous unconsciousness, but releases large amounts of adrenaline into the system which keeps the heart beating. The short rest allows the adrenaline to dissipate so that the second jolt will cause cardiac arrest.(1) If done correctly electrocution should kill the condemned quickly and painlessly, and leave only small red marks where the electrodes were in contact with the skin. This minimal impact is one of the most important aspects of the electric chair.



The above image shows the condemned Ruth Snyder at the moment of her execution.

The photograph was taken with a hidden camera as the taking of pictures during an execution is highly illegal. The image was found in Gillespie's *Inside the Death Chamber* p. 77

11. Disposal: The disposal of an electrocuted body can be unpleasant. If the body has been overexposed to electricity it can come apart in the hands of the guards while they dispose of it, and even while they remove the straps holding it in place. This removal could be unpleasant even if the execution had proceeded smoothly, and Leuchter recognised this fact. The straps in his newly designed chair are equipped with single button quick release catches to make the removal of the condemned from it a lot easier, rather like those on commercial seatbelts.(2)

(1) see quotation by Fred Leuchter on p. 173 above

(2) Trombley, *The Execution Protocol* p. 37

After being removed from the chair nothing could be done with the body save a proper burial, either by the family of the condemned or the state in which he was executed. There would be no useable organs remaining for transplant. Regardless of the relative success or failure of the execution the disposal would take place away from the eyes of the witnesses, either being performed after the witnesses have left or behind a closed curtain.

12. Announcement: As in hangings the death announcement for an electrocution is highly downplayed. The few reporters present at the execution are permitted to write a short article, but details are severely restricted. At one point, a photograph was taken illegally of the in progress electrocution of Ruth Snyder and was subsequently published, but such acts are greatly discouraged and punishable by law.(1) Such spectacles belong to the old world of execution, and have no place in the new humanitarian execution.

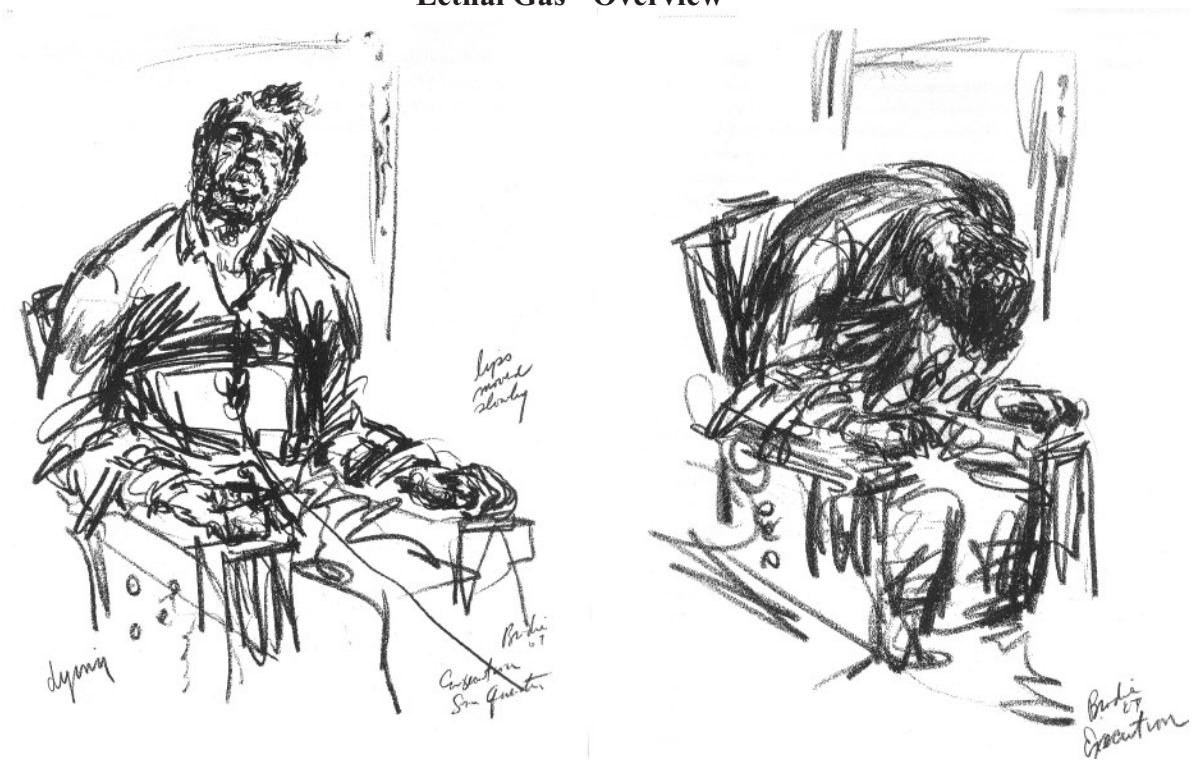
Electrocutions have served an important role in the modern development of capital punishment; through them we can clearly see the desire of the populace to be humane in its treatment of criminals, even onto death. Every aspect of the procedure has been developed to reduce the suffering of the condemned, from their humane treatment in prison right through to the newly designed comfortable chair and a technique which is thought to cause total unconsciousness in fractions of a second. This desire to protect

(1) Gillespie, *Inside the Death Chamber* p. 77

the condemned from his own fate continues in the other forms of modern execution, but this trend of erasure does not end with the victim. Each of the subsequent execution practices have tried to erase both the victim's suffering and lessen the graphic nature of the execution for the sake of the witnesses.

The pellets of cyanide were released by mechanical controls, and dropped into an acid jar beneath the chair. The gas rose, and seemed to hit him immediately. Within the first minute, [he] slumped down. I thought to myself how quickly cyanide really worked. Within 30 seconds he lifted his head upwards again. He raised his entire body, arching, tugging at his straps. Saliva was oozing from his mouth. His eyes open, he turned his head to the right. He gazed through my window. His fingers were tightly gripping his thumbs. His chest was visibly heaving in sickening agony. Then he tilted his head higher, and rolled his eyes upward. Then he slumped forward. Still his heart was beating. It continued for another several minutes.(1)

Lethal Gas - Overview



The images above are sketches done by Howard Brodie in 1967, and show the execution of Aaron Mitchell.

Brodie Writes:

"These two were the key drawings" the condemned man was first upright, then, immediately, went down, then slowly sat up again for several long minutes, then went down for a final time." The image was found in Lesser's *Pictures at an Execution* pp. 152-153

Gassing was first introduced in 1924 in the state of Nevada as another attempt to make the entire process of execution more bearable for the witnesses and officials, and more humane to the condemned. It was thought that the fast acting hydrogen cyanide gas would cause unconsciousness and death very quickly and as a result the degree of spectacle would be reduced, as would the suffering of the condemned. The practice seemed doomed to failure right

(1) Anonymous witness account as quoted on Rotton's *Archive of Disturbing Illustration*

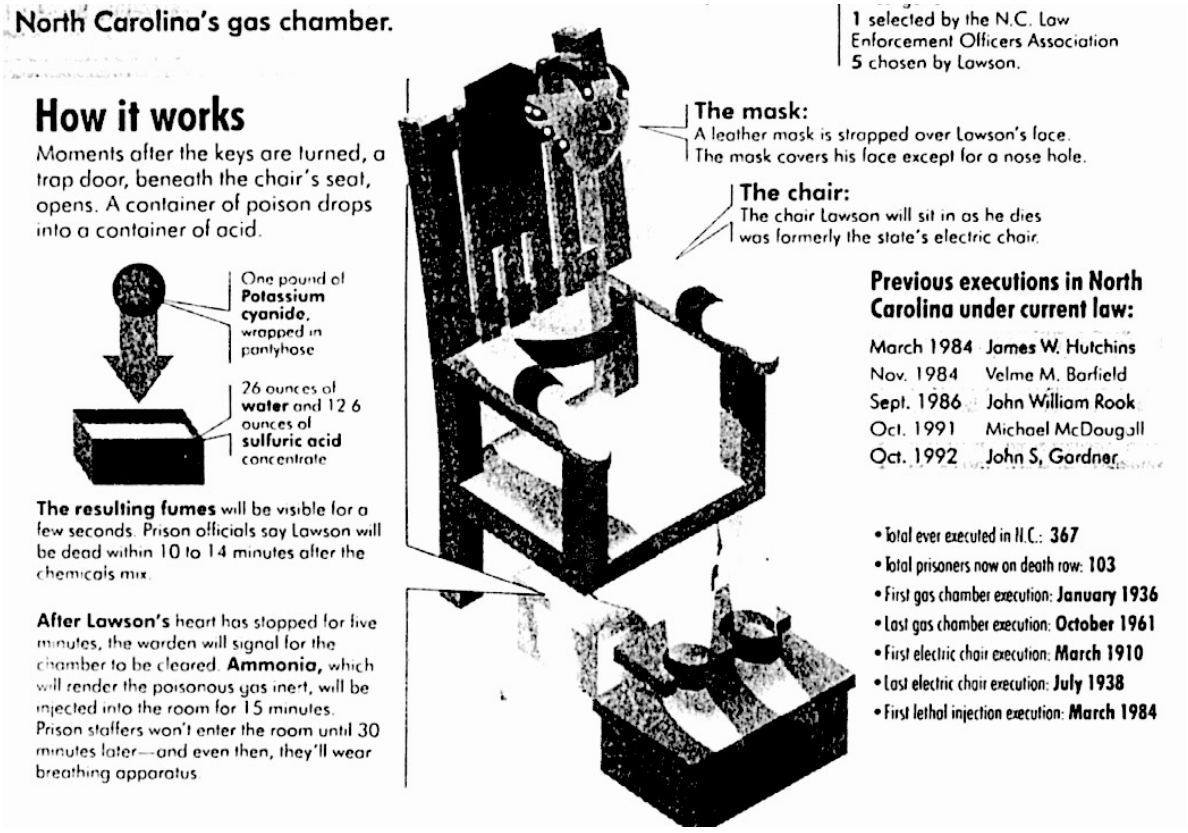
from its first applications, however, and still to this day is not used as frequently as any other form of capital punishment. The first difficulty which arose from lethal gassings was the required complexity and precision of the apparatus. This was not a form of execution which could be fitted into an existing room in a prison. The presence of airborne toxins required the use of a specially constructed airtight chamber inside of which the condemned would be placed. Many such chambers were built for various prisons in the United States, with Leuchter once again involved with some of the construction (his own design for a gas chamber sold for more than $200,000 US[1]), though he felt that gas executions were inhumane and dangerous. It was through this work that he gained notoriety with regards to gas chambers which spurred him on the road to filing *The Leuchter Report*, used by many holocaust deniers in attempts to disprove the killings at Auschwitz.[2] The second difficulty came to light within the first few applications of the lethal gas. Contrary to what was believed, the cyanide gas did not seem to cause unconsciousness and a painless death. Many of the inmates who were gassed went into convulsions, their faces changed colours, their muscles tensed and their hearts beat wildly. The effects looked were quite similar to the reactions of a man who is being asphyxiated, his body struggling to take in oxygen which just isn't there. Fred Leuchter uses the example of Aaron Mitchell, put to death in San Quentin's gas chamber and the subject of Howard Brodie's sketches shown above, to prove his contention that gassings are a barbaric way to put a man to death.

(1) Trombley, *The Execution Protocol* p. 39

(2) ibid p. 86

> Howard Brodie, a journalist who had witnessed three executions, was present when California put Aaron Mitchell to death in its two-seater gas chamber…Brodie told how when "the gas hit him his head immediately fell to his chest. Then his head came up and he looked directly into the window I was standing next to. For nearly seven minutes, he sat up that way, with his chest heaving, saliva bubbling between his lips. He tucked his thumbs into his fist and, finally, his head fell down again"(1)

This visible agony was in direct contradiction to the intended effect of the execution, which strove to be humane and painless. The third difficulty was found in the interactions between the witnesses and what they were being forced to witness. They would come in



The image above provides a lot of detail on the particulars of gas executions, inlcuding the operating principles of the apparatus, a list of convicts out to death by gas and several statistics about the history of gas executions. The image was found in the website archives for the Raleigh *News & Observer* p. 14A

prepared to see an execution, but did not expect instead to see a torture. While this may have seemed appropriate to the family of the victim of the crime, the condemned's family would be forced to watch their blood relation tortured cruelly and killed. The

(1) ibid p. 13

prison officials acting as guards would also have felt a degree of responsibility for the sufferings of the condemned, especially the one who had pressed the activation switch, and could be emotionally scarred by the experience. But there is another way in which lethal gas executions could have interacted negatively with the witnesses. It was always considered possible that the chamber might suddenly spring a leak, and the witnesses could be exposed to the toxic cyanide gas. The entire assembly would have to be evacuated to avoid being poisoned themselves. While in the early 1900's (and up until 1945) most people felt gas was fast-acting and humane, much of the Western world today holds negative associations with toxic gas, outside of the bounds of capital punishment. The words gas chamber hold a stronger connotation in today's mind, recalling the atrocities of World War Two and casting a negative light onto the practice even before the other detrimental facts are brought to light. It is difficult to let go of these associations, and it colours the entire practice. The architecture of gassing is one of a failed invisibility and humanitarianism, and holds in itself negative associations far exceeding the normal stigma of the state sanctioned taking of life.

Lethal Gas - Theatrics and Architecture

The rituals, theatrics and architecture of gassings are constructed around ideas of invisibility and humanity, even though these aspirations are lost in or overwhelmed by the difficulties which have arisen in the practice. The relationship between the witnesses and the condemned, the apparatus and the executioner, sentencing, wait, and final announcement all try to make the practice vanish behind a

veil and disappear from the collective consciousness. The reality is strong enough, however, to leap into clear view in spite of the actions taken to suppress it. There is no hiding that a man is dying in front of the witnesses eyes.

1. Sentencing: Sentencing rituals and court proceedings are identical for lethal gas executions, electrocutions and hangings. The only variation occurs with the specifics of the proscribed sentence. Five of the United States, Arizona, California, Maryland, Missouri and Wyoming, still use the gas chamber as a mode of execution, but each also provides lethal injection as an alternative sentence. A convicted criminal has not been sentenced to die by lethal gas in many long years, the last gas execution being held in 1999 in Arizona. The condemned man was named Walter LaGrand, convicted of the fatal stabbing of Karl Harstock. LaGrand chose the gas chamber as his preferred mode of execution in the hopes that his sentence would be commuted on the grounds of cruel and unusual punishment. It was not, and he was executed.(1)

2. The Wait: As in all other modern forms of execution, the condemned can expect to be held on death row for many years before his sentence is carried out. Tedium and boredom are the rules here, and the inmates at San Quentin have themselves remarked: "Stay for forty-eight hours and you will have experienced death row - the rest is just repetition - multiplied by years…"(2) With no variation in schedule, nothing to break this tedium, the inmates have only to wait, sometimes for many

(1) *The Arizona Republic*, June 22, 2004

(2) Gillespie, *Inside the Death Chamber* p. 36

years, for their date with death. But even if an execution date has been set, there is no certainty that it will actually take place. In many cases the condemned can receive a stay of execution, delaying his fate for a few weeks, months, or even years. Such notifications can arrive on very short notice, and more than one condemned has begun his journey to the death chamber only to have it cut short.

