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PAIN AND DEATH: POLITICS, AESTHETICS, LEGALITIES

CAROLYN STRANGE

The violence of punishment and war, timeless phenomena, became freshly public at the turn of the twenty-first century: violence intended to cause pain and death has appeared in disturbing new ways, through live satellite feeds, mobile-phone videos and Internet postings, giving a false sense of omniscience and a heightened impression of global insecurity. These representations are powerful reminders that while politics and law may set the boundaries of sanctioned violence within and between states, their understanding and meanings are invariably conditioned by aesthetic questions.

Images and stories of brutalised bodies may produce suffering, disgust or empathy, but how do they do so, and to what effect? Under what circumstances does evidence of pain and death register as nothing but statistics? And if the juridical and political are imperfect tools for the acknowledgement of suffering, does art provide more effectual mechanisms?

Through essays, images, streaming video and a soundscape, the works in this volume address these questions. They follow a conference held at the Centre for Cross-Cultural Research, The Australian National University, in December 2005: 'Pain and Death: Politics, Aesthetics, Legalities'. Inspired in part by the early phase of the so-called war on terror, when pic-

tures of the penal excesses it unleashed initially created embarrassment and shame, the event incorporated the work of scholars, artists and performers. In keeping with this brief, the conference call-for-papers was produced as a commercial that incorporates musical, visual and written texts:

<http://www.anu.edu.au/culture/pain-anddeath/commercial.php>

This volume's contributors move beyond the specifics of the war on terror to consider other instances in which officially legitimated violence has been invoked, contested or suppressed, not only through legal and political means, and in official records, but also in popular media and art forms.

State violence is perhaps most keenly imagined when it touches the individual, whose story can be told compellingly as both intimate and universal. This is the executing state's dilemma — the death penalty is a symbolic assault on crime and an actual attack on a body rendered vulnerable, and thus potentially an object of pity. Consequently there is no monopoly on penal symbolism. As Rosanne Kennedy shows, the death penalty, even in places where it is carried out behind prison walls, is mediated through a range of aesthetic forms, which draw on tropes and generic conventions to narrate individuals' stories

of crime and punishment. Representations of death-penalty cases can stimulate sentiments as well as political controversies and legal interrogations, yet how that capacity is fulfilled, if at all, cannot reliably be predicted. By comparing two such cases, one from 1923 and one from 2005, she highlights the volatility of sentimentalisation as a political strategy intended to solicit sympathy for victims of capital punishment. In contrast, principled legal arguments against the death penalty provide steadier yet drier ground.

The everyday pains of punishment and the prospect of death due to conditions of incarceration, rather than intentional execution, are far less thoroughly documented. They remain largely in-house and unknown to outsiders. Prison guards pictured in the scandalous Abu Ghraib pictures were in many cases not soldiers but workers contracted on the basis of their prior experience in U.S. prisons. Although prosecutions isolated a few individuals as ring leaders and chief instigators, it was only prisoners' rights organisations and prison abolitionists that attempted, with little success, to channel public disgust toward similar penal regimes prevalent in U.S. prisons. Ethan Blue disturbs the silence over penal violence by focusing on a critical period in the history of Texas prisons, which modified, rather than eliminated, the tortuous labour of slavery and the ghastliness of lynching over the 1930s. Unlike the other essayists, he has no pictures or videos or sheaves of news reports to pore over. The illnesses and deaths produced through disease, beatings, inmate violence, exhaustion and dietary insufficiency appeared in aggregate, in the columns of annual reports. Executions only occasionally made the news,

though typically in stories about condemned men's final meals. Requests for bowls of ice cream and multiple pieces of pie were not last-minute indulgences, Blue argues: they were parting gestures of generosity toward their fellow condemned men who inherited the leftovers.

If due process as practised in democracies offers little protection from pain, unbridled horror crouches close to the rule of law, eager to trespass. In the shadowland between state-sanctioned and unauthorised acts, death flourishes when violent non-state actors concentrate power. In Rwanda, paramilitary forces, although ancillary to the state militia, allowed the Hutu-led government and its supporters to slaughter hundreds of thousands of Tutsis and moderate Hutus. Unlike the sober and hidden performances of individual executions, these killings were openly profligate. Debjani Ganguly explores how these extraordinary works of death have inspired works of art, not only memorial interpretations of the genocide but novels, memoirs, dramas, documentaries and dance performances. By engaging the senses and addressing human experience through a 'trauma aesthetic', art inspired by such events, in particular the film *Hotel Rwanda* and the docu-fictional novel *A Sunday at the Pool in Kigali*, defies abstract or legalistic reasoning. But aestheticising pain and death forces acknowledgement of the limits of representation. No documentary or fictional account of the genocide can convey its full terror; yet art offers, and Ganguly urges it to provide, not a trick of identification but the hope of insight into 'our collective precariousness'.

Textile artist Monique Van-Nieuwland puts form to this insight in a work of conceptual art. A funeral-home body bag is her medium of expression. By punching impressions of national flags into the plastic, she creates a bleached-out global flag, which hangs for the bodies sacrificed in the service of war. In a powerful reminder of 'the unknown soldier', she traces a sacrificial victim with the outline of a body — her own 19-year-old son.

A complementary work, composed with the less emotive fabric of linen handkerchiefs, is charged with meaning, nonetheless, with names stitched and printed on them. They identify those who lost their lives in republican and loyalist paramilitary conflict and through the actions of the British military in Ireland. In recent years the 'Troubles' have been subdued through political and legal processes but absent victims continue to haunt the reconciliation process. Naming these individuals, many of them bystanders caught physically and metaphorically in crossfire, brings them to life in Lycia Trouton's mobile memorial and in Tom Fitzgerald's soundscape.¹ The linen memorial invites reflection and incorporates site-specific mementos left by visitors. As air flows through 400 handkerchiefs, the sounds of 'The Seeming Insanity of Forgiveness' create different currents, shivering with shrieks and cries. A child's voice recites the names of the dead. A bell tolls.

ENDNOTES

¹ An excerpt of this soundscape is available at http://epress.anu.edu.au/hrj/2007_02/Forgiveness.mp3

For a full profile of the Linen Memorial's evolution and projected presentations, see Trouton's site, <http://www.linenmemorial.org/>

‘A DARK CLOUD WILL GO OVER’

Pain, Death, and Silence in Texas Prisons in the 1930s

ETHAN BLUE

Risk managers and health officials in the Texas Department of Criminal Justice today record a category of injury under the curious title ‘Caught In-Between’. There are a great many others, whose meanings are more evident: Slips, Trips and Falls; Chemical poisoning; Struck By/Against; Over-Exertion; Aggressive Behavior. ‘Caught In-Between’ is defined as ‘a pinch point type injury that involves mashing or squeezing’, including ‘caught in a door, between pulley, door shut on foot, etc’. Prisons, of course, are full of these pinch points. Spaces are opened only to be sealed, passages are created with the express purpose of shutting them again, locking off prisoners from the rest of the world. Automated doors open and close, gates slam shut. Hydraulic pistons are unforgiving. Unsurprising, then, that a hand, a foot, or a life might be crushed — caught in-between.¹

In previous years, injuries specified as caught in-between would have been known simply as accidents — a catch-all category that hid as much as it told of how a person was injured or killed. The new differentiation of ways of listing injuries parallels the ongoing modernisation of Texas prisons, and their techniques of risk management. Despite such markers of progress, injuries, illness and deaths per-

sist; because, in a very real sense, all Texas prisoners suffer from the injury of being caught in-between. Their expulsion from the ranks of citizens has led to their social expendability. No longer are they among those whose lives are protected by the state, but they are not dead, either. For them, caught in-between becomes a state of being.²

The history of legal punishment tells a troubling story of the centralisation of physical pain and death across a spectrum of medical and disciplinary practices. In the twentieth-century United States, penal death drew upon two distinct historical currents. One was the legal execution for crimes against morality, property, the person and the sovereign, which originated in early modern Europe and took root across colonial America. The second was the social death of racial, chattel slavery in the American South.³ After the Civil War, the legal status of the prisoner joined both currents into a new form of living death: *Ruffin v Commonwealth* (1871) ruled that the prisoner is ‘a slave of the state. He is *civiliter mortuus*’, civilly dead.⁴ When the state retracted — or never extended — its guarantees of the protection of life and property, biological death was always a short step away. Postcolonial critic Achille Mbembe described this existence

as living in a death-world. His description of necropolitics, the inverse of the Foucauldian notion of biopolitical sustenance of citizens' lives, is applicable to incarceration: 'kept alive but in a *state of injury*, in a phantom-like world of horrors and intense cruelty and profanity'.⁵

Texas is a good place to explore pain and death in American punishment, and the 1930s, seen by many as the birth of the modern American state, are a good time to do so. Despite widespread poverty during the Great Depression, the 1930s held real promise. American liberalism made great strides under Franklin Roosevelt's New Deal, which expanded the regulatory-welfare state to protect American citizens' lives from economic crisis. These benefits were not evenly distributed, however. White male industrial workers gained the most, while white women and people of colour, who worked in domestic or agricultural labour, garnered far fewer protections; nevertheless, important gains were made.⁶ Equally promising, lynch violence was finally disappearing across the South, and the Southern convict lease system went into a legislated 50-year remission. These were material benefits of the New Deal order.

Yet even granting that liberalism's unequal benefits were structured by race and gender, the New Deal had a still darker underside. Non-citizens, including hundreds of thousands of Mexican nationals, were expelled from the nation in what one scholar called a 'twilight zone between voluntary and forced migration'.⁷ Prison populations also dramatically expanded, a condition made more dire by a proliferation of capital executions. Within growing carceral institutions, and particularly in

the South, prisoners died by means that ranged across a medical, legal and illegal spectrum: from state sanctions like capital execution to diseases like tuberculosis; from 'accidental' drowning to gunshot wounds; from inmate stabbings to sunstroke. Some were listed as 'natural' deaths by prison officials, others as violent illegal killings, others still as executions fully approved by the state.

But the line between these kinds of death was not always clear, and decisions as to where it was drawn were subjective. In fact — and this insight extends beyond the prison — there is no such thing as dying of 'natural causes.' Death is a condition of life, but belief in death from 'natural causes' is based on an understanding of nature as a pre-cultural, non-political, state of being. All lives, and their ends, are invariably shaped by cultural practices, the power relations of which are always historical, and always political.⁸ When three black men died on a single day from 'the heat' on Clemens State Farm in 1930, the Texas Prison Board determined that these deaths could not have been prevented: 'The evidence show[s] that the utmost care was taken to prevent these unfortunate circumstances, and that the death of these three men is not the fault of the employees of Clemens State Farm.'⁹ In extant records, the deaths were caused by 'heat exhaustion' rather than human actions, and unfortunate circumstances, as uncontrollable as the weather.

These black men's death from 'heat exhaustion' at everyday labour under the state's care reveals the prison's function in institutionalizing a zone of indistinction between life and death for those marked as criminal.¹⁰ It also reveals a shift from

nineteenth-century to twentieth-century modes of state formation. In the nineteenth century, racist lynch violence bolstered the relatively weak state. Twentieth-century criminal justice differed in crucial ways, but nevertheless continued to guarantee a new racial and economic order. While the modern state might protect and extend subjects' lives in innovative ways, it would also permit degrees of death for unruly and racially degraded criminals, as crucial Others to the category of the citizen.

Too often scholars have treated lynch violence, incarceration and capital punishment separately. The most common periodisation of lynch violence, which begins in the 1880s and ends in 1930, is a symptom of this tendency, and meshes with the progressive story of the arrival of the modern liberal state.¹¹ Charles J. Ogletree, Jr. and Austin Sarat's recent *From the Lynch Mob to the Killing State* does well to stress the connection between nineteenth-century lynch violence and twenty-first-century legal execution, yet analyses capital punishment as if it exists in isolation from other carceral forms. Artificially decoupling lynching, ordinary punishment, and the death penalty has allowed many scholars to neglect a broader critique of prisons. Ogletree and Sarat write, 'Today, capital punishment is the new "peculiar institution" in American society', implying that capital punishment, rather than the mass carceral system of which it is a part, is the genealogical descendant of slavery.¹² I disagree. It is but one element within the necropolitical regime of American incarceration and its central role in modern and late-modern state formation. In order to fulfil their broader political and conceptual aims, death-penalty scholars must reckon

with the many forms of social, civil, and biological death behind bars, and with what activist-scholar Dylan Rodríguez has identified as a 'logic of death' in imprisonment. Such reconsideration must acknowledge prison abolition, rather than just death penalty abolition movements.¹³

Yet, it is hard to know a great deal about death. It is a difficult subject under any circumstances, 'for dying is the experience of slipping beyond the social world of affects and signification'.¹⁴ Death in prison is doubly inaccessible because so much is deliberately hidden. Even for those inside, death, and its threat, enforces a veil of silence. A black Texas prisoner once explained that just talking about how someone died might be dangerous.

You actually can't tell how nothing happened. You got to go on the side with them if you want to live a long time ...

You may be cuttin' wood and they say, 'He was cuttin' wood and a tree fell on him.' All the rest of the guys say, 'How'd he get killed?' Say, 'He was cuttin' and got trapped by a tree.'

You can never tell. Things I actually seen here and things that actually happened — you got to lie, you got to lie. You tell just how it happened, a dark cloud will go over you, and nobody never know what became of you. You runned away. 'Did he get away?' 'Yeah, he got away.'

He got away in a shallow pit grave somewhere, in them woods somewhere. Ain't nobody can come

back here and tell a report but *them*. So that's the way that goes.¹⁵

You never can tell. Because this man understood that in prison, he controlled neither violence nor truth, nor even his own life. And to speak against the 'truth' violence imposed was to risk death itself, and have that 'dark cloud ... go over you'. Violence, in its many forms, made its own truth in the Texas prison, and death imposed a lasting silence.

If the late-nineteenth-century lynch mob proclaimed the 'truth' of white (male) supremacy in public spectacles that tortured and flayed bodies, mainly black men's, the 'truth' of death in the modern Texas penal regime was a crushed silence, a tubercular wheeze, an occasional gunshot, or the whine of an electrical generator pumping current through a legally-restrained body. Neither these sounds nor these sights were the terrorist spectacles of lynch violence, but they nonetheless signalled a new mode of racial and class hegemony and a new state formation.

JURIDICAL INDISTINCTION

Texas has a long history of legal and extralegal execution, and it draws on numerous sources. The mid nineteenth century was a period of colonial warfare and expansion, and violence against Native Americans and Mexicans at the hands of Texas Rangers frequently took the shape of an extralegal posse or a lynch mob. When a member of a white settler community violated local customs, they, too, could be dispatched at the end of a rope and with an impromptu trial, if with a trial at all. Yet the best-known form of lynch violence was the racial terrorism of the late nine-

teenth and early twentieth centuries. White men, anxious about their patriarchal authority in the postbellum world (and this was exacerbated by economic crises), attempted to crush the possibilities of black political participation and reproduce the slave-like conditions and clearly-defined racial/gender hierarchies of earlier generations.¹⁶ When accused of raping white women, African American men were lynched in massive and horrifically violent events, spectacles that blurred the line between legal and illegal execution. Public officials commonly participated in illegal lynch mobs and racial violence in the late nineteenth and early twentieth centuries. Similarly, black men 'saved' from mobs were frequently railroaded through a 'legal' trial and then put to death.¹⁷

Lynch violence in the late nineteenth and early twentieth centuries coexisted with capital punishment across the South. Until 1923, county sheriffs meted out capital punishment in Texas. As with lynch mobs, sheriffs hanged the condemned in a public spectacle in the county of conviction. Texas was slow to eliminate this public ritual, and to bring it behind the 'civilised' walls of the prison system.¹⁸

As the culture and economy of industrial capitalism and the aesthetics of modernity took hold across the South in the early twentieth century, advocates of local and bloody lynch justice — particularly for alleged sexual attacks by black men on white women — lost sway to the boosters of northern investment and the critics, black and white, of Southern backwardness, lawlessness, and insularity.¹⁹ After such notable black activists as W. E. B. Du Bois and Ida B. Wells railed against what they identified as the barbaric lawlessness

of white lynch rule, new Southern elites with ties to Northern capital relented and moved against the previous generation's lynch violence. By the mid-1920s, Texas belatedly followed many other states by both centralising its legal executions and curtailing extralegal lynching, thus incorporating some element of white 'lawlessness' into the modernising state. This move had two key components: by denigrating working-class whites as the 'rabble' responsible for white lynch violence, new elites displaced responsibilities for lynching (in which political elites participated), while also playing on emergent conceptions of 'white trash' as a racially-polluted, criminal type.²⁰

As the state mechanism for execution modernised to limit the threat of white mob disorder while guaranteeing white rule, so too did the Texas Prison System adopt an industrial apparatus for killing. After 1923, condemned criminals would be executed at Huntsville, and electrocuted rather than hanged.²¹ There would be neither the festival of violence that accompanied a mass spectacle lynching, nor were vigilante killings acceptable. Instead, death came to prisoners through the anti-septic administration of justice, via the penitentiary and capital sentencing. Texans developed a sensibility that would modernise the practice of execution by centralising it in the state, and this, in the end, effectively absorbed white mob disorder while transforming the mechanisms of white male supremacy and class hegemony.

Indeed, the new prison regime was so effective at these tasks that in the Depression, unprecedented numbers of people were either imprisoned or put to death. In

Texas, the prison population swelled from 5,000 prisoners in 1930 (itself cause for much concern in prison Annual Reports) to crisis levels of 7,177 in April 1939, making the Texas Prison System one of the largest in the country.²² In the same decade, capital sentencing rose nationwide, peaking in 1935 when 199 people were put to death. Then as now, Texas was a national leader in lethal punishment. The 20 men who died in Huntsville's electric chair in 1935 made up 10 per cent of all executions for that year, and Texas accounted for seven per cent of the nation's total executions between 1930 and 1942 (148 of 2,065 total executions).²³ Yet the electric chair was just one of many ways to die in this new regime, which, like lynch violence before it, meshed elements of legality and illegality, and neglect and cruelty.

Jesse Jones's experience presents a case in the indistinction between legal and extralegal killing across the early twentieth century. In 1906, Waco authorities arrested Jones, an African American man, for the murder of his employer, a Jewish storekeeper named Mat Block. The Sheriff explained how he obtained Jones's confession: 'When I was talking with the defendant we gave him some whisky; also told him we would protect him from the mob.' Keeping Jones awake all night, the Sheriff told Jones 'there was a crowd gathering downtown [that] contained too many men for that time of night'. Thus promised protection from a torturous death at the hands of the mob, Jones confessed, and was convicted, despite the two witnesses who claimed to be with him at the time of the murder. He was hanged in downtown Waco before a large and approving crowd.²⁴

This sort of (white) community approval, and the overlap between vigilante and formal justice continued well into the 1930s, particularly when black men were the accused. Bob White, also African American, was arrested in Conroe, just north of Houston, for the rape of a white woman on 10 August 1937. White denied involvement in the crime. He claimed he'd been farming at the time of the attack, and argued that the casts of the attacker's footprints — used as evidence in the trial — did not match his own feet. Nevertheless, the victim identified him as the attacker. Material from his case file describes his treatment in the county jail:

That night and the three nights following the subject was taken to the woods near Livingston and beaten senseless. On the fourth night, he was suspended from the limbs of trees by chains tied around his wrists until he fainted. This treatment was administered for the purposes of obtaining a confession.²⁵

The 'treatment' was successful, and White signed his 'X' on the confession. Later, however, White appealed his conviction, went through a second trial and appeal, and was in the process of jury selection for a third trial in June 1941 when W. S. Cochran, the victim's husband, shot him dead. Cochran, a large landholder in the area, was charged with murder, but soon released on \$500 bail. One week later, he was acquitted. The *Conroe Courier* reported 'general satisfaction' over Bob White's death.²⁶

Confessions weren't just coerced over rape and murder charges, for which men would have been lynched a few years

earlier. Forced confessions, produced under tortures directly replicating lynch violence, could be used in a range of offences. The conditions an East Texas county jail inmate described in a letter to Governor Ferguson again showed the lack of distinction between extralegal lynching and legal criminal justice:

I am writting to you to let you know how the prisoners in the Nac'doches County jail is treated. They put you in jail on supsician and they try to make you confess, hang you up by the neck and whip you with a club and their pistols, take them out of jail at night, carry them to the woods, whip them unmercyful, one whips them the others hold their gun on them.

The writer continued that 'City and County Officers, Curl Butler High Sheriff[,] Jack Eaves Debuty[,] Pat Patterson debuty [and] City Marshall' all participated. Surely he knew he was in a weak position to make a request to the Governor, but nonetheless demonstrated optimism in the possibilities of the law when he requested that the Governor

investigate the way they are treated the poor colored people in jail and in Nac'doches ... please look into this letter and try to rid this town of such cruel treatments ...

From a prisoner in jail that are getting these treatments.²⁷

Nevertheless, the 1930s did see the successful curtailing of lynch violence, and the glimmerings of modern trials and due process in Texas. Lynch violence de-

creased, but incarceration, accompanied by the rapid expansion of legal execution, quickly took its place.

MEDICAL DEATH, VIOLENT DEATH

In the late nineteenth and early twentieth centuries, the most sophisticated medical facilities available in the Texas Prison System were at the Huntsville 'Walls' Unit, though investigations lamented that these were antiquated and inadequate.²⁸ In this era, doctors employed by the prison were to make weekly tours of the numerous farms where prisoners, leased to private and state farmers and railroad builders, lived, worked and died in conditions that were both putrid and violent. As the convict lease system fell into public disrepute and free-world wages dropped low enough to make the lease undesirable, the state assumed control of those farms, but medical care on these scattered sites remained inferior to that available at the Walls.²⁹ It should come as little surprise that white inmates, particularly young and compliant whites, benefited from the greater medical care available at the Walls, and that black, Mexican, and disobedient white inmates suffered disproportionately from medical neglect on the prison farms where they harvested cotton, corn and sugarcane, from sunrise to sunset, all year long.

Over the course of the 1930s, the prison's medical system became increasingly sophisticated. A new hospital at Huntsville was completed in 1935, to the high praise of prison administrators who built it.³⁰ In 1941 the hospital at the State Farm Industries Unit was 'equipped as a modern institution', to serve inmates at prison

farms scattered south of Houston. Tubercular prisoners were brought to Wynne Farm, which, in 1941 was updated to give 'first-class attention' to these infirm prisoners, and also modernised so 'that no contact is had between these patients and the non-tubercular inmates'.³¹ The construction of new buildings and increasing medical segregation guided physicians toward a progressive narrative that touted the always-improving medical care available in the prison. This narrative wasn't entirely without merit: indeed, many inmates likely received medical attention that would have been unavailable to them prior to incarceration. That many services may in fact have been unavailable to the population at large bespeaks the social maldistribution of health, in which medical resources benefited wealthy whites disproportionately while neglecting poor blacks, Mexicans and whites, rather than the beneficence of the prison system.³²

As the prison system assumed moral care and fiscal responsibility for inmates, the state, like slave owners of a previous era, sought to ensure a healthy and able-bodied population. As a result, inmates who fell ill at the farms now were more likely to be sent to the hospital at the Walls, rather than to suffer while still working on a prison farm. The goal, however, rarely stated outright but clear enough from many Annual Reports' financial statements, was that the ill might become well enough to return to work chopping cotton or canning prison-grown vegetables, and thus offset the costs of their incarceration.

By the middle of the decade, then, as the ill were congregated for treatment there, most deaths at 'The Walls' were due

to illnesses rather than fights or gunshots. After the new hospital at Huntsville was completed and as inmates from much of the scattered prison system were sent there, death at Huntsville, or at the nearby Wynne Tubercular unit, came slowly. It crept up in coughs and wheezes, from meningitis, and malignant lumps explained too late and chest infections treated ineffectively or too slowly.

As a result of the more efficient transfer of ill inmates to Huntsville across the decade, most of the dying done on other farms and in other units came from heat stroke and overwork — from accidents and ‘accidents’, from sudden heart attacks, from stabbings or beatings by inmates, or being shot by guards. Death became somewhat less frequent on the farms. But it could come suddenly, literally as a lightning strike, a falling tree, or as an old grievance and a knife in the side. It could come mysteriously, as ‘accidental asphyxia’, the cause of which is lost in the records. Prisoners on farms could expect some delay before being recognised as sufficiently ill to deserve transfer to Huntsville, and in that time could suffer greatly from medical neglect: G. B. Butler’s 11 August 1939 transfer from Clemens Farm, ill with jaundice, to the New Unit Hospital, came too late. He died there three days later.³³ That same year, even the expanded Huntsville hospital was running at near full capacity, a ‘condition’ diagnosed by prison officials as ‘caused by more transfers from the farms to Huntsville Hospital for treatment’.³⁴ Yet officials still found reason for self-congratulation. In 1940, Dr. Butler proudly reported to the Prison Board that ‘the Medical Departments of the recently visited prisons in Arkansas, Mississippi, and Louisiana are, as a whole, obsolete and

inadequate compared to the Medical Department of our Texas Prison System’.³⁵ A dubious, if flattering, choice of comparisons.

Prison medical records consistently differentiated between kinds of death.³⁶ Prison health officials were curious about the distinction between death from coronary thrombosis, cardiac failure, and aortic insufficiency, the better to administer the lives of the imprisoned — so that they could return, in the ideal world, as productive rather than enervated citizens. But the more salient distinction for prison authorities was between violent and non-violent death, between death at the hands of another, and death from ‘natural causes’. Yet the difference between the two is a political difference, and this is a key point. Though prison officials saw sunstroke as a disease, an alternative argument is that sunstroke, or the more medicalised ‘thermic fever’ was a violent death, differing only from legal execution in that those who died from it were not, in fact, sentenced to die. They were worked to death in the Texas sun, driven by the lash and the guards’ hopes to have a bumper crop of cotton or sugarcane, and to help finance the running of the prison itself.

While sunstroke, thermic fever and its variants were common ways to die — as was pneumonia — tuberculosis proved to be the second-most-likely cause of death for Texas prisoners between 1930 and 1941. Indeed, tuberculosis was second only to legal execution itself. While nearly one-fifth (18 per cent) of inmates who died in Texas prisons in these years were put to death in the electric chair, 15 per cent of the dead succumbed to tuberculosis in one form or another. Yet death from

tuberculosis proved to be no more of a 'natural' cause of death than capital punishment or thermic fever. Just as Texas juries and District Attorneys pushed for capital sentencing based on the sex and race of the accused and the victim, tubercular morbidity and mortality were deeply implicated in the Southern political economy. Diet and living conditions were key indicators of death or survival for people infected with tuberculosis.³⁷ The specific demography of those who died in prison of tuberculosis is unavailable, but the conditions of overwork, crowded and dilapidated housing characteristic of black life in the Jim Crow South meant that African Americans were dramatically overrepresented among those who suffered from tuberculosis, and these conditions were exacerbated behind bars. According to Samuel Roberts, approximately one-quarter of Americans who died from tuberculosis in 1929 were black. Poor whites across the South also suffered from tuberculosis, but the largest Texas cities showed a dramatic racial disparity in the pain and death of illness. In Houston and Dallas, pulmonary tuberculosis mortality rates for non-whites in 1935 were roughly twice the white rates (with 67.5 whites and 127.5 non-whites per 100,000 dying in Houston, and 35.2 whites and 84.9 non-whites per 100,000 in Dallas).³⁸

At the Wynne Tubercular farm, the Huntsville Walls unit and elsewhere, inmates played key roles in caring for the sick and the dying. Inmate nurses were sometimes even rewarded for their service, with time deducted from their sentences and awards of meritorious conduct, particularly in their treatment of inmates suffering from communicable diseases, such as spinal meningitis or during flu out-

breaks.³⁹ The concern inmate nurses showed was remarkable, because it was perhaps more common for inmates to fight than to offer comfort.

Indeed, Texas prisons sustained a world of nearly-universal antagonism that made mutual support hard to achieve, and harder still to maintain. In fact, prison authorities institutionalised intra-prisoner violence in a practice known as the 'building tender' system. Building tenders were permitted to carry clubs and dirks, and had what might be called 'officially unofficial' sanction to maintain a brutal order based on sexual violence and fear.⁴⁰ Due in no small part to this system and the dominating hierarchies it supported, overtly violent pain and death were all too common. Violence was rained down by guards on prisoners, by prisoners on each other, and by prisoners onto their own bodies. Between 1930 and 1941, 11 per cent of Texas prisoners killed died of gunshot wounds, and five per cent were killed by other inmates — stabbed, clubbed, or by some other means. For people whose lives were deemed valueless by society — indeed, they held the legal status of the dead — life was cheap. In the prison context, violence became linked with masculinities, and violent hyper-masculinity became one form of currency, along with cash and tobacco, operating across subaltern prison economies and hierarchies. When folklorist Bruce Jackson interviewed long-time black prisoners in Texas, they described times when there 'was a lot of killing', and not just by guards. Much violence came 'over petty debts, petty thefts, money, hustling money to gamble'.⁴¹

Indeed, the alienation of incarceration led to a great deal of the bloodshed that, a generation later, Frantz Fanon would identify as fratricidal. Building on Fanon, literary critic Adam Gussow makes the case that black and white southerners transferred violence done against themselves (structural, symbolic, as well as material) against their peers, and that this was a troubling act of personal empowerment when violence against those in positions of structural power seemed impossible.⁴²

If killing, for some, became a twisted form of empowerment, suicide, for others, became an escape.⁴³ In such a death-world, being shot by a guard could have been a kind of release. It is impossible to know the motivations of the dead, but common sense in prison folklore holds that if a prisoner is tired of living, an escape attempt will guarantee their death. Johnny Cash's song 'The Wall' describes a prison inmate who tried to escape, knowing that no one had survived an escape attempt before: 'The newspapers called it a jail-break plan, But I know it was suicide, I know it was suicide.' In *Passed On*, her literary history of black dying, Karla F. C. Holloway reflects on her son's death while attempting to escape from prison, and she places his life in the long history of African American life — and death — in escapes from historical or contemporary forms of unfreedom.⁴⁴

There is more than a grain of historical truth to the idea that death, and even self-mutilation, could become an escape from the tortures of prison life. Prison doctors like W. B. Veazy expressed surprise about 'the apparent disregard the average inmate has for his health', but Veazy misunder-

stood the social devaluing of prisoners' bodies, a process to which prisoners were hardly immune.⁴⁵ How else are the many injuries that prisoners did to themselves intelligible, as they cut Achilles tendons, and severed fingers and hands? Prison doctors treated 20 self-inflicted arm fractures in 1940 alone.⁴⁶ Prisoners injured themselves to avoid work in the fields, to be sure, but also to control their own bodies, even through pain and destruction, in situations of radical disempowerment, in situations that warped the idea of agency developed by social historians of the past 30 years.⁴⁷ The line between state-sanctioned punishment, and self-destruction blurred in the modern penal regime.

Though Cecil Davis didn't slash his wrist or tie a noose from a bed sheet, it appears that he did commit suicide.⁴⁸ The 33-year-old Davis was serving a two-year sentence on the Retrieve Farm, dedicated to white men over 25-years-old of 'intermediate' security risk and rehabilitative potential.

Slightly more than a week after his arrival, Davis tried his first escape. On 24 July, he worked with Hoe Squad #9 near the Retrieve Club House. At around 9:30 in the morning, he looked directly at Captain Brown, in position on horseback behind the squad, and told him, 'Captain, I am going, you can kill me if you want to.' Davis dashed into the cane patch, and the nearest guards tried to shoot him but missed. Captain Brown, on horseback, overtook Davis after about 300 yards. He talked to Davis for 20 minutes, and convinced him to return. On the way back, Davis reportedly told Brown 'You might as well kill me, I'm not going back ... I'm

not going to do this time.' Reflecting on the day to investigators, Brown tried to explain just how difficult the trip back to the building was: 'You don't realize how hard it was getting him back to the building and him talking that way to me.'

On his return, a visiting physician examined Davis. Dr. Blair concluded: 'There isn't anything wrong with him. It seems to me like he just wanted to run off.' Because the doctor found no mental or physical problems, he prescribed a universal cure: Davis 'needed to be put back to work'. Davis was allowed to watch the picture show, and promised Captain Brown that he wouldn't try to escape again. That night, Brown warned him, 'You had better not run anymore because somebody might kill you. I gave you your life today.' On the Retrieve Farm, Davis's life was not his own. For Captain Brown, riding hard after an escaping prisoner and convincing him to return was difficult work. It would have been easier to kill him.

Davis ran the following day. Brown shot him dead.

In her report on the investigation, Prison Board member Charlotte Teagle determined that the killing of Cecil Davis was very much justified. In fact she commended Captain Brown 'for his patience and good judgment in getting the prisoner back to the building under such trying conditions' the day before he killed him. She concluded that Davis was 'in a very depressed state of mind' or was perhaps 'mentally unbalanced', but that, in either case, 'he placed himself in [a] position to be killed'.

While the evidence of the report clearly indicated that Davis would rather die than

spend two years at Retrieve, inmates' testimony begged questions. The majority of inmates gave pointedly nondescriptive answers to Mrs. Teagle's questions. After receiving numerous answers of 'No' or 'No M'am', she asked: 'You men don't do much talking. Why?' Eddie Canonico responded, 'I came to do my time and give no trouble', though trouble to whom is ambiguous. C. B. Bland's answer was more than simply unresponsive: 'I had rather not make any statement, but at the same time I am not casting any reflections on Captain Miller [the Retrieve Farm Manager] personally, but for my own safety, since I am trying to secure my release, and for other reasons, I had rather not testify.' The reasons for not testifying are unclear — perhaps he didn't want to imply guard misconduct for fear of reprisal, or perhaps he didn't want to challenge prisoners who may actually have intended to harm Davis, as Davis reportedly told Miller. Yet these were lost to the historical record when the dark cloud came over, and died with Davis on that hot July evening.

LEGAL EXECUTION

Just a month after Cecil Davis's death, Florence Murphy, a black man convicted of rape, was executed. Unlike Davis, Murphy's death was planned well in advance, and carried out in Huntsville's electric chair, under the supervision of numerous state officials. Though few witnesses saw Cecil Davis die, his death was duly recorded in the *1940 Annual Report*.⁴⁹ Florence Murphy's was not.

Curiously, despite the long list of ailments and treatments that prison doctors offered, only once in the years between 1929 and 1941 did Texas prison doctors

record 'legal execution' as a cause of death. Even then, in 1931, only one of the 10 executions was recorded. This was not due to ignorance. Prison doctors participated in legal executions, placing a stethoscope on the steaming chest of the man strapped into the electric chair, and announcing the time of death.⁵⁰ While legal electrocution was the most common cause of death in Texas prisons in the 1930s, no Annual Reports mentioned this ultimate state sanction. Along with the invisibility of executions behind prison walls came a stark historical silence over those condemned to death. Yet even in this administrative silence we can find continuities between the local 'justice' of lynch mobs, assumed by a more powerful state.

On an administrative level, condemned prisoners existed in a bureaucratic netherworld between the local, county-level retributive justice of the lynch mob and the state-level mechanisms of punishment and execution. Though they lived and died at Huntsville and under the state-level prison system, in most regards, the condemned existed at the local county level. It was only in 1924 that the state of Texas began performing executions; prior to then offenders were executed by sheriffs in the counties where people were sentenced. It may have been due to the tradition that the condemned only arrived in Huntsville one month prior to their execution date, that they were in a liminal space between the injured and the dead — encapsulated precisely in the name 'the death house'. Their names were not recorded in the convict ledgers and indices; these were the record books of those living in prison, not those dying there. Nor was capital punishment discussed in meetings of the Prison Board. At this bureaucratic level,

the condemned were considered to be under the jurisdiction of the county and district courts rather than the state. Indeed, Texas counties paid \$25 to the state for the use of its cells and execution facilities.⁵¹

Together, these facts represent a link between the traditions of lynch violence and modern state execution. W. Fitzhugh Brundage argues that the history of lynching needs to be analysed at the local level, in order to assess the complex local power struggles and structures that went into this horrific form of racial violence.⁵² State killing left the hands of local sheriffs and disordered mobs, becoming centralised in state institutions, but capital cases were tried and sentences handed down at the local level, by local district attorneys and judges who, like local elites a generation earlier, were players in political struggles and power dynamics in which race, class, the fear of crime and the 'public' sanction of revenge played key roles. This local exercise of justice bridged the transition from the lynch era to state execution.