3. Confinement: The condemned will be kept on death row with the other prisoners facing death for their crimes. Closer to the time of the execution, the condemned will be moved into the condemned cell, in which he is isolated from the other inmates completely. This relocation serves a couple of purposes. First it makes the journey to the death chamber easier as the condemned cell is located near to the washing and spiritual facilities which the condemned will use before his death. Second it prevents undue mental stress for the other inmates who are not forced to witness the preparations their fellow prisoner undergoes on his way to meet his fate. It is interesting to note that the condemned cells themselves were intended to be used as the first gas chambers. Indeed, the first attempt at a lethal gas execution was performed in 1924 when the State of Nevada tried to execute one of their inmates by pumping cyanide gas directly into his cell on death row. The gas leaked out between the bars and the execution was not a success.[1]

4. Time of Death: As was mentioned above, a stay of execution or a pardon can come at any time, so an execution would never be

(1) ibid pp. 64-65

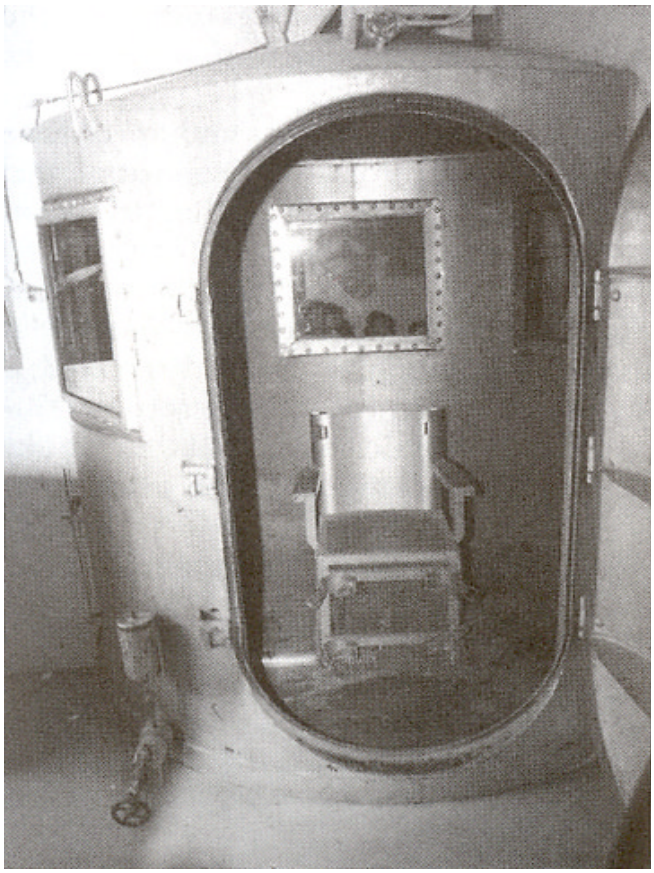
held before midnight. This is the same trend that we see in all modern forms of execution, and is representative of our aversion to putting anyone to death. The penal system gives all of the time it can, just in case news comes that will prevent the killing of a man, regardless of what crimes he committed. In many ways the modern execution is an attempt to wash our hands of causing the death of another, either by preventing the death, making the killer anonymous, or removing all visual evidence from the execution that the condemned has actually died. By waiting until the last possible moment, society can tell itself that everything was done that could have been to prevent the execution, that no one was at fault for not trying hard enough. Lethal gas is able to accomplish all of these facets of invisibility, save making the death itself invisible.

5. The Journey: The death trip follows the same formula for lethal gas executions as it does for the other methods of modern capital punishment, with minor variations. The prisoner moves from the condemned cell to the shower and the chapel (after eating his last meal, of course!) and is then brought into the death chamber. At this point the witnesses are not a part of the process. The condemned is brought into the gas chamber before the witnesses have been gathered, is strapped in and the windows are obscured with heavy blinds. Several tests are run on the chamber while the condemned is in the chair, and extreme care is taken to provide for the safety of the witnesses and staff. After everything is verified as functional and prepared the curtain is withdrawn and the condemned is permitted to give his final address to the

gathered crowd. While the condemned experiences the entirety of this journey, to the outside world it is like it hasn't happened at all. This is one of gassing's most invisible features.

6. The Site: A reporter present at the 1992 execution of Robert Alton Harris, convicted of murdering two teenaged boys, gave the following description of the San Quentin Gas Chamber:

> The viewing area is surprisingly confined, smaller than a two-car garage, with a ceiling twenty feet high. A dank, antiseptic smell is in the air. Shades are drawn over windows. The floor is green linoleum, the concrete walls are brown.
>
> Witnesses enter through an east door and across the room is the octagonal steel death chamber. Its interior is pale apple green and lighting seems to nearly glow in contract to dim lighting in the witness area.
>
> The two steel chairs with their broad black straps are empty for the moment.(1)



The image above shows Wyoming's Gas Chamber, no longer in active use. The image comes from GIllespie's *Inside the Death Chamber* p. 65

The gas chamber itself is an impressive device. It sits inside of a larger room in which the witnesses gather, and has a commanding presence. A relatively small steel room, it can come in many shapes, cylindrical or octagonal, a diving bell or a bottle. The chamber will typically have a single airtight door and one or more airtight windows, and inside of it stands a chair (or two, in the case of San Quentin's chamber) covered in straps to hold the body in place. Access to the gas chamber is typically from the same room in which the witnesses stand, but the condemned would be inside of the

(1) Gillespie, *Inside the Death Chamber* p. 63

chamber before they are allowed inside. The windows are large so that all of the gathered witnesses can watch unobstructed. Viewing the execution through a screen like this adds a further degree of separation between the condemned and the witnesses. While in the past the gathered crowd was a part of the spectacle, they now only watch as if the execution were being broadcast on a television. Watching an execution, as opposed to being a participant in it, removes the reality of the situation from the forefront of the mind, making it easier to bear.

7. Witnesses: While the witnesses to a lethal gassing do have this physical and emotional barrier separating them from the condemned and his execution, the event is still particularly difficult to handle. This is due mainly to the often violent reactions of the condemned to the gas as well as the possible risk it holds for all involved. Witnesses are generally those who already have an emotional connection to the event, be they the family of the condemned, the family of his victim, or the guards who have spent the last several years in his company. Having this existing emotional attachment could result in the torturous appearance of the execution seeming all the worse (or better, for some) than it actually was. The only detached witnesses in the crowd are the reporters, who are by and large prevented from speaking of the true impact of what they witnessed. Generally the official witnesses will stand or sit closer to the chamber, to allow for their unobstructed view. Additional witnesses would stand to the rear, still able to see everything occurring in the chamber, but not as clearly as the others.

8. The Executioner: In the state of Nevada's original attempts at lethal gas executions, great care was taken to hide the executioner both from the condemned and from himself. When it was planned to execute the convicts in their cells, those that were to be used for gassings were fitted with three pipes and three valves. Three guards would open the valves, but only one would contain the gas.(1) Of course, none of these guards ended up being the executioner, as the gas dissipated and the condemned did not die. In the more modern lethal gassings the executioner is still completely invisible. The only activity seen by the witnesses is the pellet of sodium cyanide dropping in to the acid, a cloud of hydrogen cyanide gas, and the often violent and lingering death of the condemned. The man who flicks the switch to release the pellet is not seen by the condemned or the witnesses at any time. He is typically one of the prison guards and may be assigned the task out of chance. He operates the lever from a completely different room than that occupied by the witnesses and prison guards, and is only actually seen by the warden who gives him the signal to begin the process. This invisibility of the executioner is another of the primary characteristics of the modern execution, and another of the ways in which lethal gassings conform to the ongoing trend of withdrawal.

9. The Condemned: Having been strapped into a chair before even being revealed to the witnesses, the condemned is severely restricted in what actions he can take before his sentence is

(1) ibid p. 64

carried out. As in the other modern forms of execution, he is typically allowed to make a final statement to the gathered people. For this purpose the chamber is fitted with a microphone. The witnesses often speak to the condemned as well, in some cases cursing his name, and in others asking him for forgiveness, though the chamber doesn't contain speakers so it is unlikely the condemned would hear any of these statements. Some condemned resolve to give some sign as they are being executed as well. One in particular, Caryl Chessman, who was executed in 1960 for multiple counts of rape and kidnapping resulting in bodily harm, told the assembled reporters that he would nod his head during the execution if he should feel any pain. During the execution he was seen to have nodded his head several times before death finally took hold.(1) It is these interactions, and the obvious sufferings of the condemned, which subvert the ideals of humanity lethal gassing was meant to uphold.

10. Technique: Lethal gassings were carried out in a very simple manner. After being brought into the gas chamber and strapped into the chair, the room would be sealed and the curtain removed, at which point the condemned would be allowed to make his final speech. At a signal from the warden the executioner would flick a switch causing a small trapdoor to open on the bottom of the chair in which the condemned was bound. From this compartment a small crystal of sodium cyanide would fall into a pail containing sulphuric acid. The crystals and the acid would undergo a chemical reaction resulting in the production

(1) Michigan State University Death Penalty Information Centre, *Death Penalty Curriculum for High School*

of hydrogen cyanide gas, which would rise and slowly fill the room.[1] The reaction of the body to the cyanide was almost instantaneous, but it didn't cause the unconsciousness that was desired. Before the execution the condemned was encouraged to breathe deeply to speed the process, but most tried to hold their breath instead and ended up suffering a great deal. After the patient had been declared dead by a physician (who monitored his heart via a stethoscope taped to the condemned's chest) the exhaust vents were activated to remove the lethal gas from the chamber. The witnesses would leave at this point, and thus would not see the disposal of the body.

11. Disposal: The room could not be entered immediately after the execution, though the room had been vented. After several minutes and tests to ensure that the chamber was safe, technicians wearing protective gear would enter and spray the body with ammonia to remove many of the traces of lingering cyanide. They were advised to ruffle the condemned's hair before removing his body, to release any last traces of cyanide gas.[2] If these procedures were not followed, there would be a risk of major health complications, as evidenced by the following article printed in a Phoenix, Arizona newspaper:

> "DEATH KISS" AT EXECUTION PERILS MATE
>
> Kisses pressed to the lips of her dead husband were blamed Friday night for the serious illness of Mrs. Frank Rascon, wife of the Mexican cowboy executed for murder early this morning.
>
> Frantic with grief, the woman threw herself upon her husband's body after the gas chamber was cleared of gas. Her kisses apparently contaminated her mouth with the deadly cyanide, which had killed Rascon, the sheriff's office said.
>
> A physician hurried Rascon home to administer aid.[3]

(1) Trombley, *The Execution Protocol* p. 13

(2) Michigan State, *Death Penalty Curriculum*

(3) *The Salt Lake City Tribune*, July 11, 1936, p. 1

It was very important for a proper decontamination to take place, to avoid any such mishaps. After being cleaned the body could be returned to the family for a proper burial, but it was far more likely that it would be burned to avoid any accidental release of toxic gas. No one outside of the prison would see anything of the disposal process, it was entirely invisible. All an outsider would see is the condemned strapped to a chair, the gas rising around him, and his death, though this could be a graphic enough sight to remain with a witness for many years afterwards.

12. Announcement: As in the other modern modes of capital punishment, a death announcement would be made by the warden immediately following the execution and the reporters who had been present would prepare stories for their respective newspapers. None of these announcements would contain too much detail, and those who wrote more than they should could be punished.

The ideals of lethal gas as a mode of execution were in keeping with the trends of the modern capital punishment industry, but the reality of the event moved this practice more into the realm of what Leuchter labelled capital torture. It was thought that cyanide gas was a safe and painless way to induce death, but these thoughts have been disproved many times since the establishment of the technique. It is for this reason that the gas chamber has fallen out of common usage, and even those States which still provide it as an option have alternatives as well. The search for a humane and invisible execution did not stop here, however, but found new expression in what seems to be the ultimate form of modern capital punishment.

Typically the actual injections will take from three to five minutes to complete. All the chemicals used in America are standard medical drugs. Sodium thiopental is a short acting barbiturate which is used widely as an anaesthetic and causes unconsciousness very quickly if injected into a vein. Pavulon is a muscle relaxant that paralyses the diaphragm and thus arrests breathing whilst Potassium chloride finishes the job by causing cardiac arrest. It is used in cardiac surgery to stop the heart.(1)

Lethal Injection - Overview

The final mode of execution which I will present here represents the perfection of an invisible architecture of execution, one that not only withdraws from the public eye, but also takes all of the spectacle out of the death itself. Lethal injection was officially adopted as a means of capital punishment in 1977 in the state of Oklahoma. Today 37 of the 38 states which perform executions use it as their primary method.(2) Through the use of easily obtained chemicals the condemned is placed into a coma and then killed through the systemic shutting down of his internal organs. This process requires some technical skill as the chemicals must be introduced directly into the veins. The act of inserting a needle directly into a vein is difficult enough, but the chemicals must be introduced at a specific rate or the syringes will clog and the execution will not go smoothly. The ideal solution would be to



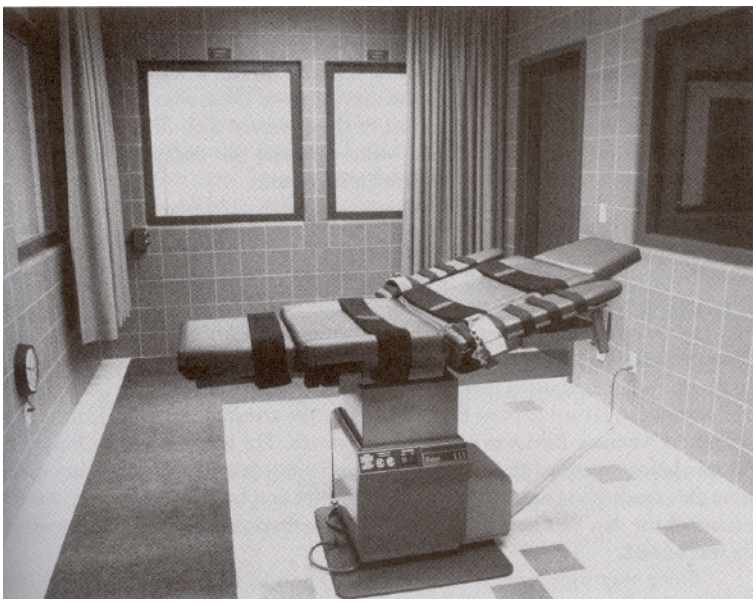
The image above shows a typical lethal injection chamber. The 'executioner' would be positioned behind an opaque window hiding him from view and the witnesses would watch from the other side of the one-way glass.

The image comes from the website of the Arizona State Department of Corrections at www.azcorrections.gov

(1) Clark, "Lethal Injection" from *Capital Punishment Worldwide*

(2) Michigan State, *Death Penalty Curriculum*

have a doctor place the IVs and administer the chemicals, but the Hippocratic Oath and general medical ethics prevent doctors from participating in executions outside of declaring death. As such the procedure was originally performed by prison officials with little or no experience, and thus was not always successful. The technology needed to be updated, so the penal system once again looked to Fred Leuchter. With his experience building electric chairs and gas chambers as his credentials, he was called in to design an automated system for administering the lethal drugs. He did so, creating a system which uses gravity driven plungers which ensure the chemicals are introduced at the rate at which the body will readily accept them.(1) With his new system the only difficulty in the process was in the insertion of the IV needle. After this point the entire process becomes automated, requiring no intervention from the officials. Because of this machine, nearly all of the technical and ethical problems of lethal injection vanished. There were still some complications, however. In some cases it could be very difficult to find a vein, and during the execution of Raymond Landry in 1988 the IV came free and sprayed the toxic chemicals around the room. In others some felons (Stephen McCoy executed in 1989, Robyn Lee Clark executed in 1992 and Scott Carpenter executed in 1997 to name a few) have



The image above shows the new lethal injection chamber at Terra Haute, and is the room in which Timothy McVeigh was executed.

We can see in this image the gurney, the window into the witness chamber, and the curtains used to block the condemned from view before and after the execution. The image was found in Gillespie's *Inside the Death Chamber* p. 97

(1) Trombley, *The Execution Protocol* p. 73

had violent allergic reactions to the chemicals.[1] In spite of these difficulties, the process was almost perfect and was accepted almost universally as the preferred method for taking a life. The witnesses see nothing of the process, and indeed can barely tell that a person is dying in front of their eyes. The condemned lies in the room and his life ends without him making a move; serenely, anonymously, invisibly. The architecture of lethal injections is truly one of invisibility, and represents the ultimate end to a process of withdrawal and denial.

Lethal Injections - Theatrics and Architecture

The rituals, theatrics and architecture of lethal injections all occur behind closed doors away from the eyes and ears of the public. This makes lethal injection the most withdrawn of all methods of capital punishment, taking the highest aspirations of the modern execution - the objectification of the condemned, his removal from the public consciousness, and the ultimate erasure of the spectacle of death - and honing them to a degree unheard of in all other methods, modern and historic.

1. Sentencing: As in all other forms of modern capital punishment the sentencing occurs within the framework of the modern judicial system. The verdict is passed and the accused is condemned to death in front of his peers who stand as representatives of all of society. It is a problem for the modern humanitarian society, the same society that demands a painless execution, to sentence a man to death in the first place. For the

(1) Parkinson, *Botched Executions in the USA*

sentence to be accepted it is necessary for the court to cast the accused in a certain light: “They wanna see you as a monster… It’s easy to kill a monster. It’s hard to kill a human being.”(1) In order to ensure public support for the execution, the condemned must be made less than human in the eyes of the populace. When the sentence is declared, the people must feel that a horrible inhuman beast is being removed from society for the benefit of all, if they empathise with the condemned as a man, they are more likely to object to the taking of his life. Interestingly enough, even the monster who has been condemned to death is deserving of an humane execution in the eyes of the people; no matter what horrors he perpetrated in life, he deserves to die peacefully and painlessly on a bed, with a needle in his arm.