Yet the most concrete connection between lynch violence and capital punishment came at the discretion of local judges and juries, and for cases in which they pressed for execution rather than a lengthy sentence. Rape, and particularly the alleged rape of a white woman by a black man, consistently drew the local municipalities' harshest legal wrath. The probability of a black man being executed for rape was vastly higher than the probability of a white man on the same charge. Indeed, black men were between five- and 10-times more likely to be executed for rape than white men, and this reached the

high point toward the end of the Depression, when black men were almost 20-times more likely to be put to death for rape than whites. Furthermore, men executed for rape were far more likely to be convicted and sentenced in east Texas, the region where slavery's roots were deepest, and where most lynching took place.⁵³

LIFE IN THE DEATH HOUSE

By all accounts, life in the death house was grim. Its nine cells looked onto 'the long last mile', a hallway that ended at a grey, solid steel door. The electric chair, known to all as 'Old Sparky', was behind that steel door, in a small, low-ceilinged room.⁵⁴ A guard was always on duty on this, the 'death watch' shift.

Though surely there was much antipathy among the condemned, some sense of final camaraderie was in evidence among the black, white, Mexican, and Native American men who spent their final days there. African Americans, though, were the largest number of those sentenced to die. Of the 191 men executed from 1929 to 1942, 107 were black (56 per cent), 63 were white (33 per cent), 20 were Mexican (11 per cent), and one was Native American.⁵⁵ J. F. Hogan, a white man convicted of murder in Hidalgo county, spent 57 days in the death house prior to the commutation of his sentence in 1934. In Hogan's two months in the death house, two men were put to death: as he said, 'a couple of Negroes; I don't remember their names.' Yet while Hogan was on death row, 'about four o'clock one evening when one of the Negroes was going down that night, we sort of held court on the Row, and the Negro willed all his personal belongings to the other boys he was to leave

behind'.⁵⁶ As the condemned ordered their last meals, they frequently placed orders for five bowls of ice cream, six pieces of pie, and so on. This wasn't simple gluttony or a final sensory inundation. Many ate last meals with gusto, others didn't touch the food. Rather, these extra pieces of pie went to the other prisoners in the death house. It was part of the community made among the nearly-dead, among men who knew, almost to the minute, when they would die.⁵⁷

Fear and apprehension and the memories of home and of crimes must have been thick in the death house. As elsewhere in the prison system, music proved to be a powerful way for inmates to imagine other times and places than the walls that surrounded them. Country singer Merle Haggard's mournful 'Sing Me Back Home' poignantly intermingles music, memory and penal space. It tells the story of a prisoner on his way to his execution who asks a fellow inmate to 'Sing me back home, Before I die.' Haggard served time in prison, but he could hardly have known that the events his song described literally took place in the Texas death house, decades before he wrote it.

Paul Mitchell, a white prisoner who played harmonica, spent time on the Texas Death Row prior to having his sentence commuted. In Mitchell's words:

I played a mouth organ quite a bit then, and one of the men took a fancy to 'Chicken Reel'. He asked me to play it for him when his time came — said he wanted to go down with that tune ringing in his ears. I thought it would be easy, but ... well, at midnight he came by and shook hands with me. I

had the harmonica in my hand. He tried to say goodbye-but he just kind of choked up. Then he pointed to the mouth organ, and I began playing ... and he began walking toward that little gray door. Mister, that was the hardest piece I ever played in my life! And it kept getting harder! Then, when it was over, I threw my harmonica into the corner and both sides flew off of it. Now I never play 'Chick-en Reel' anymore.⁵⁸

While condemned prisoners found solace in song and in each other, they also found solace in religion, and had frequent visits from prison chaplains. Most prisoners who died were not religious men (in 1929, one of the rare years when this statistic was kept in the Annual Report, 28 of the 52 who died listed no religion⁵⁹), but it is easy to imagine that as their last days approached, some inmates had a change of heart, and used their final hours in spiritual pursuits. Religious officials saw the death house and the hospitals as fertile ground for their harvest of souls. Certainly questions of the afterlife pressed more urgently for those on death row than elsewhere in the prison system, and chaplains tried to fill this need. Indeed, the Catholic Reverend Hugh Finnegan felt his most important service was among the condemned. There, he said, his work's benefits were 'most evidently manifested'. He was thankful to provide real consolation in the Death House.⁶⁰

ON PECKERWOOD HILL

After a prisoner died, his family received word from prison officials. It may have been the terse telegram of an unexpected

death, when the speed of decay and expense of embalming demanded a quick, if unsympathetic, notification. Rosie Wilson received a telegram about her son, Johnnie. To say that the message is succinct is to put it mildly:

Rosie Wilson, Colored,
Beckville, Texas.

Johnnie Wilson died last night
eastham state farm weldon Texas
advise by Western union immedi-
ately whether you want remains
your expense.

H E Moore, Chief Bureau of record
and

Identification Texas Prison Sys-
tem.⁶¹

Letters were more predictable in the case of an execution, when the death was planned well in advance. Prisoners' families received form letters from the warden, informing them that they needed to arrange for the removal of their family member's body after execution. If they could afford the expense, a mortician would pick up the body and return it to the family. A 1941 letter explained: 'If you intend to claim the body, please have the undertaker advise this office by letter immediately. If you do not wish to claim the body, burial will take place in the Prison Cemetery here in Huntsville with full Christian rites.' And to set the family at ease — as much as possible, under the circumstances of state execution: '[P]lease rest assured that everything possible is being done to make your brother's last hours as happy as is possible under such conditions, and the Prison Chaplain is in constant attendance.'⁶²

Yet many prisoners' families could not afford to claim their remains, and were less fortunate than Johnnie Wilson, whose mother sent for his body. One of Elmer Pruitt's parents responded to the warden's letter: 'Many thanks to you for the information. It is my desire to claim the body of my hopeless son, but I am unable, financially, to bear the expense.' Pruitt, a black man convicted of murder in Henderson County, was executed 30 May 1937 and presumably buried at the state cemetery in Huntsville, known to inmates as Peckerwood Hill.⁶³

Indigent prisoners, and this was not an inconsiderable number, might hope for a burial suit to be provided from the prison, as well as a coffin. The suit was almost certainly sewn by women prisoners at the Goree Farm, who made all of the work clothes worn in the prison, and the discharge suits worn by prisoners who were fortunate enough to walk rather than be carried out, and luckier still than those who never left. The coffins, too, were likely made in the prison carpentry shop. If inmate carpenters could build 'Old Sparky', it stands to reason that they could build a few dozen rough coffins each year.⁶⁴

Prisoners whose families couldn't or wouldn't claim their bodies were seen to, then, by prison officials, and the prison chaplains oversaw their burial. This, too, was a vital part of their role in the prison. The matter-of-fact tone in Annual Reports belied a deeper sentiment in this Chaplain's ministrations:

In cases where the electrocuted men were not claimed by their relatives, I have conducted their funeral services; I have conducted

funeral services for the men who died in the hospital and were buried in the prison cemetery. The funerals of the men from the Wynne Farm have been held at the cemetery of that farm, as that unit has no chapel nor any suitable place for services.⁶⁵

C. E. Garret, who tended to the spiritual wellbeing of white Protestants in the 'upper sector' of the prison system, oversaw some 29 burials in 1940 alone.⁶⁶

These meagre services were hardly the grisly mass spectacles of death at the hands of the lynch mob. Indeed, almost no one would be there to witness the death, however it happened, or the burial, wherever it took place. If they did witness it, as was the case with Cecil Davis, they spoke about it only reluctantly. But it was also different from the post-Reconstruction lynch mob because during the depression, poor whites, now understood as 'white trash', joined African Americans and Mexicans at Peckerwood Hill: imprisoned, in the main, for property crimes, but also rape, murder, and assault; dead from medical neglect and from overwork, from hatred and electrocution. This new regime was far different from the lynch mob, but if this was progress, it was the kind described by Ralph Ellison's *Invisible Man*: 'It moved not like an arrow but like a boomerang, and if you were poor, black, or both, it was best to have a steel helmet handy, because it could come back and knock you down.'⁶⁷

* * *

In his history of lynch violence in the American South, historian W. Fitzhugh Brundage has cautioned against seeing clear continuity between lynch violence

and forms of modern criminal justice. While acknowledging the racism of more recent prison systems, Brundage writes that 'no legal lynching could convey the full, frightful symbolism of white supremacy that lynching by seething mobs had once conveyed'.⁶⁸ This is undoubtedly true. But white supremacy remained, transformed, arguably more thorough in its institutional banality than in earlier, more visible versions. In a perverse sense, the lack of frightful symbolism bespoke the complexity of the new system.⁶⁹ And when linked to the racial code of 'criminality' rather than biological race, it existed in more subtle ways that grew harder to identify, and even more so in the wake of the Civil Rights movement and the end of the legal basis of segregation and disenfranchisement.⁷⁰ Modernity would offer Texas criminal justice officers — now black and white, Native American and Mexican — a more sophisticated form of white supremacy, which Americans in the post-Civil Rights era have yet to challenge successfully in the ways that Du Bois and Wells did in their era.⁷¹ Like the white supremacy of previous generations and of the lynch mob, this manifestation was deeply implicated in the social formations of the New Deal order and, now, late modernity. The panics of the 1890s saw gruesome waves of lynch violence coupled with the convict lease system; the crises of the 1930s saw the massive expansion of prison systems and legal execution. Since the 1980s, both prison populations and legal executions have seen a steep and vengeful rise in the at times slow, at times rapid, infliction of death, in the newest manifestation of white supremacy.⁷² The dark cloud it casts has shifted, roiled and

turned across the past century, but still casts its shadow unequally across the land.

NOTE

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¹ Texas Department of Criminal Justice, Administrative Review & Risk Management Division, 'Risk Management Statistics', <http://www.tdcj.state.tx.us/adminrvw/adminrvw-risk-mgt-definitions.htm>. Accessed 13 March 2007.

² On zones of indistinction between life and death for certain categories of humans — in this case, Texas prisoners — see Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, trans Daniel Heller-Roazen (Stanford: Stanford University Press, 1998); also Dylan Rodríguez, *Forced Passages: Imprisoned Radical Intellectuals and the U.S. Prison Regime* (Minneapolis: University of Minnesota Press, 2006).

³ Stuart Banner, *The Death Penalty: An American History* (Cambridge, MA: Harvard University Press, 2002), esp. p.54. Also, Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, MA: Harvard University Press, 1982).

⁴ *Ruffin v Commonwealth* (1871), quoted in James W. Marquart, Sheldon Eklund-Olson, and Jonathan R. Sorensen, *The Rope, the Chair, and the Needle: Capital Punishment in Texas, 1923–1990* (Austin: University of Texas Press, 1994), p.16.

⁵ Achille Mbembe, 'Necropolitics', trans Libby Meintjes, *Public Culture*, Vol. 15 No. 1, (2003), p.21. Italics in original.

⁶ Steve Frasier and Gary Gerstle, eds, *The Rise and Fall of the New Deal Order, 1930–1980* (Princeton:

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⁷ Leo Grebler, *Mexican Immigration to the United States: The Record and its Implications*. Mexican American Study Project Advance Report 2 (Los Angeles: Division of Research, Graduate School of Business Administration, University of California, Los Angeles, 1966), p.25. Quoted in David G. Gutiérrez, *Walls and Mirrors: Mexican Americans, Mexican Immigrants, and the Politics of Ethnicity* (Berkeley: University of California Press, 1995), p.73.

⁸ My thoughts are indebted to geographer Ruth Wilson Gilmore's definition of 'racism' as 'the state-sanctioned and/or extra-legal production and exploitation of group differentiated vulnerabilities to premature death'. See her 'Race and Globalization,' in R. J. Johnson, Peter J. Taylor, Michael J. Watts, eds, *Geographies of Global Change: Remapping the World*, 2nd ed (Malden, MA: Blackwell, 2002), esp. p.261.

⁹ 8 September 1930 Meeting of the Texas Prison Board. Texas State Library and Archives Commission (hereafter TSLAC), Documents of the Texas Prison Board, Minutes and Meeting Files, June 1927–December 1941, Box 1998/038-8, Folder: Minutes, August–November 1930; also, *Annual Report of the Texas Prison Board, 1930*, 'Mortality Statistics', 7-D.

¹⁰ Agamben, *Homo Sacer*.

¹¹ See W. Fitzhugh Brundage, *Lynching in the New South: Georgia and Virginia, 1880–1930* (Urbana: University of Illinois Press, 1993), among others.

¹² Charles Ogletree, Jr. and Austin Sarat, 'Introduction', *From the Lynch Mob to the Killing State: Race and the Death Penalty in America* (New York: New York University Press, 2006), p.14. David Garland's *The Culture of Control: Crime and Social Order in Contemporary Society* (Chicago: University of Chicago Press, 2001) offers a more comprehensive model of penalty embedded in broad social formations, and Loïc Wacquant's 'Deadly symbiosis: When the prison and the ghetto meet and mesh', *Punishment & Society*, Vol. 3 No. 1, (2001), pp.95–133, also argues for a more comprehensive analysis of contemporary carceral systems.

¹³ A thought experiment is instructive: if the death penalty were abolished tomorrow, to what extent would life change for the more than two million disproportionately poor and non-white inmates of American carceral systems? Might prison systems actually (and perversely) be reinforced through the reform and elimination of this practice? Hugo Bedau recently came close to this critique by suggesting

that limitations on the death penalty have, in fact, strengthened the elements that remain. This is not to argue for the retention of the death penalty but, rather, to expand the abolitionist critiques to the level of the prison itself. See the opening panel of the Harvard Law School's conference 'From Lynch Mobs to the Killing State: Race and the Death Penalty in America'. The panel is available as a webcast at <http://www.charleshamiltonhouston.org/EventDetail.aspx?Id=100004>. For an important critique within death-penalty literature, see Timothy V. Kaufman-Osborn, 'A critique of contemporary death penalty abolitionism', *Punishment and Society*, Vol. 8 No. 3, (2006), pp.365–83. On prison abolition, see Angela Y. Davis, *Are Prisons Obsolete?* (New York: Seven Stories Press, 2003); Angela Y. Davis and Eduardo Mendieta, *Abolition Democracy: Beyond Empire, Prisons, and Torture* (New York: Seven Stories Press, 2005); Joy James, ed., *The New Abolitionists: (Neo)Slave Narratives and Contemporary Prison Writings* (Albany: State University of New York Press, 2005), 'Introduction'; and Rodríguez, *Forced Passages*.

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¹⁵ Quoted in Bruce Jackson, ed., *Wake Up Dead Man: Afro-American Worksongs from Texas Prisons* (Cambridge, MA: Harvard University Press, 1972), p.3.

¹⁶ William D. Carrigan, *The Making of a Lynching Culture: Violence and Vigilantism in Central Texas, 1836–1916* (Urbana: University of Illinois Press, 2004); Arnaldo de León, *They Called them Greasers: Anglo Attitudes Toward Mexicans in Texas, 1821–1900* (Austin: University of Texas Press, 1983), pp.90–2.

¹⁷ Marquart, et al, *Rope*, p.2; David Garland, 'Penal Excess and Surplus Meaning: Public Torture Lynchings in Twentieth-Century America', *Law and Society Review*, Vol. 39 No. 4 (December 2005).

¹⁸ See Louis P. Masur, *Rites of Execution: Capital Punishment and the Transformation of American Culture, 1776–1865* (New York: Oxford University Press, 1989); Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans Alan Sheridan (New York: Vintage, 1979); Peter Linebaugh, *The London Hanged: Crime and Civil Society in the Eighteenth Century* (New York: Cambridge University Press, 1992); Banner, *The Death Penalty*.

¹⁹ Brundage, *Lynching in the New South*; Grace Elizabeth Hale, *Making Whiteness: The Culture of Segregation in the South, 1890–1940* (New York: Vintage Books, 1998).

²⁰ On the racialisation of 'poor whites' into 'white trash' in this period, see Neil Foley, *The White Scourge: Mexicans, Blacks, and Poor Whites in Texas Cotton Culture* (Berkeley: University of California Press, 1998).

²¹ Just after midnight on 8 February 1924, the first day the electric chair was used, five black men were put to death. Marquart, et al, *Rope*, pp.13–6.

²² These numbers seem quaint by today's standards, but were alarming in the 1930s. See the individual *Annual Report of the Texas Prison Board*, from 1929 to 1942 (hereafter *Annual Report*); also Ethan Van Blue, 'Hard Time in the New Deal: Racial Formations and the Cultures of Punishment in Texas and California in the 1930s', PhD, University of Texas at Austin, 2004.

²³ See Marquart et al, *Rope*, Appendix B; also, Bureau of Justice Statistics, 'Number of persons executed in the United States, 1930–2005', available online at <http://www.ojp.usdoj.gov/bjs/glance/tables/ex-tab.htm>. Accessed 17 April 2006.

²⁴ Quoted in Carrigan, *The Making of a Lynching Culture*, pp.172–3.

²⁵ From the file of Bob White, #220, quoted in Marquart, et al, *Rope*, p.62.

²⁶ 'Negro Bob White Killed in Courtroom Tuesday', *Conroe Courier*, 12 June 1941, in Marquart, et al, *Rope*, p.62.

²⁷ 6 July 1933 letter, Governor Ferguson Box 301–491, Folder 15, TSLAC.

²⁸ See *Report of the Penitentiary Investigating Committee, 1910*; and *Report of the Penitentiary Investigating Committee, 1913*, archived at the Center For American History (hereafter CAH), University of Texas.

²⁹ Paul Lucko, 'Prison Farms, Walls, and Society: Punishment and Politics in Texas', 1848–1910, PhD, University of Texas at Austin, 1999; Robert Reps Perkinson, 'The Birth of the Texas Prison Empire, 1865–1915', PhD, Yale University, 2001; Matthew J. Mancini, *One Dies, Get Another: Convict Leasing in the American South, 1866–1928* (Columbia: University of South Carolina Press, 1996).

³⁰ *Annual Report, 1935*, p.108.

³¹ *Annual Report, 1941*, pp.7–8.

³² On Southern public health and illness, see Edward H. Beardsley, *A History of Neglect: Health Care for Blacks and Mill Workers in the Twentieth-Century South* (Knoxville: University of Tennessee Press, 1987).

³³ 4 September 1939 Minutes of the Texas Prison Board, Box 1998/038–8, Documents of the Texas Prison Board, Minutes and Meeting Files, June 1927–December 1941, Folder July–Nov 1939, TSLAC.