2. The Wait: While the function of sentencing procedures was to dehumanize the condemned, one of the functions of the wait is to remove him from the thoughts of the people. It is likely that a person sentenced to death will remain on death row for several years before the execution takes place. When L. Kay Gillespie spent his short time as a visitor on Death Row, there were four inmates currently incarcerated in the same block. In his book *Inside the Death Chamber* he writes on what has become of those condemned in the intervening years, showing his readers just how long a wait might be:

> These four men had been in here ranging from one to almost ten years. Eventually, one would die of old age, two by lethal injection, and one is still alive and appealing, after nineteen years - each of them spending from five to nineteen or more years living on the “row.”(2)

(1) *Dead Man Walking*

(2) Gillespie, *Inside the Death Chamber* p. 35

Not everyone on the row dies via an execution, sometimes it is the wait that does it. Time can cause all things to fade, and while the publicity of the condemned may be very high for a time after the sentencing, his crimes and fate at the forefront of many minds, these too will diminish over the years. After a while the stories in the newspapers will stop, and people will no longer talk of the issue during their day-to-day lives. When the execution date finally comes, many people have forgotten that a man is going to die. Only those few activists either in support of or fighting against the sentence will appear at the prison at the time of execution, but they will see nothing.

3. Confinement: The condemned is kept away from almost all external contact during his confinement, both with the outside world and with the other prisoners. This isolation also serves the purpose of making the condemned vanish, removing him from the thoughts of the people. On death row he is only confronted with other condemned men, those who are close to him (family and friends) and those who will play a part in his execution (guards and priests). As all of these people will have a hand in his fate, or are facing the same fate themselves, it is not possible to remove the condemned from their minds as well. As the execution draws closer the condemned is isolated further and further from his surroundings, withdrawing into the veil pulled over the practice. He is relocated into the Death Cell, and here is kept under constant supervision. There are two main reasons for this, the first being the mental state of the other death row prisoners. When taken to the death chamber from a separate

cell, his journey is hidden from the other condemned and weighs less heavily on their minds. The second reason is to ensure that the condemned doesn't harm himself in any way, or otherwise 'cheat the hangman' by taking his own life before the scheduled execution.(1) He vanishes completely from everyone save those who will participate in the execution and appears again on the table, ready to die.

4. Time of Death: With the length of wait the condemned vanished from the minds of the people, but to further reinforce this withdrawal the execution itself is performed in the depths of night, at a time when the majority of people would be asleep. While logically this timing allows for the possibility that a last minute stay of execution will save the condemned's life, this would still be possible regardless of what time the execution was scheduled for, so long as the authorities had a clear understanding of when the execution was to take place. No, it seems that this time of death serves a primary function to carry out the sentence at a time when there will be less possibility of a large-scale demonstration, either by those in support of the death of a monster, or those against the killing of a human being.

5. The Journey: The modern passage to the death chamber has removed all associations with the grand spectacles of the past; it holds only a metaphorical connection through its designation as 'the last mile.' While the journey used to take place along public streets and the condemned was accompanied by legions of guards, soldiers and officials, it now takes place in bare unadorned

(1) ibid p. 44

corridors in the bowels of prisons, with the condemned led along by a select few prison employees. And while in the past the condemned was allowed to mount the platform in high style, he is now fitted into the machine of death away from all prying eyes and is only revealed after he has been strapped down and the needles inserted. There is no longer any spectacle in the walk, and can be a very solemn and trying experience for the condemned. The stress associated with this final walk can induce the condemned to make light of the situation, or find humour in some aspect of it. Three times Gillespie walked the last mile with an inmate, and on the last trip the condemned was able to make light of the situation, and relieve his anxiety through humour:

> The last time [I walked the ritualistic procession] was with an inmate who requested to be allowed to walk barefoot in the grass and look up at the stars. As we started across the grass he began to laugh. When someone asked him why he was laughing he said, "I was just thinking how cool it would be if the automatic sprinklers came on and got all of you guys wet."(1)

6. The Site: The site for lethal injections are found deep inside the precincts of prisons. The death chamber is an anonymous, vaguely medical-looking room with a machine to administer the lethal drugs, a window to the witness chamber, and a one-way glass to the room containing the console that activates the machine. Inside the death chamber is a single artefact, the gurney on which the condemned is to be lain. There is no access between the witness chamber and the death chamber, and the two are separated by a thick curtain until the condemned is prepared for the execution. He enters the death chamber

(1) ibid p. 44

from a hallway and door invisible to the witnesses. The site is constructed specifically to make the condemned vanish, to make the only contact he has with the witnesses occur through the glass as he lies strapped to the gurney. The site turns the condemned into a mere object on a table, not a man.

7. Witnesses: Not only are the witnesses limited in number, but their interaction with the condemned and the execution has been reduced to the minimum. The specifics of the people who are present is not what is important in lethal injection, as the members of the crowd are common to all modern executions. What is important about lethal injection is what the witnesses actually see. On rare occasions an execution may not proceed as invisibly as desired. During the execution of Raymond Landry the IV needle came loose from his arm, spraying the deadly chemicals around the room and against the glass through which the witnesses were looking. The curtain was closed again and the needle reinserted, at which point the execution continued as normal.(1) Second, Timothy McVeigh was, through an extreme application of will, able to keep his eyes open and his head turned towards the camera during his execution. This simple act forced the witnesses to look into the eyes of a dying man, and see the life leaving them. Some say his eyes seemed to speak.

> As he took his final breaths, he made no additional movement and was described by one media witness as "seeming proud." Other witnesses said McVeigh lifted his head and looked at them and then looked at the ceiling. He died with his eyes open at 7:14 a.m. "He actually lifted his head and looked directly in the camera, and it was as if he was looking directly at us," said Larry Whicher, who lost his brother. "His eyes were unblinking. They appeared to be coal black.

(1) Parkinson, *Botched Executions in the USA*

I truly believe that his eyes were telling me ... that if he could, he would do it all over again."(1)

In spite of these rare occurrences lethal injection typically presents a completely anonymous face to the witness, and the condemned makes no move as he is being killed. It remains invisible and anonymous, as desired.

8. The Executioner: In modern lethal injection executions the executioner is not only hidden from the witnesses, but is hidden even from himself. With the trend of withdrawal it is not surprising to hear that the console to operate the lethal injection machine, or the syringes used for manual injection, are located behind a sheet of one-way glass, hiding the executioner from view. What is interesting to note is that in both manual injections and automatic injections steps are taken to make the identity of the executioner ambiguous even to himself. In manual injections there are two sets of syringes inserted into two different veins. One set contains the deadly chemicals while the other contains only a harmless saline solution. The two men chosen to inject the chemicals are not told which set is deadly or benign. Leuchter's automated injection machine performs the same function, but on an automatic level. The procedure to



The image above shows the console for Fred Leuchter's lethal injection machine, located in a room hidden from yet adjacent to the death chamber. The image was found in Trombley's *The Execution Protocol p. 151*

(1) Fitzpatrick, *Timothy McVeigh*

activate the machine is remarkably simple, described by Leuchter as follows:

> When it is time for the execution to commence, each of the executioners presses a button. A computer in the machine chooses which executioner has activated the sequence, and the choice is then automatically erased from memory.(1)

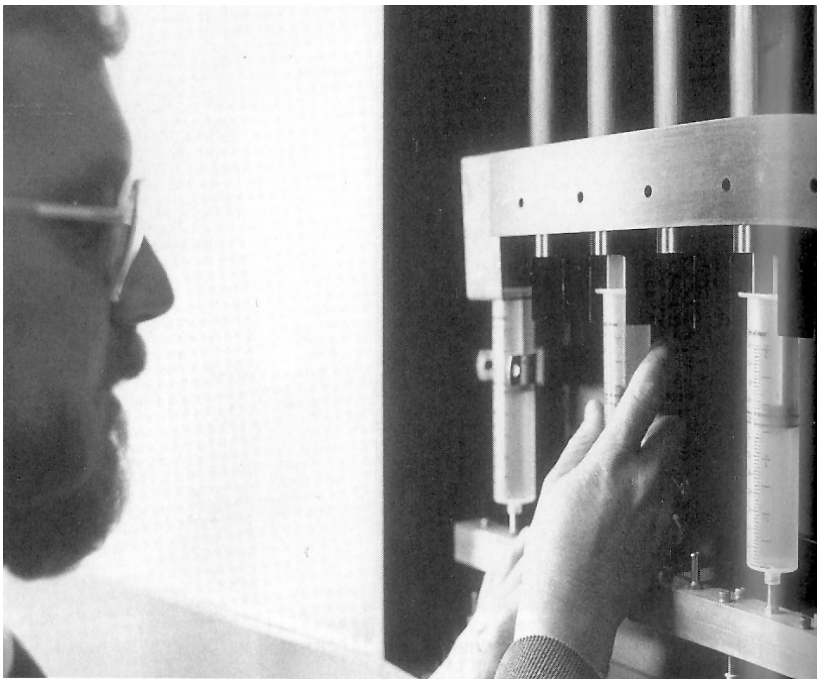
With this machine it isn't even possible to find out who the executioner was by checking the computer. He has vanished completely, and no one is accountable. This same trend was also shown above in both hanging and gassing executions, with multiple ropes to open the trapdoor and multiple valves to release the deadly vapour. In all cases the witnesses don't know who the executioner is, the condemned doesn't know who the executioner is, and not even the executioner knows who the executioner is.

9. The Condemned: The condemned must be allowed his last words, but in lethal injections this experience is downplayed a great deal. When the condemned is finally revealed to the witnesses he is already fully prepared for the execution, strapped to the gurney, covered in heart monitors, needle in his arm. He speaks through a microphone across a pane of glass, and is thus already removed from the gathered crowd by a barrier, a screen. In some cases, several of the witnesses are positioned behind one-way glass, so the condemned can't even see who will be watching him die. His last words can still condemn, ask for forgiveness, plead or assert his innocence, but the level of detachment set up between him and those his words are trying to reach decreases their effect. In some extreme cases, like that

(1) Trombley, *The Execution Protocol* p. 79

of Tim McVeigh, the condemned finds other ways to forcefully bring the witnesses into the execution, and make them realise what they are witnessing, but this is rare.

10. Technique: In lethal injection a procedure has been created which brings about an unremarkable death. The chemicals used and the sequence in which they are administered gives the impression that the condemned has gone to sleep, he shows no reactions at all. After he has been strapped to the table and has said his last words the process is begun. The condemned is first injected with a saline solution to ensure that the needle is free of clogs and is clean. Next he is injected with the Sodium Thiopental which is intended to cause almost instantaneous unconsciousness. After that the line is once again flushed with a saline solution to clean it out and prevent any interaction between the lethal chemicals. This is followed by the injection of the Pancuronium Bromide (or Pavulon) which acts as a paralysing agent and stops the condemned's breathing. After yet another flush of saline solution the final injection of Potassium Chloride is administered which causes cardiac arrest and the death of the condemned.[1] The effects of the first two



The image above shows Gary Sutterfield, who in charge of maintenence on the lethal injection machine at Potoisi Correctional Center, loading the lethal chemicals into the delivery module of the Leuchter injection machine. The image was found in Trombley's *The Execution Protocol* p. 151

(1) ibid p. 79

drugs put the condemned into a state of apparent deep sleep so that the effects of the third drug, and his death, are not seen at all. This gives the appearance of a humane and painless death. Some doctors have, however, expressed concern that the initial anaesthetic merely prevents the condemned from showing that he is in pain, and death row inmates remark amongst themselves that "You are awake and aware. You feel everything - you just can't show anything!!!!"[1] And it's true, you can't show anything. All that the witnesses will see is a person lying immobile on a table, and all they will hear is the announcement of his death; they won't see any evidence of suffering, of death.

11. Disposal: After an execution the curtain is closed and the witnesses asked to leave before the body is retrieved. Away from all public eyes the condemned is removed from the gurney and taken from the death chamber. After such an execution the body is filled with too many chemicals for its organs to be viable for transplants, so the condemned will likely be buried shortly after his death. He can be either handed over to his family for a proper burial or put to rest in the graveyard used by the prison if no other arrangements had been made. In some cases, in a practice becoming more and more common nowadays, the condemned's body is cremated and the ashes are buried in a common grave.[2] He is not put on display as he would have been in the past, but is allowed to keep the anonymity he was given during the years leading up to his execution and during the execution itself.

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(1) Gillespie, *Inside the Death Chamber* p. 66

(2) ibid p. 70

12. Announcement: The procedure for announcing a death by lethal injection is identical to that of all other modes of modern capital punishment, and as such is minimal and understated. The warden will make a statement and a notice will be published in the newspaper stating the name of the condemned and the date and time of death. No other notification would be made unless the condemned had been able to maintain an amount of notoriety during his long confinement, and had attracted a lot of interest in his execution.

In a society concerned for the humanity of execution practice, lethal injection represents the ultimate ideal of capital punishment possible with our current technological knowledge.. The condemned is cast in the role of a monster, is sentenced, and then vanishes completely from the public realm. He re-surfaces several years later, but now only as an object strapped to a table. As a further withdrawal, this object doesn't even appear to die as he is executed, and merely falls asleep. With this withdrawal, capital punishment has finally reached the ultimate degree of invisibility. It is no longer a part of everyday life, at least not officially.

Chapter Ten

Lessons from the Present: The New Trend of Secrecy and Denial

The third chapter of this work showed how secular and religious authorities used trends of exhibition, festival and symbolism to firmly entrench the architecture of historic execution into the collective memory of the populace. These trends were supported by the spatial and ritual relationships set up between the executioner, the condemned and the public. In looking at modern executions, however, we can see how these same relationships can be deftly modified to create an entirely different set of trends defining the practice, trends which cause capital punishment to vanish, to remove itself from the consciousness of the people.

Withdrawal. Contrary to the grand exhibitions of the past, the modern execution is a withdrawn, isolated affair. It occurs in secret, in the depths of night closed in the precincts of a prison. The modern execution no longer attempts to deter through example, attempting to force the witness to put himself in the place of the condemned. The number and identity of the witnesses themselves are tightly controlled, limited to those who were affected directly by the crime and those few reporters who can be trusted to report with all of the required tact. While the act of execution has withdrawn to this high degree, the rituals which historically came before and after the event have vanished entirely from public eyes. The condemned still performs his final ritual walk to the execution site, and his body is still disposed of after the sentence had been carried out, but both of these practices are completely withdrawn from the people. It is easy to forget that an execution has taken place.

Anonymity. The historic execution was very good at presenting a concrete icon to the people, symbolic of the punishment that was being performed. Fire, the wheel, the cross, the axe, and the noose, each resided as a symbol in the minds of the people. The modern execution has tried, in some cases unsuccessfully, to erase these icons held strongly in the minds of the people. Modern hangings no longer use the scaffold or the noose (the coiled hangman's knot has been replaced with a metal eyelet), both of which form the core of how we as a people think on hangings. The electric chair has a strong iconic power, but it is held far away from the eyes of the common man. Many individuals' only experiences with it come from representations in film, art and literature. The gas chamber was a powerful icon in itself, but was once again seen by few. The practice itself was abandoned for its inability to conform to the trends of the new executions anyway. Lethal injection is the ultimate expression of the erasure of execution icons. In an injection there is no object that kills the condemned, no machine to hold an image of. There is only an anonymous hospital-like room with a man lying on a gurney.

Refusal. This trend takes form in two ways, first the denial of the condemned's humanity and second the denial of death itself. The modern execution attempts to reduce the condemned to something less than human: either a monster, deserving of death, or an object, not truly in possession of life. The man to be executed is often referred to as the 'parcel' or by a number rather than by his name, and is even objectified during the execution himself, fixed to the machine and unable to move even before the witnesses are allowed to see

him. In an execution it is not a man being killed, but an object being disposed of. In spite of this, the death itself is denied and made invisible to an extreme degree. The refinement of the modern execution over the years has led to one method after another which reduce and erase all evidence that the condemned is dying! Hangings are fast, efficient and hopefully bloodless, and electrocutions are intended to be instantaneous and if done properly leave no marks on the body. Lethal injection is the prefect death-denying execution as the condemned makes no moves or signs to indicate what is happening to him: he appears only to go to sleep. The announcement of death, as well, denies the truth of the matter. Instead of saying "the condemned was killed at 12:06am" they say "justice was done."

These trends have the opposite affect of those present in the historic execution. Far from securing a place for capital punishment in our collective memory, the modern execution withdraws from us and attempts to become invisible. A strong historic association with execution ritual and space no longer finds an outlet in a state-sanctioned practice. The question is, then, will this collective memory find another expression?

Chapter Eleven

The Persistence of Memory: On our Modern Alternatives to Execution

Executions in history have served a clear and defined purpose: to exist as a major part of the collective consciousness of society, acting both as a deterrent to violent crime and as a safe and controlled outlet for those tendencies in man which create his destructive urges. The trend of modern executions, on the other hand, has been to remove the entire spectacle of capital punishment from the eyes of the people, in what seems like an attempt to pretend that it doesn't exist at all. Two possible results of this trend seem to appear when the issue is looked at from this standpoint; with executions removed from public experience it is likely that they will lose much of their deterring effect, and without a safe outlet to enact cultural taboos the people will tend to find other ways to express these urges and violent tendencies.

Perhaps the most sinister of these possible outlets is an increase in physical and emotional violence towards other people or living creatures. While we can examine the world we live in and see a place filled with gun deaths, beatings, and rapes, a world where more and more violent sexual fetishes and death-defying extreme sports are becoming exposed to view, there is little to no concrete evidence which can be used to connect these things to the withdrawal of the spectacle of capital punishment. It can be put forth that these phenomena arose partly as a result of the loss of this powerful and legal framework in which to express and experience violence, but it would be difficult - if not impossible - to prove. And in any case, few of these outlets contain within themselves a sense of architectonic

space and ritual. While they may represent an alternative outlet for violent urges, they can not be seen as a new focus for society's collective memory on the architecture of execution, a way for us to express those spatial and experiential elements which have been ingrained into our cultural consciousness. If the architecture of execution is, as has been suggested, an integral part of how we understand and create our surroundings, where can we find the evidence of this today? The answer is, of course, in the media. The works being distributed during the modern era in print, in television, and in film are littered with direct and shadowed references to both our understanding of historic executions and our understanding of the modern capital punishment industry. What we see in these mediums are interpretations being made by the directors and set designers, to portray what are - to them - the essential elements of an execution and the appearance of its technologies. In the popular movie *Quills* it is interesting to see how the focus has been taken away from the form of the guillotine itself and instead turned to the last thing a condemned would see: the basket below filled with the heads of previous victims. Many movies show us these interpretations, and many are quite remarkably graphic.

In *The Passion of the Christ*, a very recent film on The Crucifixion, we see the story of Jesus brought to life with a disturbing reality and sensationalism unheard of in the stories as read out of the Bible. While we read about Christ being whipped with a cat-o-nine-tails, we see a mass of knotted, barbed ropes tearing into his back and ripping out flesh. We read about him falling to the ground, but we see a dusty, rocky, uneven road covered in sand and filth, filling the

wounds all over his body. We read a majestic story of the cross raised into position, but we see the rough wood dropped into a hole with a jerking thud, jarring his body and without a doubt causing severe pain to Christ's hands and feet. The story is well known, but through watching it in film we are forced to understand it in the way the director wants us to. The story becomes more intimate, more visceral, and much more horrifying. But why is it accepted? In a society which has apparently rejected capital punishment and forced the practice into exile, you would think that our concern with humanitarianism would cause us to recoil at such horrible scenes. But we don't, we keep watching it, again and again. And this isn't an isolated phenomenon, occurring in a select few films or shows. No, in fact we see these horribly immediate depictions of historic executions in many other films as well, including the burning of Joan of Arc in *The Messenger* and the aforementioned guillotine executions in *Quills*. In an anti-Semitic German film called *Jud Süß* a wonderfully imaginative piece of execution technology is used to hang Suess Oppenheimer at the end of the film "higher than anyone has been hung before." Taking a form reminiscent of a gigantic boom crane, it lifted the condemned some thirty to forty feet in the air before dropping the bottom out of his cage and hanging him by the neck. This technological marvel has little basis in history,



The opening scene to the movie *Quills,* in which we see an execution by guillotine taking place in the square.

The scene places heavy focus on the sight of the basket of heads, the last image that would be seen by one condemned to this fate.

This screen capture was taken by the author.

but was designed based in part on the description in a book used as inspiration for the film.

> The gallows on which Süß was to be hanged had been constructed a hundred and forty years previously…it was altogether unusual, very different from the ordinary wooden gallows. It towered up for five and thirty feet. It was made entirely of iron…
>
> [Herr von Pflug] would not have him hanged simply on the gallows, no, he would hang him in a bird-cage, as a vulgar pun of Süß's dissolute nightly activities.
>
> The Jew had jeered, saying that they could not hang him higher than the gallows. They would show him what they could do. They would simply hoist the iron bird-cage high up over the gallows.(1)

In *Jud Süß* we see a re-interpretation of a commonly known mode of execution. Many of these representations appear in films and are not only limited to the historic forms of capital punishment, practices far in our past with details well documented, but never truly seen by a modern person. No, they expand to modern executions as well, to those which occur in secret, away from our eyes.

Hangings, electrocutions, gassings, lethal injection; all have found expression, in one way or another, in the films of the modern age. The acclaimed film *The Green Mile* presents electrocution to us in both a very romantic and a very grotesque and visceral way. This interesting duality is used in part as a device to parallel the story of John Coffey with that of Jesus Christ, in which the crucifixion was depicted both as a horrible event but also as the moment of the salvation of mankind. This religious overtone follows into the architectonic representation of the execution chamber, which is presented almost as a shrine. The rows of witnesses are aligned almost in pews, all facing towards the chair itself holding the place of the altar. This film shows us both the aspirations of a death by

(1) Feuchtwanger, *Jew Süß* pp. 412-413

electrocution and the problems which can occur if the execution is not carried out correctly. In one particularly horrifying and lengthy scene the viewer is shown what the results could be if the current was not passed through a sufficiently dampened sponge. Because the conductivity would be compromised, the body became horribly and unrecognisably burned, bursting into flames at one point. While the expression of this may have been taken to an extreme with a severity of consequence not likely to appear in a proper execution, the effect can not be denied. And while some of the rituals and procedures are not shown in absolute faithfulness to recorded facts (as in the application of a single long shock rather than two shorter shocks) the accuracy of the experience is commendable.



The image above is a screen capture from the movie "The Green Mile" based off of a Stephen King book by the same name.

The scene depicts an execution by electric chair which goes terribly wrong when the head sponge is not properly moistened prior to the current being activated.

This screen capture was taken by the author.

Lethal injection received its moment in the spotlight in the film *Dead Man Walking*, which depicted the time leading up to and including the execution of a man charged with rape and murder. The film itself remains remarkably accurate with respect to the procedures of capital punishment, but as it is based off a book written as an eyewitness account, this is not surprising. The machinations of the criminal justice system are brought into amazing clarity as the man, his lawyer, and his spiritual advisor try in vain to present the condemned as a human being, not as the monster he has been

portrayed as. According to the lawyer, “it is easy to kill a monster, it’s hard to kill a human being.” It would seem that the film is firmly anti-capital punishment, but it doesn’t only show us the man, it shows us the monster as well. We see both the pain of the condemned and his family leading up to the execution, and we see the suffering of the families of the victims, robbed of their loved ones. The film doesn’t pass judgement on the man, nor does it judge the capital punishment system. We can clearly see that to the spiritual advisor, the execution is wrong, but we can also see that to the families it represents their only chance to receive closure. The procedure itself is shown with fair accuracy, with a few flaws. The spatial arrangement between the condemned and the witnesses is in keeping with reality, as are the mode of his appearance before them (already on the gurney with the IV inserted) and his last words. The procedure itself is not shown with complete fidelity; the console used to activate the injection machine is shown inside of the same room instead of behind an opaque glass, and the machine injects only three vials into the condemned’s arm, when there would have realistically been five (Sodium Thiopental, saline, Pancuronium Bromide, saline, and Potassium Chloride). While the condemned does succumb to the anaesthetic as he should, he is shown to open his eyes suddenly at the moment of death. This would not be possible due to the effects of the anaesthetics, and was likely included for dramatic effect only. Based on a real testimony, this film allows the viewer to enter into a world which would be otherwise inaccessible, showing us a strangely uncoloured and unbiased view of the face of modern capital punishment.

There is another side to this exploration, however. Not all executions are presented with such a serious, graphic and morbid light. In fact we can find many cases where the apparatus' and rituals of execution and torture are twisted into bizarre and humorous moments. In the classic Mel Brooks film *History of the World: Part 1* we see an hilarious representation of the Spanish Inquisition, a time of intense horror and fear for those who lived it. Brooks casts himself as Torquemada (don't bother asking for mercy, you can't 'talk-him-outta' anything) and leads a long song-and-dance spectacular in the dark forbidding dungeon, complete with synchronised swimming nuns in bathing suits. In another of his spoof movies, *Blazing Saddles*, special attention is given to the character of the hangman. A hunchbacked, one-eyed, lisping creature the only things funnier than his character are the hangings he performs. Of these, the most notable is the hanging of a man and his horse, at the same time. Even in the immortal works of Disney, whose films have typically used death as an emotional catalyst for the hero or heroine, we can find the trappings of executions used as a humour device. In the animated *Robin Hood* movie the Sheriff of Nottingham finds himself in some difficulty when one of his assistants pulls the lever on the gallows causing the Sheriff to fall and become stuck in the trapdoor. These trends aren't just isolated to film, either, but find expression in some



The image above is a screen capture from the movie *Blazing Saddles*, an old-west spoof film by Mel Brooks.

The scene depicts a hanging execution in which a condemned man is being put to death, along with his horse!

of the most popular programs on television today. North America's perennial favourite *The Simpsons* has used execution, most notably the electric chair, in many of its shows as a humour device. In one scene we can see the Mayor of the city strapped into an 'inactive' chair to celebrate the re-opening of the local prison. When the chair is turned on, he does a very convincing job of 'acting' as if he is being electrocuted, with one of the police officers even asking in amazement how the mayor was able to get the smoke to come off his head. In another show we see the new environmentally sensitive solar-powered electric chair, in which the condemned sits and asks the warden how long the execution is going to take (while being electrocuted). Still another features a stereotypical criminal facing execution on the new reality show "World's Deadliest Executions," and has him utter one final 'dude' as he dies on the chair.



Even the Simpsons isn't free from execution imagery. The above image shows North America's favourite T.V. dad in a seemingly gross abuse of the last meal, to the point of holding up his own execution!

The hidden taboo, the taking of a life, finds an expression in so many forms it would be unreasonable to say that it doesn't occupy at least some part of society's collective consciousness. What we find in film and television are the images and rituals of capital punishment as interpreted by others, but there is a medium which invites us to create

these images for ourselves, from bare description: Literature.

In the written word we can find a perfect medium for the self-expression of the architecture of execution. In film and television the impression we hold of the form and feel of an execution is that which is presented to us. In literature we only have words; evocative words, to tell the truth, and ones which invite us into a world of imagination. While we read images form inside of our minds, images that express form, and mood, giving substance and spatiality to the collection of letters on the page. In the following chapter three pieces will be explored in terms of their architecture of execution, and will be interpreted in a series of exploratory sketches, similar to those produced out of imagination for the Kingston Hanging Tower. The pieces will be examined in an order relating to their complexity, ease of understanding, and the degree of interpretation and abstraction necessary to represent them. The first will be an excerpt from volume 2 of *Ninety-Three* written by Victor Hugo, the second a short story by Franz Kafka called “In the Penal Colony” from *The Penal Colony: Sotries and Short Pieces*, and the third from a short story by Pierre Boulle called “The Marvelous Palace” from *The Marvelous Palace and Other Stories*. The images produced will represent one person’s interpretation of their architecture of execution.

The First Exploration: Hugo's Ninety-Three

> "At the first glance the idea which this object roused was a lack of keeping with the surroundings. It stood amidst the blossoming heath. One asked one's self for what purpose it could be useful? Then the beholder felt a chill creep over him as he gazed. It was a sort of trestle having four posts for feet. At one end of the trestle two tall joists upright and straight, and fastened together at the top by a cross-beam, raised and held suspended some triangular object which showed black against the blue sky of morning. At the other end of the staging was a ladder. Between the joists, and directly beneath the triangle, could be seen a sort of panel composed of two moveable sections which, fitting into each other, left a round hole about the size of a man's neck. The upper section of this panel slid in a groove, so that it could be hoisted or lowered at will. For the time, the two crescents, which formed the circle when closed, were drawn apart. At the foot of the two posts supporting the triangle was a plank turning on hinges, looking like a see-saw.
>
> By the side of this plank was a long basket, and between the two beams, in front and at the extremity of the trestle, a square basket. The monster was painted red. The whole was made of wood except the triangle - that was iron. One would have known the thing must have been constructed by man, it was so ugly and evil looking; at the same time it was so formidable that it might have been reared there by evil genii.
>
> This shapeless thing was the guillotine." (1)

If asked to draw a guillotine very few people would have difficulty bringing to mind the tall, oppressive structure holding aloft a shining triangular blade. Our modern mythology is filled with images of the guillotine, from the aforementioned movie *Quills* to the daring rescues of the Scarlet Pimpernel, the story of Marie Antoinette, and many others. Though it is a mode of capital punishment entirely out of use in our common experience, we all know what a guillotine looks like. As such it might seem slightly odd to begin a series of explorations in imagination with something as iconic as the guillotine, an image that comes to mind with very little effort. But shouldn't any exploration begin in familiar territory before setting out into the unknown? The guillotine, being a powerful icon, provides

(1) Hugo, *Ninety-Three* vol. II pp. 251-252

this familiar territory in which to begin this exercise in imagination. It will provide a basis, and practice in the techniques of translating text into image. While I may have relied partly on preconceived and ingrained knowledge of what a guillotine is, I attempted to produce the following image from the text, and not from the pictures already in my mind.

What follows is an image of the guillotine.