³⁴ *Annual Report, 1939*, p.118.

³⁵ 1 July 1940 Minutes of the Texas Prison Board, Box 1998/038–8, Documents of the Texas Prison

Board, Minutes and Meeting Files, June 1927–December 1941, Folder Jan–Sept 1940, TSLAC.

³⁶ Yet even this knowledge was thick with new forms of power. Interpreting Michel Foucault, Sharon Patricia Holland argues that medical dissection and the development of pathology signalled a more thoroughly invasive state and knowledge of the dead, in order to better regulate life. See Holland, *Raising the Dead: Readings of Death and (Black) Subjectivity* (Durham: Duke University Press, 2000), p.30.

³⁷ Samuel Roberts, *Infectious Fear: Politics and the Health Effects of Segregation in the Urban South*, (Chapel Hill: University of North Carolina Press, forthcoming), 'Introduction'.

³⁸ *Ibid.*, p.49.

³⁹ See, for example, the 5 May 1941 Prison Board meeting, which ruled that six prisoners would be given 90 days credit on their sentence for treating a prisoner with spinal meningitis. Documents of the Texas Prison Board, Minutes and Meeting Files, June 1927–December 1941, Box 1998/038–8, Folder Nov 1940–May 1941, TSLAC.

⁴⁰ I develop this analysis in 'Hard Time in the New Deal'. See also Albert Race Sample's memoirs, *Racehoss: Big Emma's Boy* (New York: Ballantine Books, 1984).

⁴¹ Quoted in Jackson, ed., *Wake Up Dead Man*, p.9. Conversely, effeminate masculinities also operated as form of social capital in subaltern prison economies, and allowed 'queens' to avoid direct violence by claiming an 'effeminate' male sexuality. See Carolyn Strange, 'Pain and Death: Transnational Perspectives', *Radical History Review*, Issue 96, (Fall 2006), pp.137–50; also, Blue, 'Hard Time in the New Deal', Ch. 4.

⁴² Frantz Fanon, *The Wretched of the Earth*, trans Constance Farrington (New York: Grove Press, 1963); Adam Gussow, *Seems Like Murder Here: Southern Violence and the Blues Tradition* (Chicago: University of Chicago Press, 2002). In 1937, psychologist John Dollard argued that violence among black southerners was a transferral of anger caused by the southern racial-caste system. In 1939, Hortense Powdermaker argued that the same violence came from the lack of police protection, which required blacks to resort to interpersonal means, including violence, to settle grievances. See David M. Oshinsky, 'Worse than Slavery': *Parchman Farm and the Ordeal of Jim Crow Justice* (New York: Free Press, 1996), pp.130–2.

⁴³ Alvin Poussaint and Amy Alexander identify suicide and homicide as expressions of 'retroflexed anger' at structural or psychological circumstances, directed against oneself or against someone nearby. See their 'Suicide in Black and White: Theories and Statistics', in Lewis R. Gordon and Jane Anna Gor-

don, eds, *The Blackwell Companion to African-American Studies* (Malden, MA: Blackwell Publishers, 2006), pp.265–78.

⁴⁴ Karla F. C. Holloway, *Passed On: African American Mourning Stories — A Memorial* (Durham: Duke University Press, 2002). Recent research has linked confrontation with criminal justice to suicide. In 'Suicide in Black and White', Poussiant and Alexander cite a 1970 New Orleans study showing that nearly 50 per cent of black men who committed suicide had a history of conflict with local authorities, notably the police, while only 10 per cent of whites who committed suicide had similar confrontations. Further, in 1989, Lindsay Hayes found that suicide was the leading cause of death in American jails, while an earlier study found that the suicide rate in detention facilities was roughly nine-times higher than it was in the general population. This led Poussiant and Alexander to conclude that 'the possibility of suicide or suicidal behavior increases after individuals come into contact with the criminal justice system'. See 'Suicide in Black and White: Theories and Statistics', esp. p.275. On suicide in prison, see Alison Leibling, 'Prisoner Suicide and Prison Coping', in Michael Tonry and Joan Petersilia (eds), *Prisons* (Chicago: University of Chicago Press, 1999), pp.283–359.

⁴⁵ *Annual Report, 1936*, p.161. See also Abigail Groves, 'Blood on the Walls: Self-Mutilation in Prison', *Australian and New Zealand Journal of Criminology*, Vol. 37 No. 1, (2004), pp.49–64.

⁴⁶ For data on fractured arms, see *Annual Report, 1940*, p.188.

⁴⁷ Consider Walter Johnson, 'On Agency', *Journal of Social History*, Vol. 37 No. 1, (2003), pp.113–24.

⁴⁸ The following paragraphs' description of Davis' escape/suicide is drawn from the 'Investigation by Mrs. C. A. Teagle on July 29 1940, at Retrieve State Farm of the Death of Inmate Cecil Davis, No. 94887', and Teagle's 2 August 1940 Report to the Prison Board, O'Daniel Records, Box 2001/138–110, Folder Texas Prison Board Joint Meeting with Texas A&M Board of Directors, TSLAC.

⁴⁹ *Annual Report, 1940*, 'Deaths by cause for the Year 1940', p.148.

⁵⁰ Don Reid, *Eyewitness: I Saw 189 Men Die in the Electric Chair* (Houston: Cordovan Press, 1973), pp.22–5; cited in Marquart, et al., pp.30–1.

⁵¹ Don Reid, with John Gurwell, *Have A Seat, Please* (Huntsville: Texas Review Press, 2001), p.6. Originally published as *Eyewitness*.

⁵² Brundage, *Lynching in the New South*, Introduction.

⁵³ Marquart, et al, pp.54, 55.

⁵⁴ The description comes from Nelson Olmstead, *Thirty Minutes Behind the Walls*, Program 13, 15 June 1938, CAH.

⁵⁵ Data drawn from Marquart, et al., Appendix B.

⁵⁶ *Thirty Minutes Behind the Walls*, Program 108, 10 April 1940. The two men executed while Hogan was on death row were Jack Jackson from Liberty and June Woolfork from Bexar County, both tried for murder. See Marquart, et al, Appendix B, pp.201–33.

⁵⁷ Reid, *Have A Seat, Please*, pp.6, 9.

⁵⁸ *Thirty Minutes Behind the Walls*, Program 8, 11 May 1938, CAH.

⁵⁹ *Annual Report, 1929*, E-19. Note that these were non-execution deaths, as the religion of the condemned were not recorded in Annual Reports or in the Statistical Record Ledgers housed at the TSLAC. While most prisoners who died were irreligious, the majority who claimed religion were most likely Baptist, Catholic or Methodist, in that order. See Statistical record ledgers, Vols. 1998/038–240 and 1998/038–241.

⁶⁰ *Annual Report, 1932*, p.89. On religious guidance as 'pastoral power' and thus pacification on death row, see Cary Federman and Dave Holms, 'Breaking Bodies into Pieces: Time, Torture, and Bio-Power', *Critical Criminology*, Vol. 13 (2005), pp.327–45.

⁶¹ Communication between H. E. Moore and Rosie Wilson, as well as a letter from W. P. Barber to Governor Allred are in Allred Box 1985/024–96, Folder Texas Prison System, General Correspondence and Proclamations, June 1937, TSLAC.

⁶² Marquart, et al, p.29.

⁶³ *Ibid.*, p.30.

⁶⁴ In 1939 the *Annual Report* listed 'Special Death Expenses' among the costs in the General Administrative section. Burial Outfits came to \$220.81, coffins cost \$379 that year, and \$195 was allocated for 'inquets', though the actual investigations over killing were unnamed. *Annual Report, 1939*, p.49.

⁶⁵ *Annual Report, 1930*, 2-G.

⁶⁶ *Annual Report, 1940*, pp.175–7.

⁶⁷ Ralph Ellison, *Invisible Man* (New York: Vintage International Edition 1995 [1947]), p.6. Thanks to Davarian Baldwin for underlining the importance of this passage.

⁶⁸ Brundage, *Lynching in the New South*, pp.256–7.

⁶⁹ Timothy V. Kaufman-Osborn, 'Capital Punishment as Legal Lynching?', in Ogletree and Sarat, eds, *From Lynch Mobs to the Killing State*, pp.21–54.

⁷⁰ Michael Omi and Howard Wnant, *Racial Formations in the United States, From the 1960s to the 1990s*, 2nd ed. (New York: Routledge, 1994).

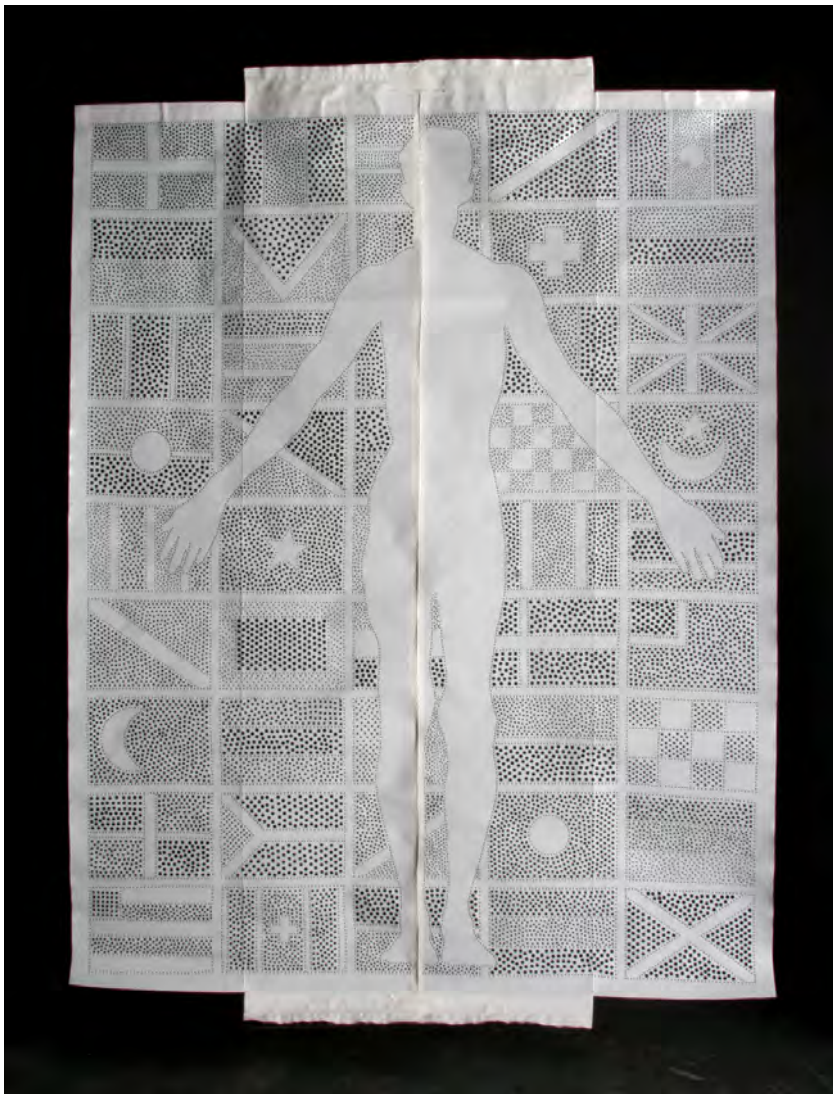
⁷¹ Davis and Mendieta, *Abolition Democracy*, p.66.

⁷² On late modern vengeance, see Garland, *The Culture of Control*. On new manifestations of white supremacy, see Steve Martinot and Jared Sexton, 'The Avant-Garde of White Supremacy', *Social Identities*, Vol. 9 No. 2, (2003), pp.169–81.

'ONE CENTRE-ZIP WHITE'

Shroud as Conceptual Textile Art

MONIQUE VAN NIEUWLAND



The recent past has witnessed the resurgence of the shroud, both as a practical object and a form of conceptual textile art,¹ embodying personal, medical and political responses to death. My 2004 studio work 'Welcome and Farewell' explored concepts of life and death, from a personal and contemporary viewpoint.

Our lives are strung together with welcomes and farewells, most poignantly at birth and death. The work took the form of ritual textiles to cover and wrap the body at birth and death. At birth we wrap the body to warm and protect the infant; at death we wrap the body to contain it and separate it from the living before burial or cremation. The shroud was the starting point for the creation of sets of cloth which consisted of a birth cloth, a shroud and several memento cloths. Techniques and imagery were selected to convey ideas of fertility, sacrifice, light, natural forces, dust, space, time and eternity.

I used a white linen sheet, the simplest form of a shroud which was used to wrap the dead in the Western world for many centuries (and a custom still widely practised in the Muslim and Jewish faiths). However, in this case the material was a white plastic body bag which I purchased from a funeral home. The title of the work is the item description on the receipt: 'One Centre-Zip White'.

This work addresses the concept of death and sacrifice in relation to conflict and war. With it, I register my protest to war and express the hopelessness and futility of warfare, especially in situations where negotiations and patience may have had better human, cultural and environmental outcomes.

For the purpose of warfare, women have been encouraged by their governments to produce more sons to strengthen armies. During the First World War, Reverend Ashley Brown wrote from Belgium in 1917 to inform Mrs Thompson in Tumbumba of the death of her son Driver in Ypres. He added that she 'has been so noble in giving her 3 splendid boys to serve their country'.² During wartime, women are asked to give their adult children to the cause. Men who go to war are often transformed into and portrayed as heroes, especially if they are prepared to sacrifice their lives, fighting for their flag, king and country.

Wartime produces victims, injured or dead. The majority of the dead only get the dignity of a body bag. Images of wrapped and bagged corpses lined up have been regularly documented.³ We are familiar with the body bag in the form of makeshift wrapping of sheets and plastic bags in media reports on conflicts and disasters. In more recent years, the body bag has also been employed as a powerful visual tool in anti-war protests. In 2002, protesters donned garbage bags, tied with string, before lying down on the lawns in front of Australia's Parliament House, to protest about the prospect of war against Iraq. In another instance, small plastic-wrapped bundles were laid out on the lawns to symbolise children dying as a consequence and casualty of war.

Flags inspire strong emotions in people. Symbols and colours on flags show allegiance to a nation and/or religious beliefs. After the destruction of the World Trade Centre in New York, memorial flags inscribed with names of victims were put on display as part of commemorative ser-

vices.⁴ In 1915, W. J. Gordon expressed what flags can embody:

Symbols are sacred things, and one of the chief that every man holds dear is the national flag. Deep down in our nature is the strong emotion that swells the heart and brings the tear and makes us follow the flag, and die around it rather than let it fall into the hands of an enemy.⁵

Flags can bind people together but can also create fear and hatred. Nationalism and religious fundamentalism instill the idea of 'us' and 'them', making people forget how much they are like 'them' themselves.

The body bag used for 'One Centre-Zip White' was cut open at the back and spread out like a sheet with the zip in the centre. I punched holes to create generic shapes of national flags as a patterned background. This noisy process was very distant from the gentle art of stitching with a needle and thread on cloth. The nature of the sound was more that of gun shots, leaving the plastic sprayed with holes. In the foreground I placed the outline of a vulnerable body of an anonymous young man. The body looks awkward, echoing images of execution scenes, of ambush, of starved prisoners of war, returned and injured soldiers. I used a tracing of the body of my son, 19 at the time, making more immediate the pain of seeing a loved-one go off to conflict and war.

ENDNOTES

¹ Monique Van Nieuwland, M(Phil) Sub-thesis: 'The shroud as a contemporary textile art form in the Western world', The Australian National University: School of Art, 2004.

² Cited in Kenneth S. Ingliss, *Sacred Places*, Melbourne: Melbourne University Press, 2001, p.99.

³ Photo of exhumed Australian soldiers awaiting identification and reburial near Vilers-Bretonneux, 1919, cited in Ingliss, op. cit., p.253.

⁴ An image of a memorial flag: Susan Long, 'September 11: One year on. Terror alert on day of tears and defiance', *The Straits Times Interactive*, 2003 [cited 01/02 2004]. Available from <http://www.straitstimes.asia1.com.sg/sept11/story/0,1870,142864,00.html>.

⁵ W. J. Gordon, *Flags of the World*, London, 1915, cited in Alfred Znamierowski, *Illustrated Encyclopedia, The World of Flags*, London: Hermes House, Anness Publishing Ltd, 2000, p.8.

THE MEDIA AND THE DEATH PENALTY

The Limits of Sentimentality, the Power of Abjection

ROSANNE KENNEDY

INTRODUCTION

In late 2005, the imminent execution in Singapore of a 25-year-old Vietnamese-Australian man, Van Nguyen Tuong, dominated the Australian media. He was arrested at Singapore's Changi Airport in December 2002, for carrying 396 grams of heroin, while in transit from Cambodia to Australia. Singapore has a mandatory death sentence for anyone arrested carrying over 15 grams of heroin. When Van Nguyen was hanged on 2 December 2005, he became the first Australian to be executed in 12 years.¹ His lawyers kept his case out of the media, fearing negative coverage would alienate the Singapore government and endanger his chance of a reprieve. After legal appeals had failed, however, his case became a media sensation, and featured prominently in newspapers, on current-affairs programs, and on Internet sites for several weeks.² Although a poll suggested that the Australian public was divided over Van Nguyen's execution, the media coverage was overwhelmingly sympathetic to him.³ In response to publicity, candlelight vigils and other events protesting against his execution, and the death penalty, were staged around Australia. Church bells rang to

mark the moment of his death, and his funeral, held in St. Patrick's Cathedral in Melbourne, drew more than a thousand mourners. Such outpourings of public compassion have become more common in the wake of the 'global mourning' that followed events such as the death of Princess Diana, 9/11 and the Bali bombings.⁴ But that such a 'groundswell of public protest and grief' occurred in response to the state execution of a previously unknown Vietnamese-Australian convicted of drug-smuggling — whose execution notably took place in Singapore rather than in Australia — calls for analysis.⁵

At the time, I was researching another contested death-penalty case, which occurred in London in late 1922. This case involved 28-year-old Edith Thompson and her young lover, Fredrick Bywaters, who were jointly convicted of murdering her husband. Although Bywaters confessed, she was convicted of aiding and abetting the murder on the controversial evidence of her love letters.⁶ At the conclusion to a sensational trial, they were both found guilty and sentenced to death. Between 11 December 1922, when the verdict was announced, and 9 January 1923, when they were hanged, debate about whether the pair should be executed raged in the British press. Although separated by 85 years

and different countries and historical contexts, there are some significant parallels in newspaper representations of the Van Nguyen and Bywaters cases, and striking differences from Thompson's case. In the cases of the men, journalists used a sentimental aesthetic, particularly focusing on their grieving mothers and their youth, to value their lives, to arouse empathy and to generate support for a reprieve. By contrast, although there was considerable unease with hanging a woman, Edith Thompson was not a figure of sympathy but of contempt. In her case, 'sentimentality' functioned rhetorically as a term of invective, which distanced the public from her. The aftermath of the executions, however, tells a different story. Whereas the Bywaters and Van Nguyen cases dropped out of the limelight quickly, Thompson's execution produced rumours that 'something horrific' had happened, and that several of the witnesses suffered severe psychological distress. In reporting on Thompson's 'disintegration as a human being', and the traumatic effects of her execution on witnesses, newspapers, however unconsciously, highlighted those characteristics of her execution that psychoanalytic critics have identified as 'the abject' — a powerful affect that may trigger shame, disgust and outrage. When these rumours about Thompson's execution again surfaced in the period after the Second World War, her case became a symbol of the excess of state violence and, as such, regularly featured in the campaign to abolish the death penalty in Britain in the late 1940s and 1950s.⁷ Thus, the stark contrast between the cases of the men, on the one hand, and the woman on the other, raises issues about the gendered aesthetics of sentimentality and abjection in media

representations of contested death-penalty cases.