Victor Hugo's Guillotine



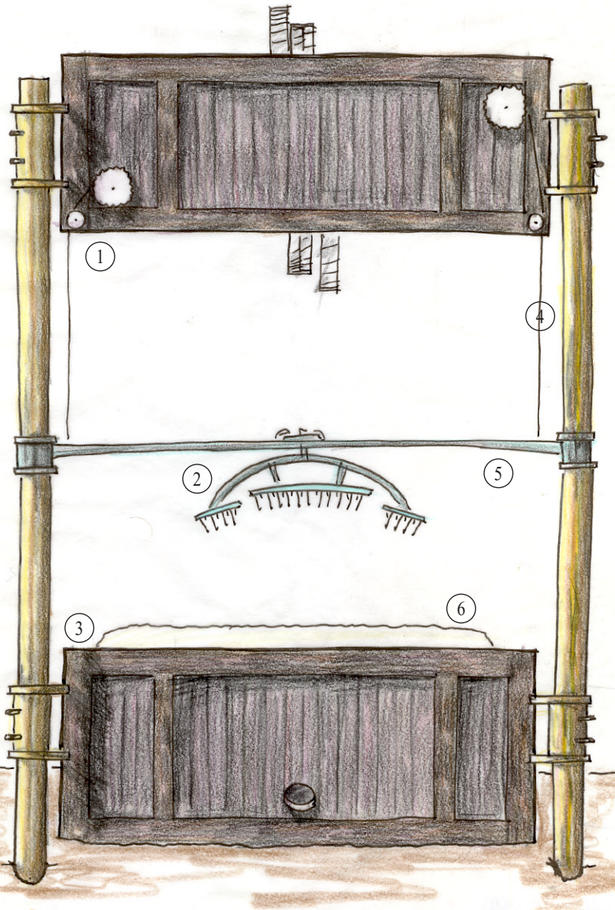
The Second Exploration: Kafka's In the Penal Colony

> "The Bed and the Designer were of the same size and looked like two dark wooden chests. The Designer hung about two meters above the Bed; each of them was bound at the corners with four rods of brass that almost flashed out rays in the sunlight. Between the chests shuttled the Harrow on a ribbon of steel.
>
> [The Bed] quivers in minute, very rapid vibrations, both from side to side and up and down…In our Bed, the movements are all precisely calculated; you see, they have to correspond very exactly to the movements of the Harrow. And the Harrow is the instrument for the actual execution of the sentence.
>
> As you see, the shape of the Harrow corresponds to the human form; here is the harrow for the torso, here are the harrows for the legs. For the head there is only this one small spike.
>
> …there are two kinds of needles arranged in multiple patterns. Each long needle has a short one beside it. The long needle does the writing, and the short needle sprays a jet of water to wash away the blood and keep the inscription clear." (1)

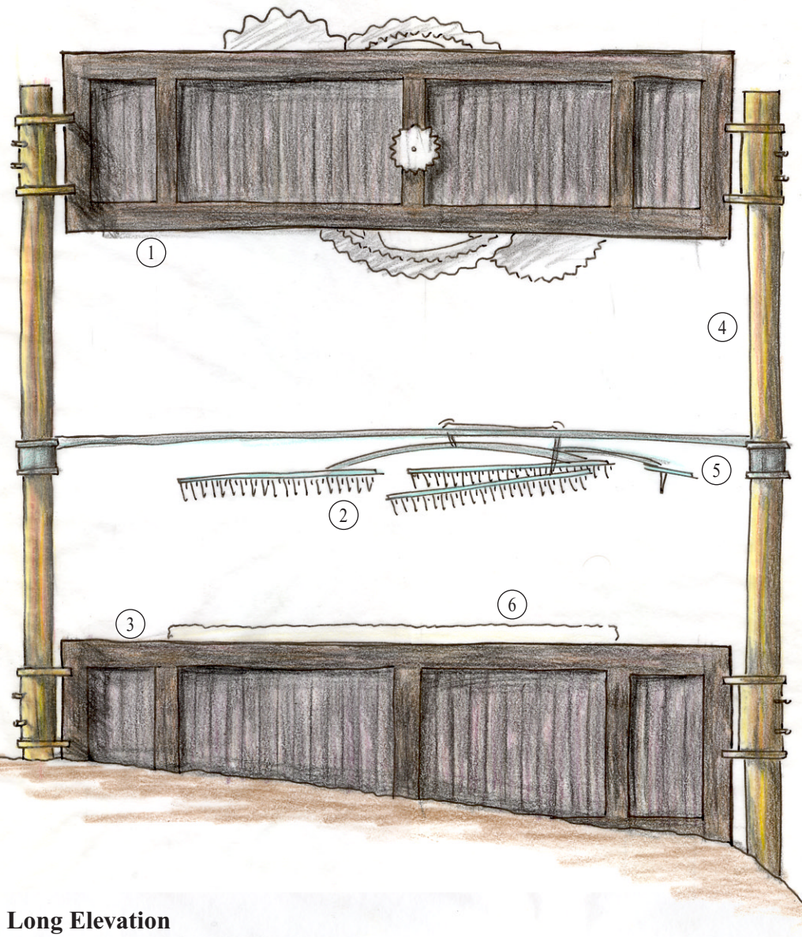
The long and detailed description provided in Kafka's story presents an imagined piece of execution technology, not seen in any form outside of the realm of literature. Composed of three pieces known as the Bed, the Designer, and the Harrow, this beautiful and horrific machine executes offenders by writing their sentence on their bodies with hundreds of tiny, sharp needles. As a piece it is conceived at the human scale, designed and built by one man, and intended to execute one man at a time. The highly tectonic descriptions aid in the drawing of the machine, while the descriptions allow for certain elements to be left unresolved, including the almost infinite complexity of the gears inside the Designer which move the Harrow. The amount of imagination and innovation required to produce these images are much greater than what was needed to produce those of the guillotine, but is tempered by the depth of the descriptions given and the smaller, more modest scale of the piece.

(1) Kafka, *The Penal Colony* pp. 195-200

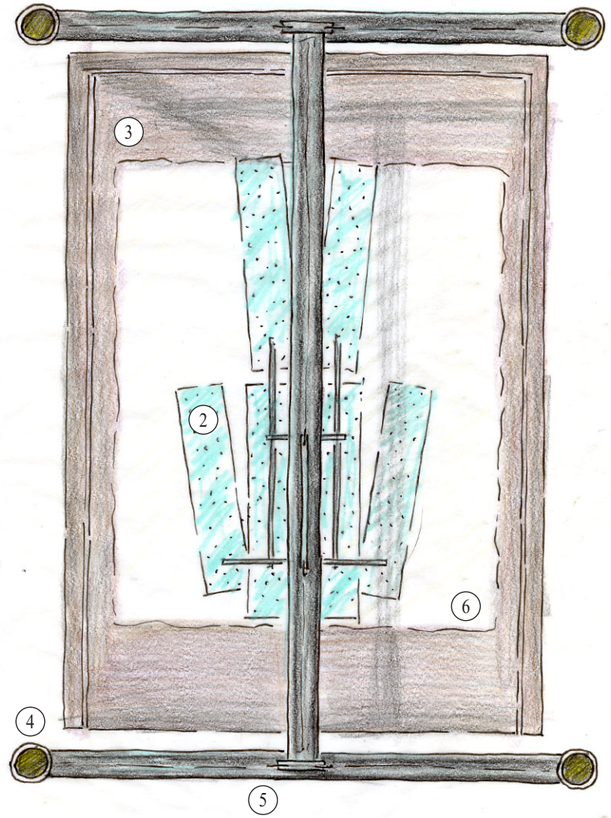
Franz Kafka's Harrow: Exterior Views and Siting



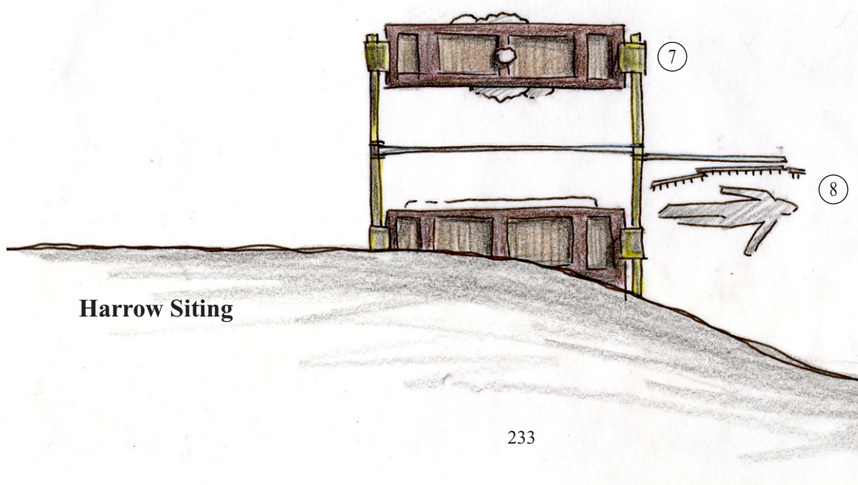
Short Elevation



Long Elevation



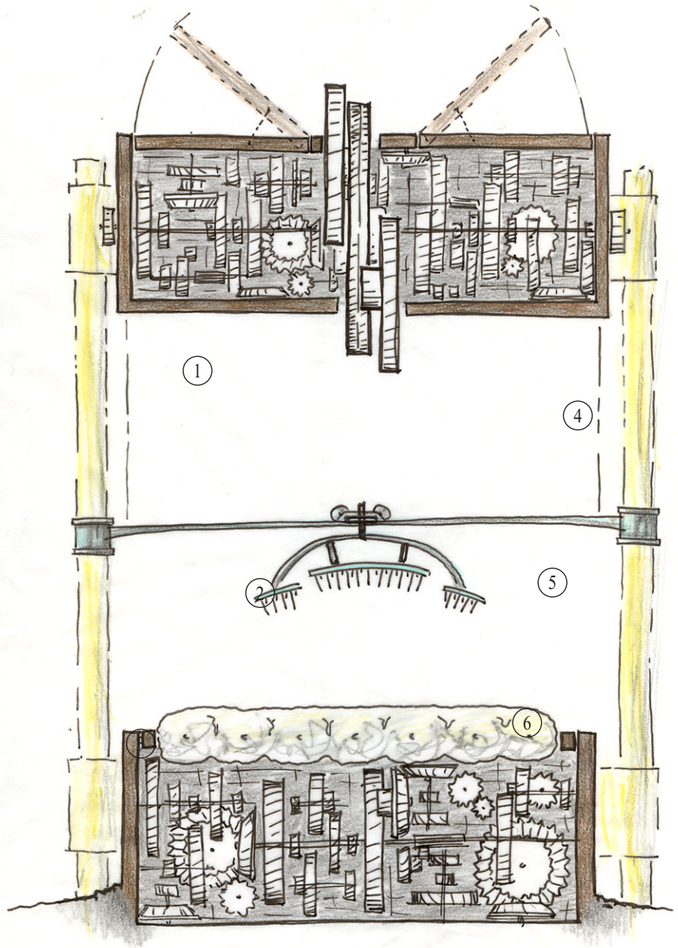
Harrow / Bed Plan



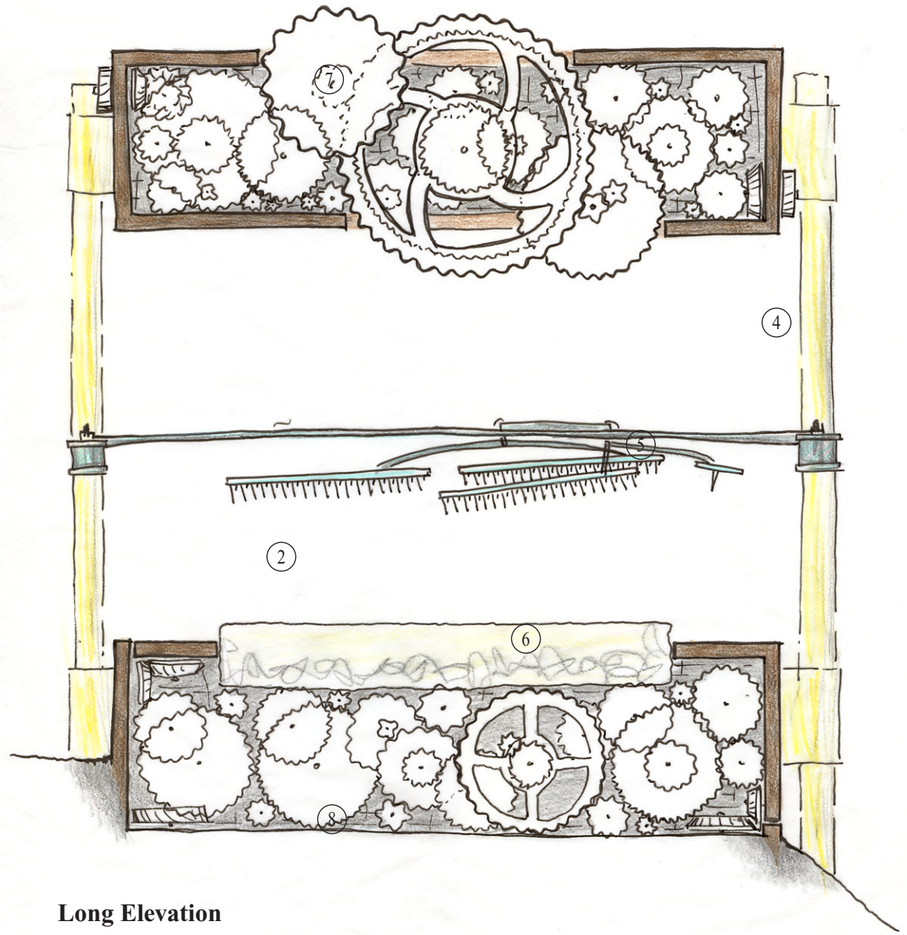
Harrow Siting

1. The Designer
2. The Harrow
3. The Bed
4. Brass Support Rods
5. Harrow Support Structure
6. Cotton Bedding
7. The Apparatus
8. The Harrow - Disposing of a Corpse
9. The Waste Pit
10. The Earth Mound

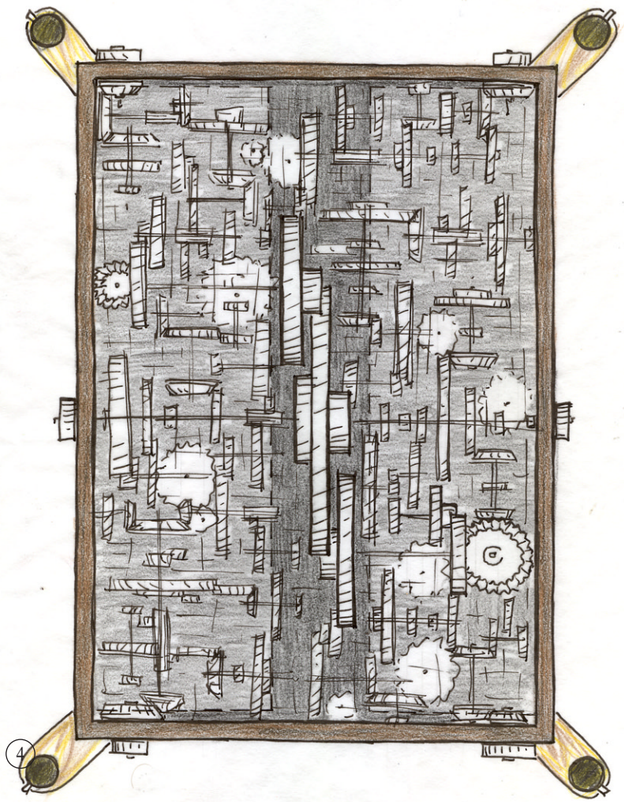
Franz Kafka's Harrow: Interior Views



Short Elevation



Long Elevation



Harrow / Bed Plan

1. The Designer
2. The Harrow
3. The Bed
4. Brass Support Rods
5. Harrow Support Structure
6. Cotton Bedding
7. Designer Cogs
8. Bed Cogs

The Third Exploration: Boulle's The Marvelous Palace

> "The belt started from [the prison] and took the condemned to the first stop, the initial step of the fatal journey; The Salon de Toilette. It was a real salon, with baths, showers, massages, where one could have a complete toilette…
>
> [The Hall of Last Desires] covered an area of more than forty acres…It possessed an extensive library both in the number and quality of volumes…A concert hall, a cinema, a theater, a collection of recordings probably unparalleled in the world…as well as a museum in which the canvases of the greatest painters had been acquired as a huge price.
>
> In [The Universal Cathedral] parallel bays were transformed into a Catholic church, several temples of your so-called reformed religion, a synagogue, a pagoda, a mosque, an orthodox church, and several other sacred edifices…
>
> [The Step of Liberation provided] diverse procedures of execution, almost as many as there are on this earth… the blades of the guillotine were cut of the finest diamond, exotic and subtle perfumes annihilated the stench of the toxic gasses, the cords were of rich silk, and the electrodes of the fatal bracelets were made of pure gold.
>
> One last belt loaded the bodies and took them toward [the Step of Recovering the By-Products]. There, in successive pavilions, all the organs having any utility whatever for humans deficient in them were set aside by medical specialists." (1)