Literary and cultural critics have recently explored how real-life murder, including capital punishment, is mediated by aesthetic forms including literature, drama, visual and textual images, and the media.⁸ One does not have to agree with Joel Black's contentious claim that our experience of murder is 'primarily aesthetic' to appreciate the cultural work performed by the aesthetic mediation of death penalty cases.⁹ I take it as given that newspapers did not simply report, in a neutral or objective fashion, on these cases. Rather, in the cases I analyse, newspapers used aesthetic tropes, images and generic conventions to mediate the wait for execution or mercy, to highlight the pathos of untimely death, to produce 'sentiment' and 'controversy', and, of course, to sell newspapers. What role did gender play in these mediating representations? How did gender figure, respectively, in the aesthetics of sentimentality and abjection? Can a sentimental aesthetic do more than provoke momentary empathy with the sympathetic victim? Or, as Wendy Lesser has argued, is sentimentalising the victims of the death penalty ultimately a vicious act, because it suggests that only those people with whom we can identify and empathise are worthy of our protests?¹⁰ What role, in Thompson's case, did an aesthetic of abjection play in transforming her execution into a symbol of the excesses of state violence, which in turn rendered it rhetorically useful in the British campaign to abolish the death penalty? Does her case suggest that an aesthetic of abjection might more effectively underpin a politicised movement to abolish the death penalty than sentimental

appeals? My aim in analysing cases from two different historical and cultural 'moments', involving both male and female victims, is to use a comparative approach to consider the cultural and political effects of the gendered mediation of these cases, as a means of contributing to debates about the politics of sentiment in protests against the death penalty, and in public life more generally.

Of course, the cultural meanings and effects of sentimentality and abjection change over time, and vary in different cultural and historic contexts, and thus, the ways in which sentimentality and abjection operate in these particular cases is no guide to future cases. As Michael Bell has pointed out, there is considerable ambivalence and confusion about 'the value of emotion in modern Anglophone culture', in which feeling is both valued and distrusted.¹¹ Since the late eighteenth century, sentiment — and, particularly, the sentimental — has been coded, in literature and philosophy, as feminine, and associated with the masses and with 'popular clamour' — all of which have contributed to its repudiation.¹² For my purposes, it is important to recognise both continuities and ruptures in the discourse of sentimentality, as it functioned in British press in the early 1920s, and in the Australian press in 2005. In the 1920s, at the height of modernism, the cultural elite despised sentimentality and distanced themselves from a sentimental aesthetic. The suspicion of sentimentality continues within some fields of philosophy and cultural theory today. In analyses of the global media's representation of 'distant suffering', critics such as Luc Boltanski have argued that sentimentality is a momentary, shallow and self-indulgent emo-

tional response.¹³ When used in relation to events of social, political or historical significance, pathos may generate a politics grounded in pity rather than in justice.¹⁴ In the past 20 years, however, there have been challenges to the repudiation of a sentimental aesthetic. Since the 1980s, some feminists have affirmed the positive cultural work of sentimentality, even when, or especially when, it is disavowed. Other feminists remain sceptical of the gendered effects of a sentimental aesthetic, and its implications for women. Moreover, since the 1990s, the rapid rise of trauma and memory as a transdisciplinary paradigm has granted priority to events involving trauma, emotion and affect, which has led to a re-consideration of 'feeling' in the public sphere. In practice, sentimentalised representations are frequently used in the public sphere today, especially to transmit the suffering of war, genocide, famine and other disasters, to the extent that ours has been referred to an 'an age of sentimental politics'.¹⁵ This ambivalence over the cultural value attached to a sentimental aesthetic was manifested, in varying ways, in the cases that I analyse.

Although Van Nguyen's case was represented across a range of media, including newspapers, television, radio and the Internet, the cases of Bywaters and Thompson were debated primarily in the newspapers. Thus, I focus on newsprint representations of these cases, analysing their methods for mobilising collective sentiment, and their production of sentimentality and abjection. In the first section, I draw on Simon Cottle's suggestive study of 'mediatised ritual' to provide a framework for analysing the production of sentiment and its effects in newsprint

mediation of these cases. While his approach is useful for showing how the media produce symbols that mobilise collective sentiments about contested public issues, I turn to feminist theory to develop a more fine-grained textual analysis of gendered images and discourses. In the second section, I draw on Kahane's psychoanalytic approach to analyse gendered images of the suffering mother and the vulnerable child, which were extensively used in newspaper representations of the Van Nguyen case, and to a lesser extent in the Bywaters case. I suggest that the maternal image functioned not only to engage collective sentiments about the sanctity of the mother-child bond and of human life, but, more problematically, as a screen that distracted attention from the terror and finality of execution. In the third section, literary critic Suzanne Clark's work on modernist antipathy to a gendered sentimental aesthetic in the 1920s, which she links to the psychology of abjection, grounds my analysis of Thompson's case. I argue that the contempt in which sentimentality was held at the time was transferred to Thompson, which resulted in her exclusion from the imagined community. Finally, Julia Kristeva's theory of the abject enables me to reflect on the cultural and political significance of Thompson's execution, and its recuperation by the British abolitionist movement. The feminist psychoanalytic theorists I bring together — Kahane, Clark and Kristeva — are all concerned with how unconscious processes and dynamics are manifested in representations. Identifying the unconscious meanings and identifications implicit in media representations is an important dimension of my argument, as I believe the ways in which

the aesthetics of sentimentality and abjection operated in these cases reveals cultural beliefs and values that did not have to be defended explicitly, as would be the case in arguments which opposed the death penalty on principle.

MEDIATING THE DEATH PENALTY

Cottle's approach to the media can be regarded as part of the broader movement to reinvigorate sentiment, and to develop methods for analysing its effects. His analysis is useful, for my purposes, because he moves beyond viewing the media primarily as a means of communication, to investigating its role in producing collective sentiment. In contrast to Habermas' critique of the public sphere, which privileges rationality and ignores the emotions, Durkheim argues that ritual and public ceremony can mobilise collective sentiment by producing symbols that constitute a sense of 'higher' or 'sacred' purpose.¹⁶ Through symbolisation and collective sentiment, ritual can 'build particularised solidarities or publics' and thereby contribute 'to social and political change'.¹⁷ Cottle applies Durkheim's sociology of ritual to the media, to analyse what he calls 'mediatised rituals' and to explore the ways in which they produce 'sacred' symbols and mobilise collective sentiments. 'Mediatised rituals' are, by definition, 'exceptional'; they attract considerable interest and are reported across a range of media, including newsprint, television and the Internet.¹⁸ Moreover, 'mediatised rituals' are those rare cases in which the media do more than simply report events; they actively enact responses to events 'in a subjunctive mode'.¹⁹ By a

‘subjunctive mode’, Cottle means that the media ‘invoke[s] and sustain[s] through symbolisation collective sentiments and solidarities about how society should ... be’, rather than simply engaging in ‘objective’ reporting. Cottle suggests that performativity is a key element in media rituals: ‘We can say that ritual only comes alive empirically, emotionally, subjectively, when actively experienced by audiences who are prepared to “participate” within its symbolic meaning for them and accept the imagined solidarities (or “social imaginary”) that it offers.’²⁰

How ‘mediatised rituals work performatively to energise different “social solidarities”’ requires us to recognize, however, that ‘mediatised rituals are destined to have differential effects on different participants’.²¹ In Van Nguyen’s case the media did not simply report that the date for his execution had been set. Rather, journalists articulated a view of what was wrong with capital punishment, and a society that condoned it. By reporting in the ‘subjunctive mode’, the Australian media performatively appealed to and mobilised readers to protest against Van Nguyen’s execution. In engaging readers in collective protest, newspapers were not ‘reflecting’ or ‘representing’ the views of the Australian public, which were apparently divided. They were promoting a view of how society should be — it should value human life and encourage rehabilitation — and inviting readers to participate in this vision. In Van Nguyen’s case, shared sentiments were created and mobilised through three ‘sentimentalising’ strategies: his lawyers’ presentation of him as an exceptional young man who should be spared; the media’s use of gendered images of the ‘suffering mother’ and the ‘vulner-

able boy’; and the production of ‘national sentimentality’ through images of Australia as a civilised, egalitarian and inclusive society.

MOBILISING SENTIMENT IN THE VAN NGUYEN CASE

Van Nguyen’s case could have incited racist sentiments, grounded in negative media stereotypes of young Vietnamese-Australian men involved in drugs and crime. However, his Australian lawyers, Lex Lasry and Julian McMahon, played a powerful mediating role in shaping representations of Van Nguyen and mobilising protest against his execution. White, male, middle-class and middle-aged, they conveyed the values of respectability, dependability, passion and humanity. From early days, they influenced the media coverage by soliciting the cooperation of the media, as well as family and friends, to remain silent until the appeal process was completed.²² When they finally talked to the media, reports of their passionate commitment helped to endow protests against Van Nguyen’s execution with a sense of sacred purpose. Drawing heavily on comments by Lasry, a *Canberra Times* article showed a photo of Van Nguyen with the caption: ‘Changed man, Nguyen Tuong Van, sentenced to be hanged in six days time’.²³ The ‘change’ referred to his conversion to Catholicism during his imprisonment, as well as to his increased maturity and remorse. This article was accompanied by another, sub-titled ‘Lawyer’s crusade to save Nguyen’s life draws to an unfortunate and unhappy close’.²⁴ The term ‘crusade’, used figuratively, means an ‘aggressive movement against public evil’, and signified that his lawyers were heavily inves-

ted, emotionally and politically, in opposing the death penalty.²⁵ Their commitment functioned as a model for readers — they too could promote a vision of Australia as a ‘humane society’ by protesting against Singapore’s draconian laws. The literal meaning of ‘crusade’ — ‘a Christian expedition to recover the Holy Land’ — is also significant, as Christian symbols were subtly but frequently used to give meaning to the case, which had the effect of constructing Van Nguyen as a martyr.

During the week leading up to Van Nguyen’s execution, the media repeatedly used images of his suffering mother, Kim Nguyen, which further endowed protests against his execution with ‘sacred’ meaning. In these aestheticised images, which both hide and draw attention to her grief, a scarf covers her head, and she is often supported. Her eyes are cast down, oblivious to the camera, and she looks deeply distressed. These images were accompanied by emotive headlines such as ‘[m]ore agony for Nguyen family: No visiting on weekends’, and on the penultimate day: ‘Still not known if mother will have her last embrace’.²⁶ The caption for a similar image reads: ‘Desperate Times: Kim Nguyen leaves Changi prison yesterday’.²⁷ On the day of the execution, several newspapers printed the same photo of her — wearing a flowered scarf that covered her head and shoulders, stepping out of a car, her face barely visible but conveying profound grief. This image was accompanied by captions such as: ‘The hardest visit ... Kim Nguyen ... prepares to say goodbye to her son yesterday’,²⁸ ‘A mother’s last touch’²⁹ and ‘Love and anguish, Nguyen Tuong Van’s mother Kim arrives at Singapore’s Changi Prison for a final visit with her son ...’.³⁰ The media’s use

of phrases laden with pathos — ‘more agony’, ‘last embrace’, ‘desperate times’, ‘hardest visit’, ‘say goodbye’, ‘last touch’, ‘love and anguish’, ‘final visit’, ‘regrets’ — figures the case primarily as a maternal melodrama, typically associated with the private realm of domesticity, rather than a judicial execution with widespread political and moral significance.³¹ Why were such intimate images used to mediate a death-penalty case, and what effects might they have?

Kahane observes that the trope of the suffering mother and the vulnerable child is often used to figure trauma, to mark moments of social breakdown or crisis, and to convey affect.³² As she reminds us, however, even when scenes of mother and child separation have a historical referent such as the Holocaust or the Stolen Generations, their translation into text ‘asks us not merely to experience their painful affect but to question their function within the context of cultural representation and the social effects of their transmission’.³³ Images of Kim Nguyen functioned in at least three ways. Firstly, as letters to the editor attested, poignant images, framed to convey her anguish and to solicit the viewer’s pity, compelled readers to identify with her and share in her suffering at the cruel loss of her son. One reader commented: ‘Every mother’s heart bleeds for Kim Nguyen.’³⁴ Another stated that while he has ‘little sympathy for any person supplying death drugs to other people’, he has ‘sympathy for the mother’.³⁵ Secondly, images of the ‘suffering mother’ discursively positioned Van Nguyen as a ‘beloved son’. In turn, the media represented him as a ‘faithful son’, who regretted the pain he was causing his mother, conveyed through headlines such

as 'Unspoken truth exposed: Nguyen wrote of his regrets, and of mum'.³⁶ Thirdly, and most significantly, images of Kim Nguyen's suffering, like the lawyers' crusade, infused protests against the death penalty with sacred meaning, conveyed in part through Christian iconography. Her pained visage, together with her silence, implicitly suggested references to Mary, mother of Jesus, an iconic 'suffering mother' whose son was a martyr.³⁷ This Christian connotation was intensified by reports that Van Nguyen held a rosary at his execution, that he received solace from frequent conversations with the prison chaplain, that the Pope appealed on his behalf, and that he believed in the after-life.³⁸ Through such laden images of his mother, the media sacralised the mother-child relation, and signified the death penalty as a 'callous violation' of it.³⁹ Of course, not everyone facing judicial execution has a young, photogenic mother who can be used to mobilise sentiment against her son's (or daughter's) death. The well-known Australian case of Lindy Chamberlain serves as a powerful reminder that individuals can suffer injustice if they do not conform to gendered stereotypes of 'proper mourning'.⁴⁰

Van Nguyen's position as a 'beloved son' was intensified through representations of the relationship between him and his lawyers. Readers were told that Van had only met his biological father once, and his step-father beat him and his brother when they were children. In contrast to these 'bad' fathers, Van Nguyen's lawyers were represented symbolically as 'good' fathers. After seeing him for the final time, McMahon stated that 'he is a beautiful young man. Cheerful, because he is composed ... he is completely rehab-

ilitated, completely reformed, completely focused on doing what is good and now they are going to kill him'.⁴¹ Similarly, Lasry commented that Van's legal team 'look into the eyes of a healthy young 25-year-old with so much to offer who is going to die a violent death'.⁴² In these representations of the 'beautiful', 'cheerful', 'rehabilitated', 'focused' young man, an aesthetic of youth and beauty is opposed to the violence and barbarism of hanging. The sacralising of his life implicitly invited readers to condemn Singapore for its seemingly capricious destruction of this valued, and therefore valuable, life. While well-intentioned, such comments tended to fetishise Van Nguyen as an exceptional individual who, if spared, would contribute to society, which subtly undermined a critique of the death penalty on grounds of universal principle, independent of the personal characteristics of the prisoner.

Alongside images of Kim Nguyen's grief, newspapers featured 'human interest' stories about her son's life, from his birth in a refugee camp on the Thai-Vietnamese border to his young adulthood. These biographical features were accompanied by family photographs of Van and his twin brother, Khoa, as young boys. Through such personal narratives and domestic photographs, Van Nguyen was positioned not only as a 'beloved son' but as a 'vulnerable child'. Journalist Steve Butcher titled his profile, published in *The Sydney Morning Herald*, 'When they were two little boys'. The sub-header read: '[t]hey are the twin sons of a refugee. One had a troubled path to adulthood; the other led a blameless life until committing a terrible crime to aid his brother'. The caption for the accompanying photographs

connoted an inalienable bond between the brothers, which contributed to the sacralising of family: 'Brothers in arms ... the Nguyen twins, Van and Khoa, inseparable and indistinguishable. Van's mother decided he should be the eldest as he weighed more.'⁴³ These captions invite readers to infer that but for 'the tragic accident' of his brother's troubles and debts, he would not be facing execution, implying that Van Nguyen was morally if not legally 'blameless'. This focus on the relationship between the brothers, their differing fates in their new homeland, and how the remaining twin would cope once his brother was executed all added a tragic, melodramatic dimension to the case.

Images of the suffering mother and the vulnerable child not only mobilised sentiment against Van Nguyen's execution, but also produced meanings about Australian national identity and 'belonging'. Alongside the story of Van Nguyen's childhood ran a story about the Canberra vigil, accompanied by an image of a young Asian boy, connoting innocence and hope.⁴⁴ The pathos aroused by the lost promise of Van Nguyen's childhood, conveyed through this image, covered over social, economic and ethnic differences in Australia, and thereby reinforced a belief in the equalising power of 'national sentimentality'. As Berlant proposes, the popular belief that 'national sentimentality' is an unqualified civic good allows the public to believe that 'a nation can be built across fields of social difference through channels of affective identification and empathy'.⁴⁵ In reporting in the subjunctive mode, the media produced a collective identity of Australia as a 'good' society that valued life, youth, health, and the possibility of rehabilitation, and invited Australians to

imagine themselves as part of this community.⁴⁶ Photographs of Van Nguyen as an ordinary Australian child connote that, despite being born to a recent Vietnamese migrant, he is just like the rest of 'us'. He was a child once, who has a brother and a mother, who went to a primary school in Melbourne, whose teachers remembered him, who has friends and who did ordinary things like go to the beach. Family photographs enabled 'us' to identify with him, thereby allowing 'Australia' to congratulate itself on its multicultural diversity and tolerance. One journalist, for instance, declared that 'our' support for Van Nguyen and his family showed that Australia was not a racist country, as many in Southeast Asia believed. These comments are based on the assumption that 'we' are predominantly Anglo-Australian, rather than Asian Australian — so at the very moment of celebrating diversity, the media was also producing 'Anglo-Australian' as the norm. Moreover, they constructed Singapore as brutal, 'barbaric' and 'undemocratic', reinforcing stereotypes of Asia and producing Australia as 'non-Asian' in its core values. While images of Van Nguyen as a Vietnamese who belonged enabled Australians to feel good about Australian inclusiveness, they required forgetting the demonising of 'boatpeople' in the media and in government policy, and the government's controversial refugee-detention policy, which undermines the life, health and youth of refugees.