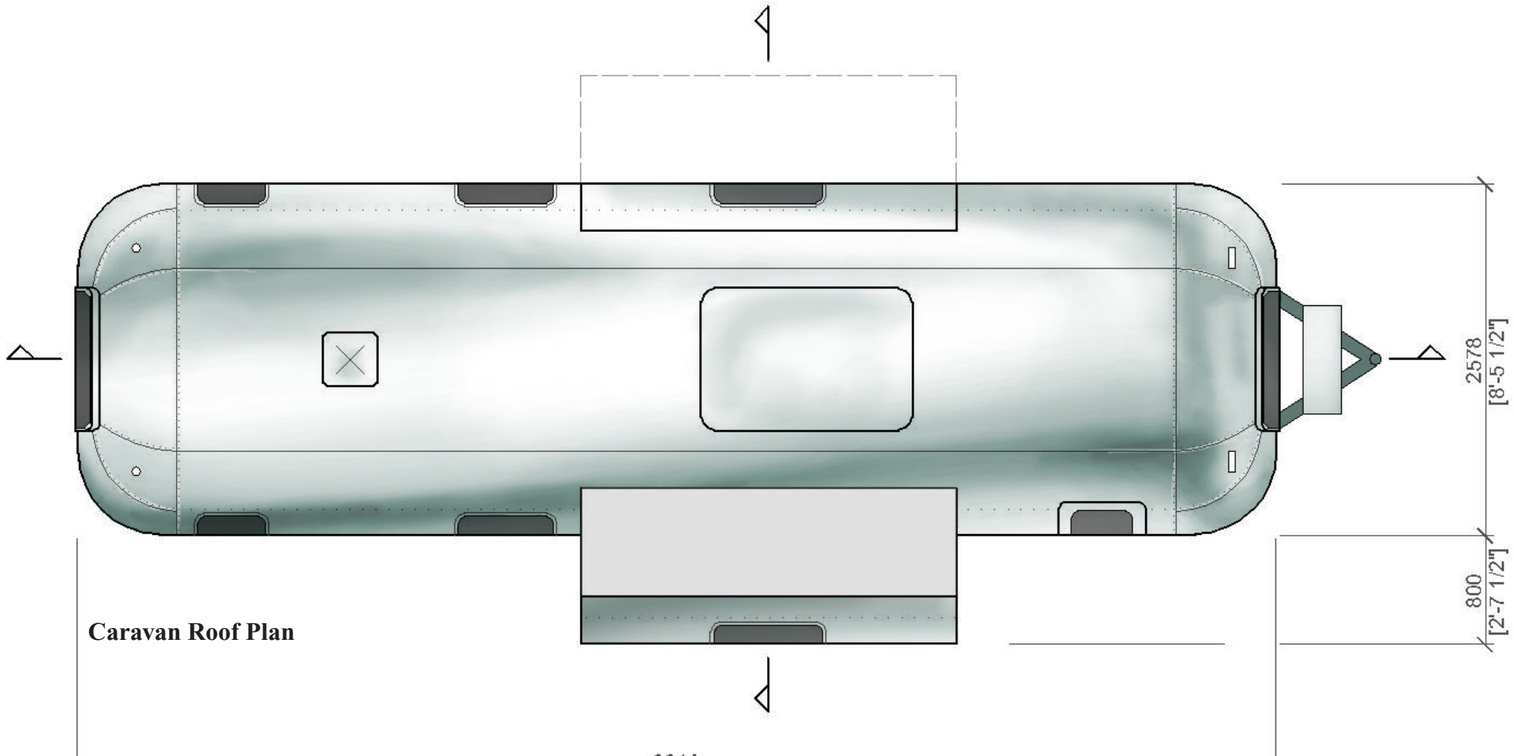
In his short story "The Marvelous Palace" Pierre Boule tells the story of the Kingdom of Shandong, and its unconventional response to a rising murder rate. In the story the Minister of Statistics comes to the conclusion that some infrastructure will have to be put in place to handle the corresponding rising number of executions. One by one the ministers of Shandong join in the discussion and between them give birth to the idea of the Marvelous Palace of the Petite Ville, a massive complex containing within its bounds all of the spaces and rituals necessary for an execution. It provides spaces to confine the condemned, a place to bathe one last time, a hall in which any of your last wishes can be fulfilled, chapels for religious absolution, a multiplicity of execution techniques, and a system of

(1) Boule, *The Marvelous Palace* pp. 49-56

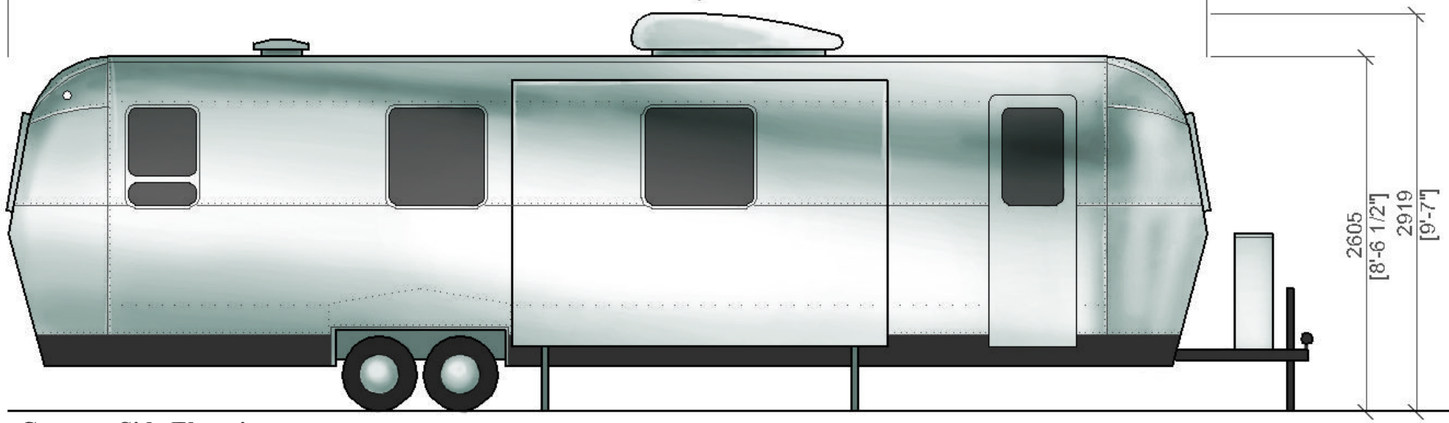
body disposal, all housed under a single dome.

The Marvelous Palace presents a problem when it comes to representation as a single architectural space. This difficulty arises for many reasons, including the lack of detailed descriptions of the palace, and the sheer size of the edifice (it is said to cover an area of more than 150 acres!). In spite of these difficulties, the piece clearly describes the essential qualities of the Palace, giving a lot of raw material for an imaginative design exploration. These drawings of the Marvelous Palace will represent a distillation of its essential qualities, expressed in a much smaller and more intimate form.

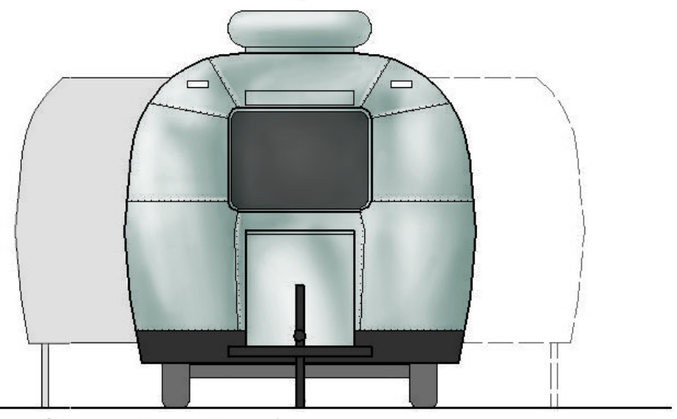
What follows are the designs for the Marvelous Caravan.



Caravan Roof Plan



Caravan Side Elevation

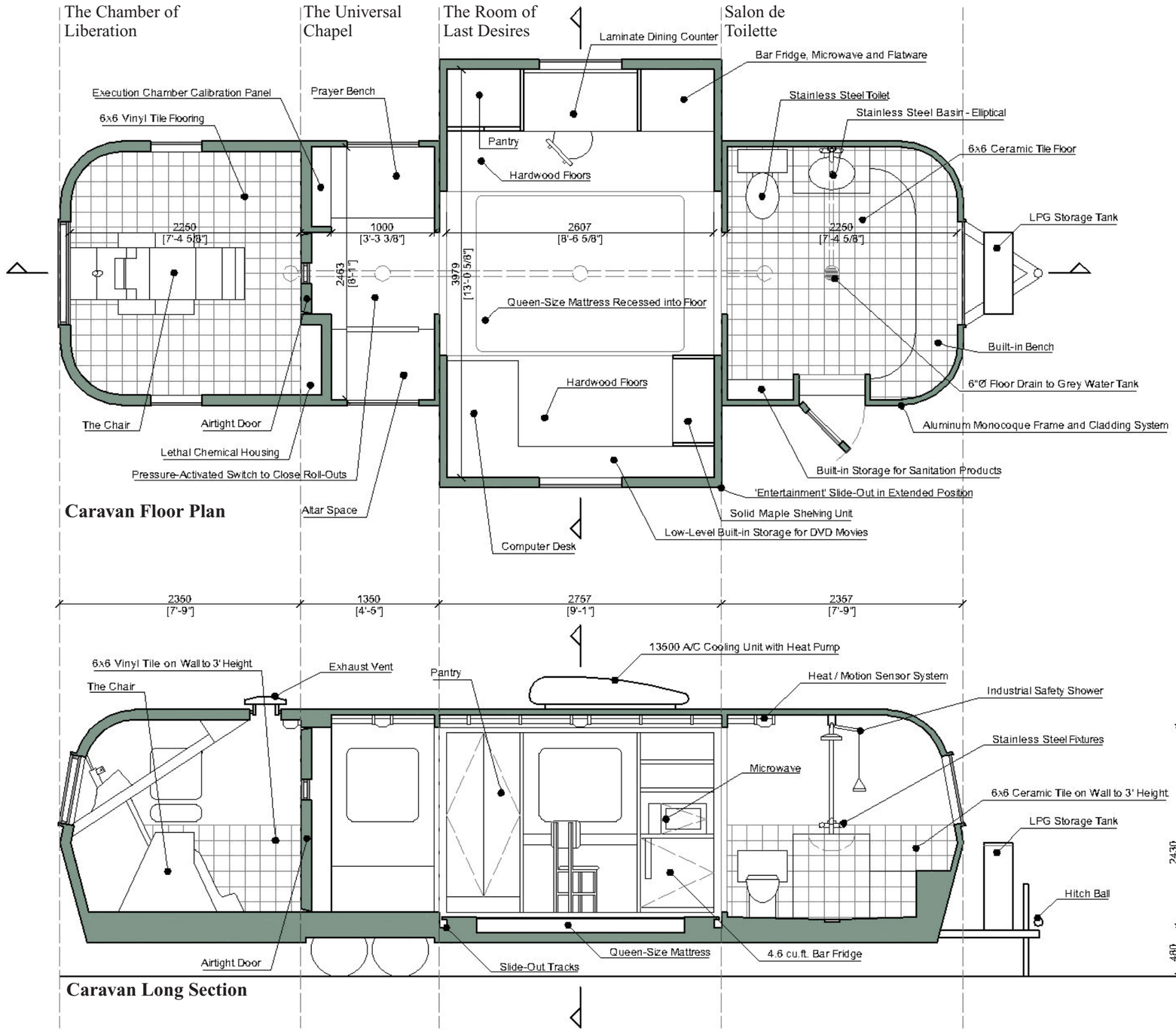


Caravan Front Elevation

The Marvelous Caravan: Exterior

Airstream 'Classic' Model 28' S/O

Exterior Length	28'11"
Width Exterior	8' 5-1/2"
Width Interior	8' 1"
Height Exterior w/ A/C	9' 7"
Height Interior w/ A/C	6'3.5"
Hitch Ball Height	17-3/4"
Hitch Weight w/o options or variable weight	1010
UBW	6515
NCC w/o options fluids or cargo	2585
GVWR (lbs)	9100
Water Tank w/drain valve	54
Black Water Tank (gal)	39
Gray Water Tank (gal)	37
Water Heater (gal) w/ electronic ignition	6
A/C w/ heat strip	13500
Furnace w/ electric ignition	30,000 BTU
LPG (lbs)	30 lbs (2)
Deep Cycle Group	2
Execution Capacity	1



Caravan Floor Plan

Caravan Long Section

The Marvelous Caravan: Interior

Upon entering the Marvelous Caravan the occupant is taken out of the tedium of everyday existence, never to return. He first inhabits the Salon de Toilette, where he may wash away his past and prepare himself for what lies ahead.

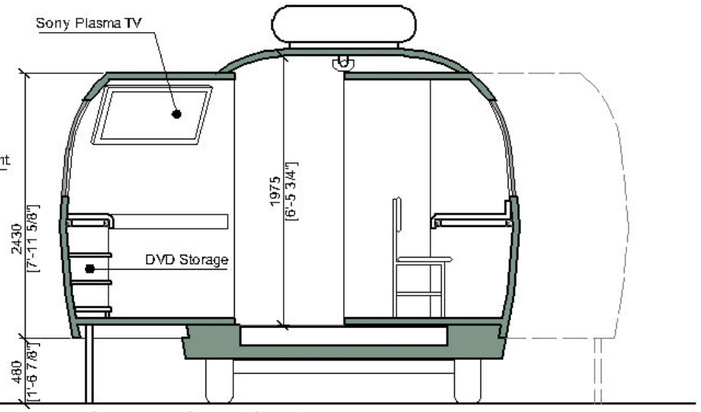
When he has sufficiently prepared, the occupant may open the slide-out sections of the Caravan. First his eyes will light on his ultimate destination, the Chamber of Liberation.

Before proceeding to this final chamber, however, the occupant can indulge his fantasies in the Room of Last Desires, which contains all manner of fine art and literature in its library, multimedia equipment including television, computer and gaming devices, and erotic publications and videos. In the kitchen the occupant will find a diverse selection of foods able to satisfy any craving, as well as all manner of beverages, alcoholic and non. The occupant may linger in the Room of Last Desires for as long as he wishes, though the supply of food is necessarily limited and will not last forever.

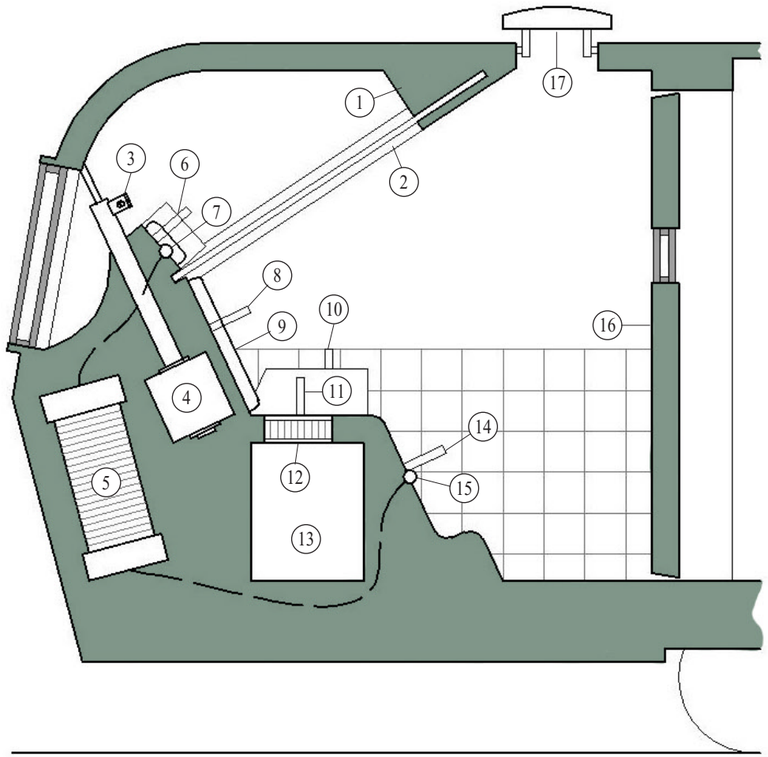
When he is prepared, the occupant can move forwards into the Universal Chapel, a multi-faith prayer room in which he can make peace with his God. Upon entering the Chapel, access to the Room of Last Desires will close, steeling the occupant's resolve to continue forwards.

At this point, the occupant can use the easy-to-understand controls to calibrate the chair to his preferred method of liberation, and step forward to the final chamber.

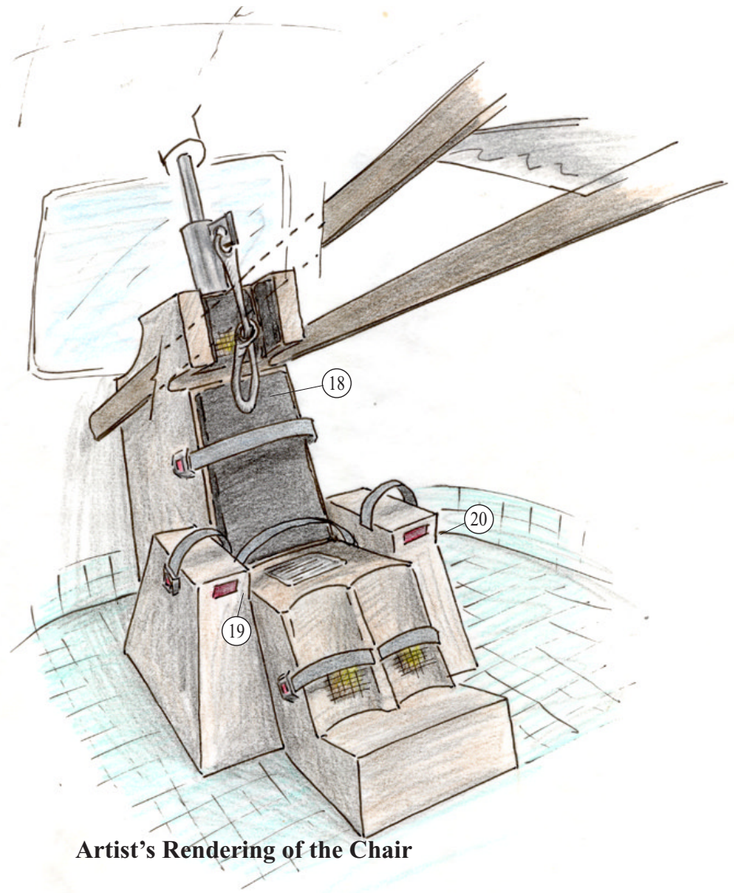
In here, he is afforded the final honour, to right press the switch and launch himself into eternity.



Caravan Short Section



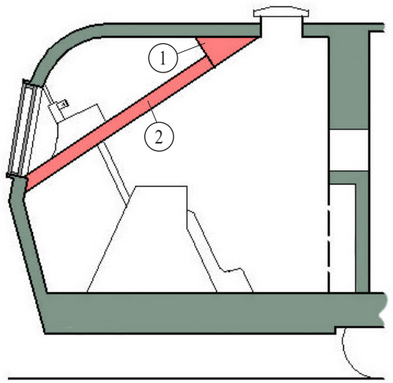
Chamber Detail Section



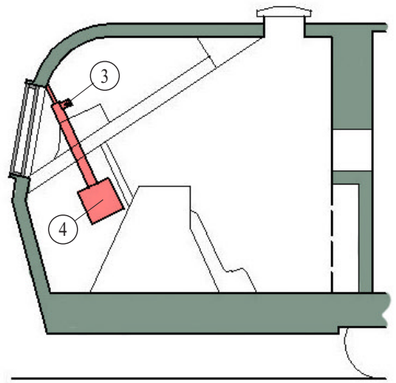
Artist's Rendering of the Chair

The Marvelous Caravan: Execution Chamber

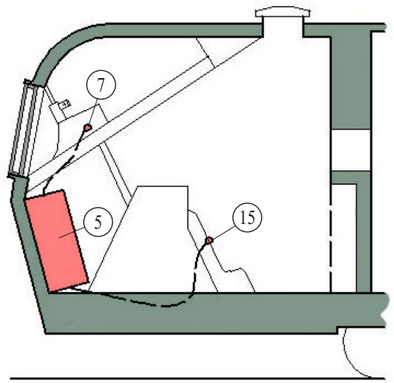
1. 'Guillotine' Housing
2. 'Guillotine' Track
3. 'Gallows' Piston
4. 'Gallows' Ignition Chamber
5. 2600V Electric Generator
6. Head Restraint and Blindfold
7. Head Electrode
8. Chest Restraint
9. Padded Chair Backing
10. Arm Restraints
11. Lap Restraint
12. Perforated Seat
13. Refuse Chamber
14. Leg Restraints
15. Calf Electrodes
16. Airtight Door
17. Mechanical Exhaust Vent
18. Noose
19. Suicide Button
20. Assistance Button
21. Gas Release Chamber
22. IV and Needle
23. Lethal Chemical Housing



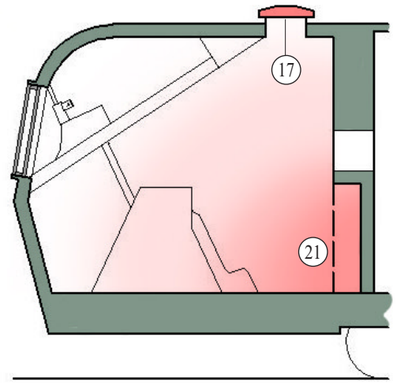
'Guillotine' Track and Housing



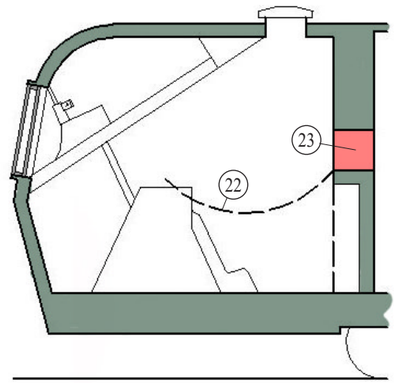
'Gallows' Piston and Firing Chamber



Electric Generator and Electrodes



Gas Release Chamber and Vent



Lethal Chemical Chamber and IV

Epilogue

The Modern Crisis of Representation: What is the Architecture of Execution?

It's been a few months now since that visit to Kingston, and since my encounter with the tower that defined the course of my thesis. It was the tower - promised as an emblem of capital punishment and instead found to be an icon of something completely different - that raised the first essential question of this thesis: What is it, either architecturally, psychologically, or both, that causes the associations with capital punishment attached to the hanging tower to emerge in the common mythology of the populace?

The answer to this question can be found in the realm of collective memory, at the end of a process of creation, suppression and re-emergence. The main body of this thesis was dedicated to exploring the above outlined process, in an attempt to trace this development from history to the modern age. But the thesis text also developed within a paradox, Agamben's "Paradox of Sovereignty." So while it did illuminate the means by which executions created and withdrew from collective memory, it also brought to light the changing means by which the sovereign dealt with the representation of this paradox.

To reiterate, the paradox of sovereignty is the peculiar situation arising when the governing power itself transgresses the rules it has created in order to uphold those same rules. In the case of capital punishment, for example, the sovereign reserves the right to 'legally' take the life of an offender who has 'illegally' taken the life of another man. The bearer of sovereign rights has used

the ‘Architecture of Execution’ to mediate this paradox over the centuries, and the changes which have taken place during this time have had a direct bearing on the process of the creation and attempted erasure of collective memory.

In times past the sovereign presented his paradox directly to the people, using an architecture of inclusion and spectacle. Ancient tortures, crucifixions, beheadings and hangings were all represented in massive festivals glorifying the power of the state. These methods were filled with powerful symbols and icons which have remained a part of the collective consciousness of man even in the modern age, including the crucifix as the image of Christianity, the honour of the axe and sword, the awe-inspiring guillotine, and the common noose. This highly theatrical architecture served its purpose in many ways, acting as deterrent as well as ensuring public support by catering to the baser desires of men, allowing them to experience the taboo-made-legal through the sovereign paradox.

But what was it that caused the beginnings of the trend of withdrawal and the change in the sovereign representation of his paradox? Fear of the rising bloodlust of the people, an ever-increasing push for humanitarianism, and a growing unease surrounding the act of taking a life, all of these factors played a role in the changes occurring in the Architecture of Execution. But in one thing there was no change. The Paradox of Sovereignty, the right of the state to take a life, remained constant and society entered into the age of what I call the ‘modern crisis of representation.’

Why a crisis? In the past the sovereign used the architecture of

execution, the power of representation, to mediate the sovereign paradox and lend support to his actions. The crisis occurs when the sovereign paradox still exists, but no longer builds such support through its architecture. In modern times the architecture of execution is one of invisibility, withdrawal, and seclusion. Those forms of execution which create strong symbols or icons have been reduced in use to the bare minimum. The noose sees almost no use and executions by electric chair, as powerful an image as the guillotine or the gallows, have also fallen out of practice. Even the condemned himself is under-represented in the modern execution, appearing in the death chamber as an object more than a man.

The question can still be asked; why is this a crisis of representation? Does the sovereign need to present his paradox to the people to retain his legitimacy? The crisis becomes clearer when the professed role of executions in society is explored. The primary reason any society will give for its use of capital punishment is its deterring effect on potential violent criminals. In ancient times the public and graphic nature of the event was constructed to impress this warning onto as many people as possible. But executions were hidden, part of the reason being a fear that the people were attending out of a need for vengeance, rather than a desire to witness an edifying example. But what effect does non-representation have? It is clear that a death shown to no one, and indeed an execution in which the condemned hardly appears to die at all, can have little to no effect as a deterrent. If the punishment isn't seen, then no one can learn from it. This means that in the modern crisis of representation the condemned is being killed not as an example, but only because he

himself committed a crime. What is this if not pure vengeance? By removing the spectacle for fear of the vengeful feelings of the crowd, the sovereign places himself in the position of the revenge-taker. A crisis indeed.

Non-representation has another effect, one that was explored in the last chapter of my work: this effect is transference. With the strong presence in collective memory of execution iconography, it is of little surprise that the modern crisis of representation has resulted in an increase in the portrayal of these icons in various forms of media. Film, literature, art and design, all have been influenced by execution symbols. The modern individual knows that non-representation is not the answer to the paradox of sovereignty and the problem of capital punishment. If execution is to stay a part of modern culture, it must be represented to maintain legitimacy and not become lost in pure vengeance. And if it is to fade out of use, then it must be represented, much in the way of the Holocaust, as a means to further the 'never again' agenda.

My thesis stands as an attempt to introduce these ideas and concepts within an architectural discourse. It is through architectural representation that we can understand capital punishment, making possible whatever ends we wish the practice to accomplish. The modern crisis of representation makes such displays near impossible, however. In fact, that I have dedicated so much time and attention to producing a thesis on such a taboo subject might be construed by some as improper, or even obscene. Do I deny it? Certainly not. But in the words of Franz Kafka "a book must be an ice-axe to break the

seas frozen inside our soul."[1] Is it better to ignore those subjects which make us uncomfortable, or should we open discussion on these matters, giving them all due attention? My contention is the latter.

Perhaps there are readers who will disagree with the conclusion I have come to here, that capital punishment must find a form of representation again. But even if they do disagree, the question will still have been raised in their minds. They will have thought on an issue which had never before entered their consideration.

(1) Kafka, as quoted on *www.brainyquote.com*

Appendix A

The Story of M2: The Samurai vs. Mr. Auschwitz / Finding a Thesis

Part 1: The Build-up - The End of M1

It is interesting to look back over the past term, reflecting on how far I've come, and at how much my thesis has changed and evolved. I came into M1 with an idea, but not a thesis. I came out with something completely different, darker, more personal. I came in with the martial arts, but I came out with the cut. And I came out with an advisor. Robert Jan Van Pelt.

This wasn't my first interaction with our famous Dr. Van Pelt, the guy with 'the thing about the Nazi's.' I had worked with him before, and had known him longer. I remember some of my first interactions with him, in second year Iconography lessons, out under the tree. I remember the book, filled with our pictures, and his alarming tendency to pick random people to answer his questions from it… But I had a tactic to prevent my name being called. I would VOLUNTARILY answer questions! So I put my hand up at every opportunity, every time I thought I knew what was going on. And I still remember his response, one time when I put up my hand.

He said "Put down your hand. You are answering too many questions. We need to give someone else a chance."

It worked… He never called on me randomly, and all I had to do was volunteer an opinion every once in awhile.

And then there was my second school-related interaction with

Robert Jan: It was before I entered masters, when I was working on the school opening exhibition. I signed up hoping for a nice research and presentation based project, and an easy credit as well (yes, I'll admit to it). I had absolutely no idea what task I would be assigned to perform. Do you remember the wallpaper of first year pictures, the thousands of students grinning out from the walls of the exhibition hall? Yeah, that was my doing. I collected, scanned, resized, saved, named, organised, printed, trimmed down, and mounted each and every one of those pictures (I will admit to some help in the mounting).

And still, after being told to essentially 'shut up' and being used as a scanning monkey I still chose to pick this man as my thesis advisor. Little did I know what he would have in store for me during my M2…

Part 2: First Contact / First Conflict - M2 Begins

I'll reiterate: I came out of M1 with the Cut. My intention was to explore the cut as an architectural device using the inspirations of Gordon Matta-Clark and several monumental landscape artists. I spoke of these things during my first direct meeting with Robert Jan. We were discussing the results of my last term's work.

Naturally he had a different take on my work during the M1 projects. For Robert Jan the most compelling aspect of my previous projects, and the part which was conspicuously absent in my follow-up interpretation, was violence. My final exploration during M1 attempted to enter into the cultural implications of seppuku - Japanese ritual suicide as a form of execution - as a primal

expression of the cut. For Robert Jan the violence of the act was far more significant than the cut itself. He wanted me to explore the violence…

Robert Jan Van Pelt and violence… I think we can see where this is going.

So the suggestion came, as I knew it would. Maybe I should look into the architecture of spaces used to take human life, the architecture of violence? I could, for example, look at the gas chambers in Auschwitz.

Interesting. So he wanted me to do my thesis on Auschwitz. Can't say I was surprised. To be honest, the prospect of doing all of my thesis work in Robert Jan's area of expertise didn't really appeal to me. I was afraid that my work would end up being his work. But exploring violence and the taking of human life… now that resonated with me. It seemed to build on top of something which I had been playing on the edges of for all of the last term.

Through all of this my thoughts kept coming back to seppuku, as I just couldn't leave my fascination with samurai culture behind. But now I was looking at it from a different angle: Seppuku may be self-inflicted, but it is also an execution, and ordered by the state. It is a highly ritualised form of punishment, performed in a defined and constructed space. Well, what is architecture if not a constructed space which allows for various rituals to be performed within it? The correlation seemed promising, and worth exploring. So I made my counter-pitch.

I suggested - gas chambers and Auschwitz aside - that the exploration might be on the architectural aspects of executions in general, from hangings through to the electric chair, ritual suicides and gas chambers. The discussion after this point was promising, hinting at the potential for a great thesis. I knew that my interactions with Robert Jan had not yet ended. He was my advisor, and I was certain that our further conversations would bring into contact his fascination with gassing and my preoccupation with rituals of violence and death. I had not heard the last of Auschwitz.

Work had not yet begun in earnest, but I made my little card for the Masters Student Matrix, entitled "Execution of Architecture, Architecture of Execution" as closure for my thesis topic, finally decided, and to prevent my first year mugshot from re-surfacing and causing me a great deal of embarrassment…

Part 3: Building a Bibliography - the Writing Begins - The Body of M2

It didn't take too long before Robert Jan presented me with my first book: *The Tortures and Torments of the Christian Martyrs.* I must admit I was surprised, the book was not what I would expect him to give me. This was no manifesto on the death camps! In fact, it seemed to have nothing to do with his preoccupation at all, and was filled instead with descriptions and images of ancient torture and execution methods. It has proved extremely useful to my research. At that time I was also scouring the library for any books I could find on capital punishment, pulling out such titles as *Inside the Death Chamber*, *State Executions viewed Historically & Sociologically*,

Rites of Execution and *Tyburn Tree.* In addition to all of these I was also able to squeeze in a little of my initial inspiration with *Hara-Kiri* (a term which is the informal variant of seppuku) a book about the Japanese rite of ritual suicide. Every day my computer filled with more and more disturbing images of people being hanged, sawed, shot, beheaded, flayed, or burned, heads on pikes, and anything else I could get my hands on. Other books had a more cultural focus. *The Capsular Civilisation* spoke of the modern society of fear, and the increasing trend to withdraw into 'capsules' from those things which are upsetting or dangerous, while we enclose our fears into capsules of their own. *Homo Sacer* deals with sovereign power, and the right of a state to take a life justified through the removal of 'humanity' from the victim. 'homo sacer', he in possession of bare life, can be killed without consequence. He is not human, he is something less. These texts formed the basis for some of my first explorational essays on the topic of public execution.

With all of these books collected, I began to write like a madman, turning out page after page of essays, accounts of actual executions, and typological manifestos on each major type of execution I came across. I wrote on the execution sites and the rituals of capital punishment for each method, and included a theatrical analysis based on a series of criteria ranging from sentencing through imprisonment and travel, to the execution and announcement afterwards.