As 'ritual', newspapers were effective. Through their framing of the case, they invoked and mobilised collective sentiments about the value of Van Nguyen's life, and 'energised partial social solidarities' about the moral wrong of the death

penalty in his case. They enabled those who opposed the execution to demonstrate shared sentiments by participating in ritualised forms of protest and support, such as the candlelight vigils that were held around Australia, and the exhibition of protest letters written on coloured hands and displayed at the State Library of Victoria.⁴⁷ But there are issues stemming from the media's use of a sentimental aesthetic that should concern us. By using images of the suffering mother, the media shifted the focus from the direct victim of the death penalty, the violation of his human rights, and the physical violence that would be done to him, to the indirect 'victims' (his mother, brother and friends) and the psychological impact the execution would have on them. These images of mother and son functioned as a 'screen memory', to distract our attention from the horror and brutality of the death penalty.⁴⁸ Moreover, a sentimental aesthetic is based on exceptionalism — the life of Van Nguyen is valuable because he is a beloved son and brother, and a valued member of a community. An aesthetic of sentimentality works only in cases where the convicted criminal can be represented sympathetically — as a 'good son', as having regretted his crime, as being rehabilitated — and thus only offers empathy to the selected few.

Perhaps most disturbingly, public reaction to the media coverage indicates that a death-penalty case is more likely to receive at least momentary attention when it is framed in terms of 'painful feeling' rather than through the political discourse of justice and human rights. As Berlant observes, those on all sides of politics, despite their differences, demonstrate a 'sanctifying respect for sentiment'.⁴⁹ This

respect for sentiment was manifested in newspaper reports about the emotional responses of political leaders to Nguyen's execution. Prime Minister John Howard and government ministers including Alexander Downer and Attorney General Philip Ruddock not only expressed their opposition to the execution, but their feelings for Nguyen and his family. In a representative statement, Labor Opposition leader Kim Beazley was quoted as saying: 'I'm very sad for him, I'm very sad for his family, very sad for all of us.'⁵⁰ The case enabled Ruddock, a defender of contested policies such as detaining asylum seekers, to show a humane face to the public. As Berlant suggests, demonstration of 'feeling' by politicians indicates that questions of justice and human rights 'are now adjudicated in the register ... of sincere surplus feeling: worry about whether public figures seem "caring" subordinates analyses of their vision of injustice'.⁵¹ 'Sincere feeling' was further demonstrated, in the days just prior to Van Nguyen's execution, when public debate shifted from the death penalty to questions of empathy and proper mourning. Some Australians viewed the Prime Minister's refusal to cancel a cricket match scheduled for the day of the execution as a failure to show proper respect for Van Nguyen's death. Controversy erupted over whether a minute's silence should be officially observed to mark his death, with detractors arguing that this ritual should be reserved for men who had been killed in service to the nation, and not used to glorify a convicted criminal. Debating these issues gave the public the sense that we could do something — we could properly mourn Van Nguyen, even if we could not influence Singapore's decision.

While expressions of 'feeling' appear to neutralise 'differences' and operate as an equaliser amongst citizens, 'sentiment' may have a discriminatory effect. A sentimental aesthetic is linked, I suggest, to Australia's pragmatic double standard towards capital punishment. A number of journalists and members of the public commented on Australian hypocrisy in the Van Nguyen case, pointing out that Prime Minister Howard and other Australians did not protest against the execution of Amrozi, the Indonesian mastermind of the Bali bombings in which 88 Australians were killed.⁵² Howard's unapologetically pragmatic response to these different death-penalty cases led to claims that Australians did not object to the death penalty on principle, but only when one of its own citizens was facing execution abroad.⁵³ We need not look to cases of unpopular foreigners, such as Amrozi, to appreciate how limited 'sincere feeling' is as the basis for a political strategy and pursuit of justice. The danger with a sentimental campaign is not only that it will be confused with, and substitute for, a political campaign to abolish the death penalty and other forms of state terror. Ultimately, the Van Nguyen case, as it was mediated through newspapers, functioned as a screen by enabling Australians to protest against Singapore's cruelty and barbarism, without having to confront cruelty and barbarism within Australia.

FROM SENTIMENTALITY TO ABJECTION: THE CASE OF EDITH THOMPSON

In Van Nguyen's case, the media successfully used a sentimental aesthetic to invoke collective sentiments and solidarities,

which were expressed in protests against his execution. These protests were primarily symbolic, since it was clear that they would have little if any effect on Singapore's decision of whether to grant mercy. The cultural and 'real' politics of the Bywaters and Thompson cases differed significantly from Van Nguyen's case. In the former, the British government carried out the executions of British subjects, and the King had the opportunity to grant a reprieve. Consequently, much more was at stake for the British government in these cases than for the Australian government in the Van Nguyen case. In many ways the newspaper mediation of the Bywaters case was similar to that of Van Nguyen's. Bywaters was young, had no prior convictions, and before his affair with Thompson had led a 'blameless life'.⁵⁴ The *Daily Sketch*, a popular paper, organised a petition for his reprieve.⁵⁵ In its campaign urging the public to sign the petition, the paper used images of his suffering mother, accompanied by headlines such as 'Save My Boy's Life' — which cast Bywaters as a 'vulnerable boy' rather than a man who had committed a violent crime. Bywaters' mother, whose husband had been killed in the war, was a heroic and poignant figure — a familiar post-war suffering widow and mother. Bywaters had been an exemplary son, and now she was going to lose him at the hands of the State, as she had lost her husband. Like images of Van Nguyen's mother, images of Bywaters' mother helped to keep the mother-child relation at the centre of protests against his execution, and rendered the British state culpable in violating the sanctity of family. Although the petition was allegedly signed by a million people, the Home Office discounted it. Significantly,

there was no petition for Thompson. As a childless woman who worked, when jobs for men were scarce, and an adulteress when there was post-war anxiety about the lack of marriageable men, she was not a sympathetic figure. Moreover, it was widely believed that she played the leading role — that she took a younger lover, involved him in her fantasies, and thereby brought about his ruin and the death of her husband. Although Thompson was a beloved daughter, and a few articles about her grieving family appeared in the press, sentimentalised family relations could not overcome the widespread contempt towards her.

Whereas images of the suffering mother and the vulnerable boy were used to mobilise support for Bywaters, in Thompson's case the term 'sentimental' was used as an epithet, to mobilise feeling against her. According to the OED, sentimental means a 'tendency to be swayed by feeling rather than by reason'. A *Daily Telegraph* journalist approved of 'the manner in which the case was tried', praising '[t]he moderation of the prosecution, which was content to ... let the facts speak for themselves, and the calm summing up ... by Mr. Justice Shearman, in which, when sentimentalities had been curtly ruled out ... have done justice'.⁵⁶ The *Daily Mail* consistently opposed the 'crusade of the sentimentalists'. The author of 'Should Women be Hanged?' observed that: 'Under the sway of a certain type of sentimentality the sentence on Mrs. Thompson is in some quarters being strongly criticized — not its justice ... but the expedience or humanity of carrying it out.'⁵⁷ Another article claimed that any case for mercy should not rest on confusion about Thompson's guilt: '[w]e have seen her de-

scribed as the hapless victim of a wicked society which, by its novels and its plays and its newspapers, spreads corruption abroad. But the nauseous sentimentality of this dialectic is not likely to be persuasive.'⁵⁸ The phrase 'nauseous sentimentality' explicitly links 'sentimentality' with abjection through the metaphor of 'nausea'; as Kristeva points out, vomit — the bodily expulsion of food — is one of the most common signifiers of abjection.⁵⁹ Such strong metaphorical language reveals the unconscious cultural forces that were at play in the debate about whether Thompson should be executed.

The hostility to sentimentality evident in responses to Thompson's execution was part of a larger cultural trend, and has to be understood in this historical context. In the 1920s, the dichotomy between sentimentality and rationality was a gendered and class-based opposition with effects of power, which operated to exclude women and the lower classes from modernist culture. Opposition to sentimentality went far beyond the relatively small circle of modernist artists and writers, however, to permeate the culture at large. In her study of the relations between the sentimental tradition of women's writing and male modernism, Suzanne Clark has persuasively argued that '[f]rom the point of view of literary modernism, sentimentality was both a past to be outgrown and a present tendency to be despised'.⁶⁰ Clark contends that '[a]s an epithet, sentimental condenses the way gender ... operates as a political unconscious ... to trigger shame, embarrassment, and disgust'.⁶¹ In other words, a sentimental aesthetic is gendered feminine, and disgust for the sentimental is transferred to those who consume 'sentimental' culture, mainly women and the

lower classes. An example of how gender operates as a political unconscious occurs in an article by the feminist journalist and novelist Rebecca West, published in a popular Sunday paper. Although West accuses the prosecution of having failed to make its case, instead of lambasting the court for an unjust verdict, she aims her fire at popular culture, speculating that Thompson's downfall was caused by consuming 'bad culture', and that to prevent other women from 'dreaming the wrong dreams', they must be provided with 'good' culture.⁶² What is telling, however, is not West's explicit denunciation of mass culture, but her casual contempt for Thompson. In calling her a 'shocking little piece of rubbish' and 'a poor, flimsy, silly mischievous little thing' — garbage to be disposed of — West exemplified what Clark calls the 'psychology of abjection ... a psychology related to the formation of social and cultural groups'.⁶³ As she explains: 'Western culture has developed a logic which is at work constantly to purify itself of unreason. At the level of culture ... this creates scapegoats, strangers, groups representing the unreasonable others: women, Jews, slaves ... working class, blacks, Arabs [and criminals] ... At the level of psychoanalytic narrative, this creates the abject ...'⁶⁴

In alleging that Thompson's habit of reading sentimental novels led to 'the wrong dreams', West positions Thompson as an 'unreasonable other', thereby legitimating her expulsion from society to purify it of 'unreason'. As this analysis suggests, whereas sentimentality worked in Van Nguyen's favour to create identification with him, it worked against Thompson. This variability indicates that the effects of a sentimental aesthetic are

contingent; in other words, its significance depends upon the meanings attached to 'sentiment' and 'feeling' by a given culture in a particular context. Moreover, whether a particular individual can be sentimentalised depends upon the changing meanings attached not only to characteristics such as gender, class, youth, ethnicity, sexuality and the like, but to public values such as conformity, criminality, authority, and traditions of civic protest.

Despite the hostility towards Thompson, no woman had been hanged in England for 15 years, and her impending execution generated widespread anxiety. As one journalist prophetically wrote: '[t]he hanging of Mrs. Thompson will be a shock to public feeling (not a universal public feeling, but a widely prevalent one)'.⁶⁵ As if to confirm this prophecy, rumours started circulating shortly after she was hanged that her execution was horrific, and that witnesses were visibly distressed. The *Daily Mail* reported that she went 'calmly to her death' and that the execution was carried out 'without a hitch'.⁶⁶ As the public later learned, executioners were instructed to say that the execution proceeded 'without a hitch'. Other papers offered more disturbing accounts: that she had collapsed prior to the execution, was drugged, and was carried, semi-conscious, to the scaffold; that she disintegrated as a human being; and that she groaned like an animal going to the slaughter.⁶⁷ Several newspapers reported the devastating effects the execution had on witnesses. The *Daily Express* declared that: 'All the women officials who have been engaged in watching Mrs. Thompson have felt the strain acutely ... [m]any ... have declared that they would never again carry out the duty imposed on them yes-

terday.⁶⁸ Shortly after the execution, it was rumoured that 'her insides fell out', suggesting that she was pregnant and miscarried on the gallows, and this horror was witnessed by those present.⁶⁹ This rumour, although denied by the Home Office, circulated for decades, and Thompson's biographer, Rene Weis, believes from his research that it was 'a rumour of almost certain truth'.⁷⁰ John Ellis, the hangman, reportedly emerged from the execution shed screaming 'Oh Christ, Oh Christ'. Two weeks later, he attempted suicide. Such reports confirmed a fear that was expressed in the papers before Thompson's execution: namely, that executing anyone was barbaric, but that executing a woman had debilitating effects on witnesses, and exposed them to shame, humiliation and helplessness.⁷¹ Why all these rumours? What was their cultural function? On one level, it did not matter if the rumours were true; they functioned culturally to express Thompson's status as the abject other, associated with fear, horror and disgust. Whereas the body was conspicuously absent in representations of Van Nguyen's and Bywaters' executions, in rumours about Edith Thompson's hanging, the body — a specifically female body — returned to claim its due. These rumours, and Thompson's status as 'abject other', were clearly gendered: the rumour that 'her insides fell out' related to her potential to be a mother. This gendered meaning is brought out in Fryn Tennyson Jesse's excellent 1934 novel on the case, *A Pin to See the Peepshow*, in which the narrator comments, prior to the character's execution, that every killing of a woman is 'the killing of a womb'.⁷² Through metaphors, the novel imbues the female body with cultural meanings of maternity,

vulnerability, and the sacred, rendering Thompson's execution a violation of these values.

These rumours circulated not only in the weeks after Thompson's execution, but for decades afterwards, particularly in the context of the movement to abolish the death penalty, which gained momentum after the Second World War. Along with the rumours, there was increasing suspicion that the Home Office had something to hide, that a cover-up was being perpetrated. In 1926, Major Blake, formerly the Governor of Pentonville, published an extract from his memoir. He stated that Bywaters had told him, on the eve of his execution, that Thompson was innocent. Blake was promptly arrested and tried for breaching the Official Secrets Act, which forbade officials to reveal any details, confessions or conversations to the public.⁷³ Blake's case alerted the public to the Home Office's procedures for suppressing the details of executions, and heightened suspicions about Thompson's execution. In 1931, Ellis, the hangman, succeeded in killing himself, after attempting to kill his wife and daughter. His son said he never recovered from hanging Thompson.⁷⁴ In 1948, Sir Beverley Baxter, a Tory MP and abolitionist, who was editor of the *Daily Express* at the time of Thompson's execution, reported that two warders came to him on the night of her execution: 'They had taken part in the execution. Their faces were not human. They were like something out of another world. For, somehow, they had to get Edith Thompson to the gallows, after she had disintegrated as a human creature.'⁷⁵ After Baxter's story was published, Tom Clarke, news editor of the *Daily Mail* in 1923, wrote to Baxter with a similar story:

he claimed that the Governor of Holloway Prison visited the editor of the *Daily Mail* on the night of Thompson's execution to ask him to begin a campaign against the death penalty.⁷⁶ The editor told Clarke that the Governor was visibly distressed and extremely upset about the execution. In 1950, Margery Fry, the Principal of Somerville College, Oxford, gave testimony to the Royal Commission on the Death Penalty on behalf of the Howard League for Penal Reform. She recalled seeing Dr. Morton, the Governor of Holloway; his Deputy, Miss Cronin; and the Chaplain, Reverend Glanville Murray, a few days after Thompson's hanging. She testified: 'I was greatly impressed by its effect upon all of them ... I have never seen a person look so changed ... by mental suffering as the Governor ... Miss Cronin was very greatly troubled by the whole affair ... I was struck by this as Miss Cronin was not ... a sensitive or easily moved person ...'⁷⁷ She added: 'I distinctly remember ... two things ... [the chaplain] said: "[w]hen we were all gathered together there it seemed utterly impossible to believe what we were there to do"; and "[m]y God, the impulse to rush in and save her by force was almost too strong for me".'⁷⁸ The concept of the abject, as elaborated by Kristeva, is useful for interpreting reports of the reactions of those who witnessed, directly or indirectly, Thompson's execution. As Kristeva proposes: '[t]he corpse ... upsets even more violently the one who confronts it ... refuse and corpses *show me* what I permanently thrust aside in order to live ... [t]here, I am at the border of my condition as a living being.'⁷⁹ Whereas Thompson had been dehumanised in the press prior to her execution, these reports

suggested that her execution was traumatising for witnesses because it brought them face to face with the abject, and thereby dehumanised the witnesses.

As Kristeva suggests, the abject is not only that which is despised or excluded from the social group. The structure of the abject also provides the means for challenging the legitimacy of the law underpinning the hegemonic social order. The abject entails a dialectical logic: '[The abject] lies outside, beyond the set, and does not seem to agree to the latter's rules of the game. And yet, from its place of banishment, the abject does not cease challenging its master ... it beseeches a discharge, a convulsion, a crying out.'⁸⁰

The 'return' of Edith Thompson's execution, like the return of repressed memory in later decades, can be explained in terms of this demand for a 'discharge ... a crying out'. Accounts of her execution were used to reveal the barbarism of the death penalty, and thereby to challenge the humanity, ethics and legality of a government that supported it. In 1956, rumours about Thompson's execution were aired once again in a dispute that erupted when Arthur Koestler, a high-profile writer and abolitionist, published horrific details of Edith Thompson's execution in *The Observer*.⁸¹ In what became known as the 'Parliamentary Hanging Controversy', the Home Office attempted to put an end to what Lord Mancroft called the 'legend' that 'something horrific' happened during Edith Thompson's execution.⁸² The Home Office was, however, on the back foot — historically, it had shrouded hanging, and the rules given to executioners, in secrecy. Demands were made that the instructions to executioners

be published, and Ronald Paget asked, in Parliament, if the Home Office could clarify whether there had been any changes to the instructions as a result of Thompson's execution. In 1956, these rumours prompted a call for the Home Office files on her execution to be prematurely opened, and for a parliamentary investigation into what happened, and whether her execution resulted in changes to the instructions that the Home Office issued to executioners. Whereas previously these rumours figured Edith Thompson's status as abject other, at this point, 30 years later, with reasons for the hostility towards her long forgotten, and with the case against her increasingly discredited, her status as abject other reflected badly, not on her, but on the society and, particularly, on the judicial machinery. In this new context, her execution became a symbol of the excesses of the law. Consequently, conditions were ripe for her to be recuperated as a symbol for the abolitionist movement. In using her case as a symbol, Koestler harnessed the power of the abject to turn people against state-sanctioned execution. As a result of Koestler's articles and book, the Home Office was forced, in 1956, to make a public statement about Edith Thompson's execution.⁸³ It denied that anything 'especially horrid' or 'disgusting' happened at her execution. Nonetheless, the rumour that 'her insides fell out' persisted, feeding abolitionist arguments about the barbarity of the death penalty.⁸⁴ In her case, the abject prevailed in challenging the legality and inhumanity of the death penalty, until it was finally abolished for murder in Britain in 1969.