During this time I was not only working on my thesis. Two electives were taking up a great deal of my time. One of these I was essentially strong-armed into, by none other than my benevolent

advisor himself! I believe his exact words were “You’ll enrol in this class if you want me to be your advisor.” This project was Theatre Cambridge, and it swiftly was becoming an increasing demand on my time (as well as the time of my fellow students). The project kept me in close contact with Robert Jan, so I remained under his nose for a great deal of my M2 term. An interesting formula had developed: We would meet someone new, and I would be introduced.

He says, “Costin, this is Anthony Bateson. He’s doing his thesis on Gas Chambers.” I say, “Nice to meet you Costin, actually my thesis is an exploration of ritual and space for many forms of capital punishment.”

He says, “Here is my successor Mr. Bateson. His thesis is on Gas Chambers.” I say, “It’s actually on execution sites and equipment”

He says, “Anthony’s thesis is close to my heart, as he is looking at Gas Chambers” I say, “Yes, but in addition to many other forms of execution and torture”

It almost seemed like a constant battle of wills… Robert Jan wasted no breath talking about the ‘gas chambers’ in my thesis, while I wasted none reminding everyone that I was looking at all execution, not just the murder of millions of Jews. I suppose a part of me was entertained, and flattered by his obvious interest in my work, but I wanted it made clear that this was my work. Perhaps once I showed him some of the writings I had been doing, when I could churn them out between my other commitments. Theatre Cambridge was not my only responsibility.

During this time I was also taking Bob Wiljer's modernisms course, and with a new reading every two weeks with a corresponding essay response, it seemed I would have no time at all to write on executions. This course I welcomed, in spite of the major drag on my free time: with it I was forced to write, forced to hone my ability to put thought to text. I have no doubt that it helped with all of the writing I was doing for my thesis work. Some of the pieces produced for that course have a strong relationship to my thesis work as well, and will continue to be valuable to me as I continue working and writing.

But in spite of these distractions I did get to work on my thesis. The document expanded, getting longer and longer, and by the end of the term I had over 17000 words on 45 pages to submit as a first draft to Robert Jan. It was at this point still largely incomplete, full of gaps, out of any reasonable order, and in some parts a grammatical mess. I was nervous after submitting it, waiting for the next meeting with my advisor. This was at the official end of term, and would serve as a measure of my success over the past three-and-a-half months. I was afraid that my time had been wasted. I had heard that many students founder in M2, making no real progress and starting from square one in M3. What did I have but a long written document? Was it really enough for a thesis? Had I written anything of relevance at all? Would he pick it apart and push me back towards gas chambers?

Part 4: The End of Term - Preparing for M3

It came far too soon, but the first words I heard were soothing,

allaying my fears and giving me some hope for work to come. "You have a lot here. This is much better than I expected." It sounded great, but now that I look back, I wonder if it just meant that he had low expectations, and anything over ten pages with no images would have been better than he expected… Ah well, no point dwelling on that now. But the meeting did go well. I had produced (apparently) a solid basis for a thesis, which with a little work and some more material could hopefully be brought to a conclusion in the minimum three terms! And on top of that, Auschwitz didn't come up at all during the discussion, except for one small wording revision. Had Robert Jan accepted the scope of my work now? A few points were raised, including my unrealistic and romantic attachment to concepts of honour (which I have left behind except where it is relevant). I would like to think that I have addressed these points in my second draft. My historic analysis was strong and nearing completion, so I was encouraged to branch into the realm of representation, to try and show how the spaces and rituals of capital punishment have been translated into the media. The hope was that I could, by September, have finished a series of writings on executions in film, theatre and literature, to act as a supplement to my writings on the facts of executions past and present.

It was interesting at this point to note a change in how Robert Jan spoke of me to others: "Mr. Bateson here is doing his thesis on execution equipment." "He has the honour of being the first student who has done a thesis I am really interested in." It was a startling shift, and was the true source of the confidence I gained in my work. It made me feel like I was on the right track, executions to the

fore, Auschwitz as a side note. I resumed my work with a great enthusiasm.

So I began to build my second bibliography, this one consisting of works of fiction rather than works of historic fact. Books like "The Trial," several of Shakespeare's plays including "Measure for Measure" and films such as "The Green Mile," "Dead Man Walking" and "Mr. Death" filled out this new bibliography, and formed the basis for the next series of essays. These were comparative in nature, drawing parallels between the executions depicted in the works and their equivalents in historic fact. The essays also located the films within the morality of execution, attempting to read a cultural bias from the way the executions were portrayed. With these new essays and revisions to the old work, the document expanded even more for the beginning of September. Just two weeks ago it had grown to 24000 words, and had become much more organised, clearer, and easier to read. Just last week I submitted this second draft to Robert Jan, but we have not had a chance to discuss it and speak on its further development into a thesis-worthy text. With no more electives on the horizon, the upcoming term seems prime for getting this piece finished, and ready for defence.

The work may be ready in time, but I'm not sure if I will be…

Part 5: Where to go from Here? - What M3 may have in Store

It was inevitable, I suppose, that this would happen again. Shortly into September I came into my office to find a book on my table. It had been left, in the same manner at the "Martyrs" book, to

serve as a reference for my explorations. *The Execution Protocol - Inside America's Capital Punishment Industry.* A book with large portions dedicated to the work for Fred Leuchter, (in)famous for his appearance as an expert witness for the defence in the trials of holocaust deniers. His specialty: gas chambers. With diagrams and technical mumbo-jumbo he felt that it could be proven that the chambers in death camps like Auschwitz could not have been used to gas and murder the Jews.

How surprising. Another book which once again pulls me towards Robert Jan's area of particular interest, sitting on my desk waiting for me. Maybe he wasn't as satisfied with the direction of my thesis as I thought. I found the interview with Leuchter very interesting, and his descriptions of the various technologies he re-invented has sparked interest in another area of exploration for my project. I now have the intention to produce a series of documents on the 'anatomy' of execution hardware, from the gallows through to the machine used for lethal injection, with descriptions of how they are made, how they work, and why they are made in the ways they are. Why is Leuchter's electric chair so much better than the older models? How does one engineer an humane way to take a life?

These were interesting ideas to be sure, but were not the most valuable aspect of the book to my work. In reading *The Execution Protocol* I found that Leuchter's story was only a part of the work. One of my major contentions to date is that the industry of capital punishment requires ritual and spatiality to gain legitimacy as a cultural practice. *The Execution Protocol* is a look inside the

American capital punishment industry, and its attempt to create an execution ritual out of nothing. Such a ritual is becoming increasingly necessary to lend legitimacy to a practice swiftly falling out of favour with the populace. With this book, my work had come around full circle. It began with existing and historic rituals, and it ends with the attempt to create a new ritual. The book allowed me to take control of the direction of my thesis, pushing my ideas of ritual and space to the forefront, and moving hang-ups over gas chambers to the side. With a solid basis in execution architecture, spatiality, equipment and ritual, it should be possible to expand my work from a collection of writings into a complete and insightful thesis.

That's what I hope, at least.

And maybe, just maybe, I'll be done in three terms. That's another hope.

The events retold in this story do not necessarily reflect reality, and may have been changed for narrative effect.

Appendix B

State of Exception/State of Repression: Sovereign Response to the Cult of the Individual

The modern age is the age of the individual. Never before has there been an age in which man has had as much control over his own destiny. Self-realization and self-reliance are the mantras of the time, and everyone knows that people have the ability to rise out of their situation, and make something more of themselves. No longer are we bound into castes or pre-defined societal roles, and even the meanest individual can rise to a position of great power and influence. With the rise of individual importance comes a corresponding rise of individual rights and restrictions, however. No longer do we live in an age where the noble can kill the commoner without fear of reprisal. Now any taking of another life is taboo and punished severely. But here we run into a conflict: one of the primary methods for punishing a life-taker is to in turn end his or her life. So how can the state rise over this stigma of killing? How is it that we find ourselves back in an ancient mentality of sovereign power which gives the state the right to take the life of a mere citizen in opposition to the letter of the law?

This question did not even enter into the minds of the public in times past. The state had the right to kill, this was a fact, and not contested. This right was actually glorified, and turned into a festival whose grandeur increased in direct relation to the fame (or infamy) of the person who was being put to death. Interestingly enough, the state made no attempt to repress the personality or individuality of the condemned. Excited scenes were almost desired, the victim encouraged to express himself: to repent, to curse his condemners,

to call out for aid, to claim innocence. Perhaps the authorities felt that executing a criminal who was also shown to be a person would have a greater discouraging effect on the people and prevent them from committing similar acts of violence. They bred the train of thought that 'If THAT man can be executed, then maybe I can be too…' The condemned was, above all else, a human being, and a part of the crowd who was putting him to death. Each individual being executed presented a different face to the gathered crowd: some were repentant, some cowardly or pleading, while still others were able to maintain a degree of dignity or nobility, as in the case of King Louis XIV, of France:

> As soon as the King had left the carriage, three guards surrounded him, and would have taken off his clothes, but he repulsed them with haughtiness - he undressed himself, untied his neckcloth, opened his shirt, and arranged it himself . . . They surrounded him again, and would have seized his hands. 'What are you attempting?' said the King, drawing back his hands. 'To bind you,' answered the wretches. 'To bind me,' said the King, with an indignant air. 'No! I shall never consent to that: do what you have been ordered, but you shall never bind me. . .'(1)

It is interesting to see how a state which relied on a hierarchical class system allowed for the flamboyant and individual expression of those who were being executed. The downtrodden underclass were allowed very similar freedoms as those afforded the nobility, and in some cases, more, as a noble was more likely to have the power to escape their sentence. The people of a faceless, repressed society were allowed to express individuality at the moment of their deaths. It is interesting to view the contrasting character of our modern executions, where society is composed of many individual, empowered people, who are executed in anonymity, their deaths

(1) From an account by Henry Essex Edgeworth, as quoted on Ibis Communications' *www.eyewitnesstohistory.com*

repressed and hidden from view. This is actually a very recent development, and as few as 50 years ago we can find examples of mob justice, public 'execution' and lynchings. True, the victims of these attacks were rarely given the opportunity to express themselves, but the controlling, empowered part of society never questioned their right to take the life of a lesser human being. Now, during the age of the individual, the right to take a life rests solely with the state, under the sanction of law, and this right is constantly under question…

The existence of the sovereign right to take a life presents a paradox, which gives rise to the unrest we feel when confronted with the issue of capital punishment. If it is illegal to take a life, then how can we punish such an illegal act by taking the life of the offender? Does this not in itself constitute an illegal action? If we look at the writings of Georgio Agamben, we will see that he has labelled this paradox as the 'state of exception.' The state produces the 'rules' and through the exception places itself outside of these same rules. But in term of juridical power, the rule and the exception are linked, one tied to the other.

> Inscribed as a presupposed exception in every rule that orders or forbids something (for example, in the rule that forbids homicide) is the pure and unsanctionable figure of the offence that, in the normal case, brings about the rule's own transgression (in the same example, the killing of a man not as natural violence but as sovereign violence in the state of exception)(1)

It is through the word of law and the right of exception that the state attempts to place itself above this 'natural violence' and thus gives capital punishment a validity which it might not otherwise

(1) Agamban, *Homo Sacer* p. 21

have. But in spite of all this, the state still has to contend with the changing views of the society in which it functions. With the rise of the individual comes the rise of individual opinion, and a new set of values defined by the people, not the state.

What we find in this society of the people is an increasing preoccupation with 'humanitarian' values. It is this preoccupation which makes us uneasy about the sovereign right to take a life, in spite of the exception which it attempts to situate itself in. In order to preserve its right to kill a convicted criminal, the state has to find a way to make the killing more acceptable to the general populace. Here we can go back to another concept explored by Agamben; the concept of 'homo sacer'. The following is a figure of archaic Roman law concerning the homo sacer: "'if someone kills one who is sacred according to the plebiscite, it will not be considered homicide.' This is why it is customary for a bad or impure man to be called sacred." The sacred man is removed from society and considered as something different, no longer a man as everyone else. We can see here that if an individual becomes, in the eyes of the populace, less than human and thus devoid of human rights, it becomes much more acceptable to take his or her life. This is the first of the two major approaches the state takes for capital punishment, in an attempt to make it more acceptable to the populace. It attempts to change the condemned, in the eyes of the people, from a person into an idea. They attempt to change him from a human being into an incarnation of evil, a monster.

> They wanna see you as a monster… It's easy to kill a monster. It's hard to kill a human being.(1)

(1) *Dead Man Walking*

And it is true. It is easier to kill a monster, easier to label someone as 'evil' and destroy the spectre, rather than take the life of a fellow human being. With the second tactic, the state attempts to repress the execution. By removing the condemned from the public eye, the state hopes to also remove him or her from the public consciousness. If they no longer think about the person sitting on death row, they will be unlikely to raise an objection when the date of the execution arrives. Almost all states that practice capital punishment use lethal injection as their primary method, as it presents itself as the most 'humane' and is also the easiest to repress and perform outside of the eyes of the people. Below is the typical procedure used for lethal injection executions in the United States.

> Once the catheters are in place… the prisoner is either wheeled into the execution chamber or the curtains surrounding it are drawn back to allow the witnesses to see the procedure. When the condemned person has made any final statement, the prison warden gives the signal for the execution to begin and the technicians, hidden from view behind a two way mirror, begin to manually inject the three chemicals comprising of Sodium thiopental, Pavulon and Potassium chloride… Typically the actual injections will take from three to five minutes to complete… Sodium thiopental is a short acting barbiturate which is used as an anaesthetic and causes unconsciousness very quickly if injected into a vein. Pavulon is a muscle relaxant that paralyses the diaphragm and thus arrests breathing whilst Potassium chloride finishes the job by causing cardiac arrest. It is used in cardiac surgery to stop the heart. In most cases the prisoner is unconscious about a minute after the Sodium thiopental has been injected and is dead in around eight minutes, with no obvious signs of physical suffering. Concerns have surfaced about the use of Pavulon, which due to its paralysing effects could mask a prisoner's suffering if they have not been rendered fully unconscious by the initial injection of Sodium thiopental.(1)

It is the desire of the state to minimize the presence of death. The condemned does not move and ideally shows no sign of suffering. The only indication that he has in fact died is his slow cessation

(1) Clark, *http://www.richard.clark32.btinternet.co.uk/injection.html*

of breathing and the flat-lining of the EKG. In spite of this, it is true that the spectre of death can still exert itself, and that some individuals have shown violent reactions to the lethal drugs, but these are aberrations, few and far between. These also have no relation to the power of the individual, and are instead a result of a technical malfunction or a physical intolerance. But in spite of the efforts of the state, there are still examples of persons who have the power or force of will to express their individuality up until the moment of death. These people force the witnesses to confront the fact that they are taking the life of a human being, and not some abstraction of evil, some monster. Timothy McVeigh was executed by the nation with the standard lethal injection procedure, but with one exception. McVeigh was, by some unknown strength, able to keep his eyes open during his entire execution and look into the faces of everyone who was in attendance. Below is a compilation of witness accounts of McVeigh's execution:

> Shortly after 7 a.m., McVeigh boosted himself on the execution gurney and was strapped down by prison officials. Wrapped tightly in a light grey sheet, McVeigh strained to look around the facility trying to make eye contact with the various witnesses to his execution, said reporters who watched him die. As he took his final breaths, he made no additional movement and was described by one media witness as "seeming proud." Other witnesses said McVeigh lifted his head and looked at them and then looked at the ceiling. He died with his eyes open at 7:14 a.m. "He actually lifted his head and looked directly in the camera, and it was as if he was looking directly at us," said Larry Whicher, who lost his brother. "His eyes were unblinking. They appeared to be coal black. I truly believe that his eyes were telling me ... that if he could, he would do it all over again." If McVeigh was to be believed, he got exactly what he wanted (in his actions, and execution).(1)

With the advent of the cult of the individual, it should come as no surprise that individuals have come to the surface whose sense

(1) Fitzpatrick, http://www.findadeath.com/Deceased/m/mcveigh/timothy_mcveigh.htm

of self overwhelms the attempts of the state to stifle individuality. Perhaps Timothy McVeigh was truly a monster, but he died as a man and a human being. The state may attempt to locate themselves in exceptions to the rule of law, they may attempt to repress the power of an individual person, and in many cases they may succeed. But this is the age of the individual, and there seems little doubt that more and more people will find the strength within themselves to become - to use a cliché - the masters of their fates, and to force the state, and everyone around them, to recognise them as such.

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