CONCLUSION

What does a comparison of these cases suggest, then, about the gendering of sentimentality, and the effects of a sentimental aesthetic in drawing attention to political issues such as the death penalty? Kahane is critical of a sentimental politics on the ground that although pathos is 'often manipulated to arouse public sentiment about issues of social and political significance, its conventional link to feminine sensibility has also made it suspect in rendering the gravity of public issues'.⁸⁵ The case of Van Nguyen, which was sentimentalised through a focus on his mother and his childhood, and the pathos aroused by the loss of his young life in circumstances that to many seemed simply excessive, suggests that today a sentimental politics is not linked exclusively to feminine sensibility, but is available to individual male victims as well as female victims. At the same time, it is crucial to acknowledge that gendered meanings about femininity and masculinity played a role in the sentimentalising of Van Nguyen and Bywaters. In both cases, a key to sentimentalising the men, and attracting support for their cases, was the use of images of their mothers and their own youth, which enabled them to be figured as 'boys', with all the connotations that suggests. Likewise, gendered stereotypes rendered Thompson unsympathetic: a campaign of sentimentality backfired in her case because, through gendered stereotypes, she was represented as a calculating and conniving woman who brought Bywaters to ruin. In the Thompson and Bywaters case, the media coverage, by supporting the claim that Thompson through her letters 'incited'

Bywaters to murder, continually displaced responsibility from him to her, and thereby 'naturalised' his violent crime. This helps to explain why there was no petition for a reprieve for her — because she was represented as bringing about Bywaters' ruin, she could not be sentimentalised, whereas he, eight years younger than her, could be rendered the victim of her manipulation. The cases of the men, when read against the contrast of Edith Thompson's case, reveal the exclusiveness of a sentimental politics: the individual must be able to be rendered sympathetic to the public for a sentimental aesthetic to be effective, and this involves the meanings of gender, class, sexuality, ethnicity and the like in a particular culture. In other words, in any case, there are a mix of individual variables, social and political context, and media strategies, that will render a sentimental campaign effective or not. The contingency of a sentimental politics is, I think, one reason it does not provide a solid basis for a campaign against the death penalty. Of course, it is still too early to tell if the media publicity of Van Nguyen's case will have a lasting impact in Singapore, but it is important to note that the media attention to his case at least put the issue on the agenda for ordinary Singaporeans. One final point: the meanings of femininity were crucial in rendering Edith Thompson's execution a symbol of the horrors of capital punishment. Before she was hanged, there was already feeling against hanging a woman on the grounds of her femininity, which was considered liable to make women more susceptible to collapse and to expose witnesses to shame and humiliation. It was feared that women would not go to their execution in a manly fashion, and would

thereby give the lie to the government's claim that hanging was a quick and clean method of execution. Whether the rumours about her execution were true, they functioned to make visible the horrors of hanging, and its traumatising effect on direct and indirect witnesses. Her case had lasting significance, because it shifted the focus from the victim to the witnesses, who perhaps came to see themselves as unwilling 'collaborators' in judicial execution.

ENDNOTES

¹ Ronald Ryan was the last person executed in Australia, in 1967. Prior to Van Nguyen, the last Australian to be executed was Michael Denis McAuliffe, in Malaysia in 1993. The most notorious case in recent times, however, was that of Brian Chambers and Kevin Barlow, whose executions in Malaysia in 1986 resulted in strained relations between Australia's Hawke government and Malaysia. See <http://www.thinkcentre.org/article.cfm?ArticleID=2347>

² Van Nguyen's case did not receive media exposure until his mother, Kim Nguyen, received a letter, dated 16 November 2005, informing her that her son would be executed in two weeks, and requesting her to make funeral arrangements. See 'A softly, softly approach tried first — The Campaign', *The Sydney Morning Herald*, 2 December 2005, p.4.

³ See 'Sympathy dries up as many back death for drugs', *The Age*, 2 December 2005, p.2. Although there were some letters in which readers commented about the lives that would be ruined and lost through heroin in Australia, there were no pictures of young people who had died of heroin overdoses, or of their grieving families.

⁴ See *Planet Diana: Cultural Studies and Global Mourning*, ed. Re:Public, Kingswood, NSW: Research Centre in Intercommunal Studies, University of Western Sydney, 1997.

⁵ *The Sydney Morning Herald*, 19 November 2005.

⁶ For a transcript of the trial and evidence, see Filson Young, *The Trial of Fredrick Bywaters and Edith Thompson*, London: Hodder and Stoughton, 1923.

⁷ For recent accounts, see Anette Ballinger, *Dead Woman Walking: Executed Women in England and Wales, 1900–1955*, Aldershot: Ashgate/Dartmouth, 2000; and Brian P. Block and John Hostettler,

Hanging in the Balance: a History of the Abolition of Capital Punishment in Britain, Winchester: Waterside Press, 1997. For uses of Thompson's case in the campaign to abolish the death penalty, see Arthur Koestler, *Reflections on Hanging*, London, Gollancz, 1956, and Arthur Koestler and C. H. Rolph, *Hanged by the Neck: an Exposure of Capital Punishment in England*, Harmondsworth: Penguin Books, 1961.

⁸ See Joel Black, *The Aesthetics of Murder*, Baltimore: Johns Hopkins University Press, 1991; Sara L. Knox, *Murder: a Tale of Modern American Life*, Durham, North Carolina: Duke University Press, 1998; Wendy Lesser, *Pictures at An Execution*, Cambridge, Mass.: Harvard University Press, 1993.

⁹ See Lesser's critique of Black in Lesser, op. cit., p.5.

¹⁰ Ibid., p.253. She contends that a sentimental protest against a particular execution should not be confused with a political objection to the death penalty in general.

¹¹ Michael Bell, *Sentimentalism, Ethics and the Culture of Feeling*, London: Palgrave, 2000, p.1.

¹² See Bell, op.cit.; Luc Boltanski, *Distant Suffering: Morality, Media and Politics*, Trans. Graham Burchell, Cambridge: Cambridge University Press, 1999; Suzanne Clark, *Sentimental Modernism: Women Writers and the Revolution of the Word*, Bloomington: Indiana University Press, 1991.

¹³ See Boltanski, op.cit.; Susan Sontag, *Regarding the Pain of Others*, New York: Farrar, Straus and Giroux, 2003; Arthur and Joan Kleinman, 'The Appeal of Experience; The Dismay of Images: Cultural Appropriations of Suffering in Our Times', *Social Suffering*, ed. Arthur Kleinman, Veena Das, and Margaret Lock, Berkeley: University of California Press, 1997.

¹⁴ See Lauren Berlant, 'The Subject of True Feeling: Pain, Privacy and Politics', *Transformations: Thinking Through Feminism*, ed. Sara Ahmed, London and New York: Routledge, 2000.

¹⁵ Ibid., p.132.

¹⁶ Media theorist James Carey outlines two approaches to media and communication. Whereas a 'transmission view of communication' sees it as 'the extension of messages across geography for purposes of control', a ritual view focuses on 'the sacred ceremony that draws persons together 'in fellowship and commonality'; quoted in Simon Cottle, *The Racist Murder of Stephen Lawrence: Media Performance and Public Transformation*, Westport, Conn.: Praeger, 2004, p.43.

¹⁷ Ibid.

¹⁸ Ibid., p.31

¹⁹ Ibid.

²⁰ Ibid., p.46.

²¹ Ibid.

²² Given the notoriety of the media coverage of the Schapelle Corby case, which centred on a photogenic young Australian woman convicted of carrying four kilos of cannabis into Bali, and the resentment it generated in Indonesia, their strategy made tactical sense.

²³ *Canberra Times*, 26 November 2005, B2, 1.

²⁴ *Canberra Times*, 26 November 2005, B1-2.

²⁵ *Concise Oxford Dictionary*.

²⁶ *Canberra Times*, 26 November 2005, 4; *Canberra Times*, 1 December 2005, pp. 1,4.

²⁷ *Canberra Times*, 1 December 2005, p.4.

²⁸ *The Sydney Morning Herald*, 2 December 2005, p.5.

²⁹ *The Age*, 2 December 2005, p.1.

³⁰ During this same period, there were several smaller pictures of Van Nguyen's twin brother, Khoa, usually with his mother or with Van's friends Bronwyn and Ng, but none of them was featured in close up the way Van's mother was; see, for example, *The Sydney Morning Herald*, 2 December 2005, p.2.

³¹ See Marcia Landy, *Imitations of Life: a Reader on Film and Television Melodrama*, Detroit: Wayne State University Press, 1991, p.14.

³² Claire Kahane, 'Dark Mirrors: A Feminist Reflection on Holocaust Narrative and the Maternal Metaphor', *Feminist Consequences: Theory for the New Century*, New York: Columbia University Press, 2001, p.165.

³³ Ibid.

³⁴ *The Age*, 2 December 2005, p.2.

³⁵ Ibid.

³⁶ *Canberra Times*, 3 December 2005, B2.

³⁷ Photographs of her recalled similar iconic images of suffering women — Jackie Kennedy, for instance, in mourning for her husband.

³⁸ The media was aware that readers would remember the Corby case, and her family's naïve self-representations to the media. Kim Nguyen's silence conveyed elegance, and contrasted sharply to the unguarded talk of the Corby clan. Moreover, the spirituality conveyed by Van and Kim Nguyen was in stark contrast to the Corby family's secular materialist values, connoted through their fish-and-chip shop and the Queensland beach.

³⁹ Kahane, op. cit., p.165.

- 40 In the famous 'dingo baby case', Lindy Chamberlain claimed that her infant daughter, who went missing from a campsite, had been taken by a dingo. She did not show, in public, what was considered appropriate grief for her lost child, and was found guilty of murder. She served many years before her conviction was quashed. See *Lindy Chamberlain Revisited*, ed. Adrian Howe, Canada Bay, N.S.W: Lhr Press, 2005.
- 41 *The Sydney Morning Herald*, 2 December 2005, 5; see also *The Age*, 2 December 2005, p.1.
- 42 'A mother's last touch', *The Age*, 2 December 2005, p.1; in 'The First Australian to be executed in 12 years', Mr Lasry states that the prison guards 'treat him like a son. They'll be there with him [and] there's going to be some men in uniform who are going to be very upset tomorrow morning because they're human and they're working on death row on the ground and they feel it.' *The Sydney Morning Herald*, 2 December 2005, p.5.
- 43 *The Sydney Morning Herald*, 2 December 2005, p.4.
- 44 'Candles light the darkness as hope for Nguyen fades', *Canberra Times*, 1 December 2005, p.4.
- 45 Berlant, op.cit., p.128.
- 46 'A final embrace before "calm and inspiring" Van faced fate', *Weekend Australian*, 3-4 December 2005.
- 47 Several articles suggested that protests in Australia did have an impact in Singapore: 'Outcry forces Singapore media into the open', *The Sydney Morning Herald*, 2 December 2005, p.5; 'Coverage of the Van case has taken Singapore by storm and put uncomfortable issues into the public eye', *Weekend Australian*, 3-4 December 2005, pp.22-3.
- 48 Kahane, op.cit.
- 49 Berlant, op. cit., p.132.
- 50 Quoted in 'Relief at concession, anger at hanging — Singapore Execution', *The Age*, 2 December 2005, p.2.
- 51 Ibid.
- 52 'Execution of a young man a terrible, sad waste of young life but Nguyen was no hero', in *Canberra Times*, B11, 3 December 2005; 'Drug-runner's execution is sickening, and so is the hypocrisy', *The Australian*, 29 November 2005, p.6; 'Government's stance on death penalty does help: Stanhope', *Canberra Times*, 26 November 2005, p.4.
- 53 Van Nguyen's case raises ethical issues about whose lives we are invited to mourn. See Judith Butler, *Precarious Life: the Powers of Mourning and Violence*, London and New York: Verso, 2004.
- 54 'Is Edith Thompson To Live? Petition For Reprieve of Bywaters Being Prepared. Save Young Bywaters', *Daily Sketch*, 13 December 1922, 2.
- 55 Ibid.
- 56 H. C. Bailey, 'The Ilford Murder: Story of the Crime', *Daily Telegraph*, 14 December 1922.
- 57 *Daily Mail*, 13 December 1922.
- 58 *Daily Telegraph*, 13 December 1922.
- 59 Julia Kristeva, *Powers of Horror: an Essay on Abjection*, New York: Columbia University Press, 1982, p.3.
- 60 Clark, op. cit.
- 61 Ibid., p.11.
- 62 Rebecca West, 'Edith Thompson's Soul: Rebecca West on the Daydream Theory. Probing the Secrets of the Guilty Ilford Wife', *Reynolds Illustrated News*, 17 December 1922, p.2.
- 63 Clark, op.cit. , p.10.
- 64 Ibid.
- 65 'Justice and the Ilford Case', *The Nation and the Atheneum*, 30 December 1922.
- 66 *Daily Mail*, 10 January 1923.
- 67 *Daily Express*, 10 January 1923; *Daily Mirror*, 10 January 1923, p.2.
- 68 *Daily Express*, 10 January 1923.
- 69 Accounts of the origin of this rumour are confusing. According to Anette Ballinger, the prison doctor's report (Dr. Morton), which notes that Thompson gained 15lbs in a matter of weeks, under great stress and eating little, ignited this rumour. Rene Weis suggests that the rumour was the result of indiscreet comments by distressed individuals claiming to have witnessed the execution to the editors of the *Daily Mail* and the *Daily Express*, whom they asked to start a campaign against hanging women. Weis writes that 'as a result of these indiscretions the story started, almost as soon as Mrs. Thompson had been executed, that her "insides" had fallen out', Rene Weis, *Criminal Justice: the True Story of Edith Thompson*, London: Hamish Hamilton, 1988, p.306. I have not found evidence that these rumours circulated in newspapers until the media coverage of the 1948 House of Commons debate on abolition, which included Baxter's story about being visited by alleged witnesses to Thompson's execution.
- 70 Weis, op.cit., p.306.
- 71 In his biography, John Ellis, the hangman, describes some of the hundreds of letters he received which opposed Thompson's execution on the grounds that hanging a woman went against 'all the codes of chivalry known to civilised society'.

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⁷² Fryn Tennyson Jesse, *A Pin to See the Peepshow*, London: Virago, 1979; originally published 1934.

⁷³ When Major Blake, who was the Governor of Pentonville at the time of Bywaters' execution, published his prison memoirs (for which he was tried under the Official Secrets Act), he ignited a long-running controversy by revealing that witnesses to executions were required not to reveal details of an execution, but to instead say that it went 'without a hitch'. For accounts, see Violet Van der Elst, *On the Gallows*, London, 1937, and Arthur Koestler and C. H. Rolph, *Hanged by the Neck: An Exposure of Capital Punishment in England*, Harmondsworth, Middlesex: Penguin Books, 1961.

⁷⁴ On John Ellis and Edith Thompson, see Brian Bailey, *Hangmen of England: A History of Execution from Jack Ketch to Albert Pierrepoint*, W.H. Allen, London, 1989, pp.146–55.

⁷⁵ 'The Ghost of Mrs. Thompson: Beverly Baxter, MP, describes the debate that has ended executions', *The Evening Standard*, 15 April 1948.

⁷⁶ *Ibid.*; *Daily Express*, 15 April 1948.

⁷⁷ Great Britain Royal Commission on Capital Punishment, *Minutes of Evidence Taken Before the Royal Commission on Capital Punishment*, London: H.M.S.O., 1949, pp.282–3.

⁷⁸ *Ibid.* Cf 'Is the Royal Commission Being Misled?', *Reynolds Illustrated News*, 16–17 October 1949.

⁷⁹ Kristeva, *op.cit.*, p.3.

⁸⁰ *Ibid.*, p.2.

⁸¹ Arthur Koestler, 'The Alternative to Hanging', *The Observer*, 4 March 1956, and 'Capital Punishment ... Lord Mancroft's "Omissions"', *The Observer*, 11 March 1956. Koestler was an abolitionist, and the former article was an extract from his book *Reflections on Hanging* which was about to be released.

⁸² Transcripts of the House of Lords debate, including the parliamentary questions and press clippings, known as the 'Parliamentary Hanging Debate', are held the National Archives in Kew, London, file no. PCOM 9/1983. The Home Office responded to Koestler's allegations in *The Observer*, 18 March 1956.

⁸³ The Home Office acknowledged that Thompson was carried to the scaffold, but claimed that this was because she had been given an odd cocktail of drugs — amphetamines, strychnine and morphia. The prison doctor gave her these drugs first to perk her up, but later to calm her down. By the time 9am dawned, she was barely conscious, and it was feared she wouldn't be able to walk to the scaffold. So her legs were strapped in her cell (this was normally done at the scaffold) and she was carried.

⁸⁴ Two facts suggest that Thompson may have haemorrhaged. The Home Office files reveal that the clothes she was executed in were destroyed, and after her execution, a new rule stipulated that women to be executed would wear canvass underwear, presumably to protect witnesses from humiliating scenes of excrement and blood.

⁸⁵ Kahane, *op.cit.*, p. 165.

100 DAYS IN RWANDA, 1994

Trauma Aesthetics and Humanist Ethics in an Age of Terror

DEBJANI GANGULY

While we die with you watching
us all the time, you live, you
thrive ... Don't you get a feeling,
sometimes, that you're living off
our death?

Gil Courtemanche: *A Sunday at the
Pool in Kigali*

Write about horrors and you're
expected to make some sense of
them. What's it to be?

Andrew Miller: *The Optimists*

Ethics and aesthetics are one.
Wittgenstein

VIOLENCE, CREATIVITY, RESPONSIBILITY

When the New York resident and Australian theatre director Alison Summers was asked what she thought of two recently released Hollywood blockbusters on the 9/11 catastrophe, she replied: 'I would not see either film because I would be afraid of residual grief and distress being triggered. I believe I have achieved what is termed closure, but maybe it's old-fashioned blocking. I don't want to test myself in the middle of a cinema.'¹

The media also reported a very poor turnout for the release of *United 93* about the hijacked flight that crashed in a

Pennsylvania field. Responses of New Yorkers to Oliver Stone's *World Trade Center* were hostile and heated, with one viewer adding: 'What is untenable is the filmmaker's prerogative to selectively edit and frame reality.'² These facts critically signal issues of responsibility that artists and filmmakers bear towards victims of trauma in their creative representations of catastrophes. With the global immanence of terror and warfare in the post-Cold War period, trauma induced by gratuitous human violence has assumed world proportions and has intensified debates about artistic responsibility. As Susannah Radstone notes in her opening essay of the special debate on 'Trauma and Screen Studies' in the journal *Screen*, trauma has become a 'popular cultural script' much in need of 'contextualization' and 'analysis'.³ The complex relationship between extreme violence and assumption of responsibility by creative artists to represent such violence to the world is the key focus of this essay. It seeks to unravel this relationship through an exploration and analysis of creative works on the Rwanda genocide of 1994.

Debates about creative and artistic representations of gratuitous violence and evil are, of course, not new. They took on special urgency during and after the

Holocaust, beginning with Adorno's somber uptake on the impossibility of writing poetry after Auschwitz. The debates have since ranged from exploring the power of singularising and mythologising the Holocaust through the creation of the exemplary victim of an unfathomable evil, to marking such exemplarity as loss of historical connectivity with other acts of genocide, especially those in relation to Cambodia in the 1970s and Rwanda in the 1990s. In other words they have traversed the gamut between the exceptional, the universal and the particular in human history, a gamut that also informs art and creativity. In recent years, graphic visual and textual representations of 9/11 and other human-induced global catastrophes have also raised deep ethical questions about artistic responsibility. Many of these are seen as akin to art that both 'entrances' one through the 'sublimity of destruction'⁴ and iconicises terror-inducing devastation as a sign of our precarious times.

This essay is a meditation on the ethics of creatively representing the Rwandan genocidal horror of 1994 in multiple media and the aesthetic and interpretive truths that mediate the political in each instance. I take as my case studies two creative depictions of the genocide — Gil Courtemanche's docu-fictional novel *A Sunday at the Pool in Kigali* (2000) and Terry George's much-acclaimed feature film *Hotel Rwanda* (2004). The issues I propose to confront in my analysis of these works are the following: What constitutes a trauma aesthetic? How does it mediate between a rhetoric of voyeurism and violation on the one hand and a rhetoric of vocalisation and cathartic redemption on the other? How do different media and genres negotiate it? I also wish

to explore the aesthetic and ethical dilemma of reading the Rwandan genocide as a *human act* rather than a specific case of ethno-political massacre within a colonial/postcolonial context in Central Africa. The dilemma arises from our retrospective knowledge of the way the Nazis deployed mystical and metaphysical rhetoric in talking about their version of 'man' and the 'human' that laid waste to all other ways of imagining the human.⁵ Further, I wish to converse with recent articulations on the 'common human' against the force of totalitarian and xenophobic representations in the writings of cultural theorists and philosophers such as Judith Butler, Michael Hardt and Antonio Negri.⁶ Do these enable us, I ask, to arrive at a middle point between mythologising the human out of the vicissitudes of worldly attachments and an extreme localising of the human to the detriment of global connectivity? Issues and questions such as these will inform my analysis of creative writing and film on the Rwandan genocide.

RWANDAN GENOCIDE: WORK OF DEATH, WORKS OF ART

In April 1994, when South Africa was celebrating the end of apartheid with the election of Nelson Mandela and the African National Congress to power, Rwanda, a tiny central African state was awash with the blood of one of its ethnic minorities, the Tutsis. In 100 days, from April to early July 1994, the country's Hutu paramilitary, *Interahamwe* ('We who strike together'), fattened and armed by its deceased president, Habyarimana, butchered about one million Tutsis. The world chose to look the other way. As the Reuters photo-

journalist Corinne Dufka put it in her address to the UCLA International Institute on the tenth anniversary of the genocide: '[T]here were thousands of journalists on the African continent during the genocide, but they were almost all in South Africa covering the elections.'⁷ The United States, already suffering from Somalia fatigue, refused to name the massacres 'genocide' for fear it would have to intervene once again in accordance with the Geneva Convention. The UN Peacekeeping force present in Rwanda at the time refused to exceed its brief — that of 'keeping peace' — and engage in armed conflict with the genocidal Hutu paramilitary. As the fictional UN General put it in Gil Courtemanche's novel, *A Sunday at the Pool in Kigali*, 'I would like to protect civilians, but I do not want to risk losing soldiers, even one, without written authorisation. I am not here to save Rwandans. I'm here to respect the Arusha accord.'⁸

When Corinne Dufka implored her editors to allow her to cover the Rwandan massacres as well as the South African elections, they told her that the public had little appetite for seeing dead bodies in the morning newspaper. They finally allowed her to travel to Rwanda, though, after seeing a particular photograph that caught their interest. The photograph was not of the genocide, but of a massive exodus of refugees from Rwanda into neighbouring Tanzania. 'They finally said, "This looks impressive. You can go."' Dufka and her team chose a route to Rwanda from the southeast, passing through Tanzania and Burundi. Their assignment was to cover the refugee story. Dufka describes the gruesome tableau that lay before them:

There was a river that flowed between Tanzania and Rwanda. There was a large waterfall and there were bodies flowing over it. On the one hand there were refugees going into Tanzania and on the other hand we had these bloated bodies every couple of minutes flowing over this waterfall. It was horrific.

Dufka also gives a graphic description of her experience of visiting churches and schools where many Tutsis sought refuge and were massacred:

You could see the story of the chase in the ways the bodies fell. In one of them I remember seeing a dead mother and her two dead children. You could see she was trying to protect her children and you could see she was huddled over these children — they'd been dead for a number of weeks and you could see the machete marks on her body where the bone was shattered.⁹

The reason why Dufka could still see mounds of hacked bodies was the astonishing decision taken by the Tutsi-led Rwanda Patriotic Front (RPF), which took over the country soon after the genocide, to leave the corpses where they lay, between the church pews, beneath the school desks, in the yard outside. In the words of Michael Ignatieff, who witnessed the grim memorialisation a year later in the company of the then UN Secretary-General Boutros Boutros-Ghali, 'The survivors turned the church compound at Nyarubuye into the Yad Vashem of African genocide'.¹⁰ This is how Ignatieff describes the scene:

Stretched out on the floor are row upon row of dust-coloured skeletons in rags. A dirty light slants across femurs, ankles, hipbones, shoulderjoints, teeth, skulls. No flesh remains. There's no smell of putrefaction. The clothing has faded to the colour of ash. Boutros-Ghali shuts his eyes and quietly mutters, 'Everywhere we work, we are struggling against a culture of death.'¹¹

The decade since has witnessed a proliferation of creative representations of this meticulously choreographed genocide in multiple media — in fiction, memoirs, feature films, documentaries, performances and art exhibitions. Some of these creative works include Terry George's feature film *Hotel Rwanda*, Gil Courtemanche's docu-fiction *A Sunday at the Pool in Kigali*, Andrew Miller's novel *The Optimists*, Veronique Tadjo's memoir *The Shadow of Imana: Travels in the Heart of Rwanda*, and many powerful documentaries. Two of the most memorable are the UN General Romeo Dallaire's *Shake Hands with the Devil*, and Michael Caton-Jones and David Belton's *Shooting Dogs*. There was also a sculpture exhibition at the Ecumenical Centre in Geneva to commemorate the tenth anniversary of the genocide, in which an artist from Ghana, Kofi Setordji, displayed his installation of wooden sculpture and terracotta masks marking the event. The exhibition later travelled to Kigali in April 2004.

In October 2005, the Sydney Opera House staged a Senegalese dance performance entitled *Fagaala* ('genocide' in Senegalese) choreographed by the acclaimed Senegalese performer Germaine Acogny

and the Japanese butoh master Kota Yamasaki. A leading performer in the African art world, Acogny was inspired to create this dance ensemble after reading a fictional account of the genocide by the Senegalese writer Boubacar Boris Diop. In contrast to the mediated, byte-sized coverage of the killings on television, Diop's novel *Murambi: The Book of Remains* 'humanised' the genocide for Acogny to such an extent that she could not rest till she, as an African creative artist, enacted this horror through dance and used her art to converse with the world. 'This fiction', she said, 'was more real than reality. I saw myself in the story. I was the killer and the victim. As a black African woman and artist, I took the responsibility to speak.'¹² Acogny here addresses a critical link between trauma aesthetics and humanist ethics that is the substance of this paper.

TRAUMA AESTHETIC: VOYEURISM, REDEMPTION AND INTERNATIONALISATION OF CONSCIENCE

It is useful, at the outset, to clarify the import of the term 'aesthetic' as it is deployed in this essay. The aesthetic, notes Jerrold Levinson in his introduction to the volume *Aesthetics and Ethics: Essays at the Intersection*, is 'human-sensibility-indexed'.¹³ Thus, it connotes more than just beauty or form, more than art that merely mystifies/beautifies/orders the raw and grim chaos of human existence. Rather, the aesthetic in art, literature and film supplements and enhances aspects of human experience in ways that more 'real' experience simply cannot. To extend this slightly, the aesthetic is a category that

captures the density of phenomena irreducible to abstract reason, the realm of the affective and the somatic; it is also something that captures our finitude, something that orients us to the stark elemental truths of our 'species being' on this planet. To that extent it carries within it a powerful ethical charge and a commensurate responsibility to explore the 'human' in all its complexity, including gratuitous violence and evil. It is in this spirit that I invoke Wittgenstein in the epigraph to the essay — 'ethics and aesthetics are one'. Such a reading distances itself from notions of 'disinterestedness' in art and invests in an ethic of aesthetic engagement with multiple lifeworlds. At the same time it resists reducing such engagement to an instrumentalist/functionalist notion of art's role in radically transforming society.

To turn now to the concept of a 'trauma aesthetic'; in its most literal sense it connotes a creative uptake on human pain and suffering of extreme magnitude. Intertwined with this is the responsibility such an aesthetic carries of conveying both the immediacy and the truth of such suffering — to make some *sense* of senseless suffering — to diverse audiences that do not necessarily invest in a shared infrastructure of aesthetic values. What then are the parameters of its expressiveness and responsibility? I wish first to take this question up in the context of recent debates about the reception of creative works on the Rwandan mass killings and then go on to address it through a close reading of Gil Courtemanche's *A Sunday at the Pool in Kigali* and Terry George's *Hotel Rwanda*.

Commenting on the proliferation of creative works in the decade since the

Rwanda killings, a journalist from *The Observer*, Jason Cowley, called such quick creative reproductions 'indecent', for they promoted 'atrocities tourism', especially when Rwanda had far from healed:

What is one to make of all this western interest in the unhappy central African state? Is there not something indecent in the haste with which non-African [artists] and film-makers are competing with each other to be the first with the ... news about the events of 1994? Is there not an element of atrocities tourism at work here — as well as a kind of stylized poetics of misery? After all it took the long perspective of many decades before novelists and Hollywood felt able to represent, in fiction, the Jewish Holocaust.¹⁴

Cowley goes on to weave into this ethical conundrum of a trauma aesthetic (the obscenity of art feeding off macabre killings) two contrasting scenarios that capture evocatively the dilemma of creative re-enactments attempting to simulate 'real' violence of horrific proportions. They both have to do with the subsequent filming of the genocide for a global audience. In the first, Terry George recounts why he chose to shoot *Hotel Rwanda* in Johannesburg rather than in Kigali: 'I was afraid of recreating those scenes of murder on the streets of Kigali.'¹⁵ George's stance of shying away from a graphic recreation is, as we discuss later, reflected in the aesthetic choices he makes in framing his film. Contrasted with this is the decision of filmmakers Michael Caton-Jones and David Belton to film their *Shooting Dogs* on the streets of Kigali. While this commit-

ment to a 'real' location is understandable, considering that the film is a documentary, a bystander and a resident of Kigali who occasionally witnessed the filming thought 'there was something indulgent and wrong about the circus of activity created by a western film crew in the midst of such dire poverty'. He added, 'Some of us felt upset about the filming of the scenes of violence and mayhem. Perhaps *Hotel Rwanda's* approach of having the violence in the background is the right one.'¹⁶ This contrast between subtle and graphic representations of the evil of genocide in art will be discussed in more detail later when I undertake a comparative analysis of the works of Courtemanche and Terry George. Such comparison will address both media and genre-related variations in representation of trauma.

I first wish to ask the following: do creative representations of the Rwandan massacre put non-Rwandan viewers in a position to stare, to look without consequences at sights from which, in practical life, we might turn away in horror? In other words, are these representations in turn both anaesthetising and voyeuristic? At the same time, can we not also argue that they bring home the importance of narrating and, hence, naming the evil from which the world had once turned away its face? That creativity after catastrophe can also be cathartic and redemptive? Rwanda's Minister for Culture, Joseph Habineza, when asked if these creative depictions troubled ordinary Rwandans, replied movingly:

In 1994, the world ran away from us. The world didn't want to know. These works, because they have a sense of history and a

powerful message, are coming out at the right time because the world is starting to forget what happened. And we don't want people ever to forget what happened in 1994. Will ordinary Rwandans see these films and read these books? Many probably won't. But they know they are out there, they know they've been made. That is a source of consolation — and it stops them feeling abandoned all over again.¹⁷

I do not think it is possible to resolve the ethical conundrum by settling for either the voyeurism argument or the redemption/catharsis argument. As Michael Ignatieff puts it in his discussion of the televisual and digital media's traffic in instant images of human suffering, such traffic can be seen as both 'promiscuous voyeurism' and 'internationalization of conscience'.¹⁸ But it also points to a truth that transcends both: a move towards an *actualisation* of a moral universal built on 'crime against humanity', where the interlocutor of the victim is a 'stranger' and not her/his kith and kin. Judith Butler in her Levinasian reading in her recent book, *Precarious Life: The Power of Mourning and Violence*, calls this the 'impingement by the Other's address ... a comportment towards the Other only after the Other has made a demand upon me, accused me of a failing, or asked me to assume a responsibility'.¹⁹

In other words, at the cusp of what has been a horrific century of wars and ethnic carnage and a new millennium that does not augur much better, a trauma aesthetic — media and artistic representations of extreme suffering — cannot but be intim-

ately entwined with a new kind of humanist ethic, a new kind of internationalism built on a shared dread of human capacity for evil coupled with a deep awareness of the ambiguities of sharing grief and loss across large swathes of devastated human-scapes. This is a sharing marked more by distance than propinquity, more by difference — racial, ethnic, national — than by sameness. At the same time it is also an acknowledgement of the globalisation of the impact of large-scale human suffering, no longer restricted, especially since 9/11, to the backwaters of the world — sub-Saharan Africa, Latin America and impoverished parts of Asia. To recognize the *global immanence* of human insecurity and dread amidst imminent terror is to recognise an important aspect of what Michael Hardt and Antonio Negri call ‘life in common’ — the coming together of ‘singularities’ that are not ‘incommunicable localities’ in this era of relentless conflict.²⁰ It is to acknowledge that trauma aesthetics in late modernity does more than simply feed off the misery of the less fortunate residing in distant parts of the world. Rather, such aesthetics seek to highlight the notion that the rights-bearing human has faced its most severe test ever in the latter half of the twentieth century and into the new millennium — when human beings have had to live through catastrophes that have destroyed entire social networks that define our moral universe. ‘The way stations on the road to this new internationalism’, writes Ignatieff, ‘are Armenia, Verdun, the Russian front, Auschwitz, Hiroshima, Vietnam, Cambodia, Lebanon, Rwanda and Bosnia.’²¹ Genocide, as Arthur Klinghoffer puts it in his book on Rwanda, is ‘the ultimate expression of absolute rightlessness’.²² Genocid-

al acts create victims who are bereft of kinship and social networks — refugees in particular. They thus make ‘an ethic of universal moral obligation among strangers a necessity for future life on the planet’.²³ The poignant words of the Rwandan Minister for Culture we heard earlier point precisely to the possibility of such an emergence of a new global ethic from the rubble of catastrophe wrought by the evil of Rwanda’s freefall into the insanity of ethnic carnage. For all this, though, it is important to be mindful that a trauma aesthetic embodying such a global ethic is not uniformly translatable across all creative media and genres. This is the burden of the explication of texts that follow.

STRANGE AFFILIATIONS, AESTHETIC CONFIGURATIONS: COURTEMANCHE’S REDEEMED KIGALI

The ethic of hospitality from strangers arising from a breakdown of more immediate socio-moral networks is captured with a devastatingly visceral edge in Gil Courtemanche’s *A Sunday at the Pool in Kigali*. In the Rwanda of 1994 of which he writes, no local inhabitant can take it for granted that he or she will not be hacked to death at any moment by a relative or a friend or a neighbour. In Courtemanche’s complex portrayal of Rwandan multi-ethnicity, the rhetoric of symbolically and semantically asserted Otherness — he’s dark, squat and thick-lipped and so he’s a Hutu; she’s tall, slim and light-skinned, so she’s a Tutsi — is by no means clearly demarcated either by spatial arrangements or by physiognomy. Only some stereotypes circulate with a myopic stubbornness that is

lethal. Thus Tutsis are cockroaches from which Rwanda needs to be cleansed. The only redeeming relationships seem to be between a few foreign aid workers/journalists and their circle of friends from among the native population of Kigali. The horrors of the genocide as a shared sense of the precariousness of life at the end of the millennium are narrated through conversations among them — virtual strangers bonded in both extreme fear and fragile hope.

One of the most powerful aspects of the novel is the highlighting of a comparative global perspective from which the Rwandan killings can be understood. Rhetorically this works not so much through providing a substantive political context to the genocide, as through graphic comparative details of the very aesthetics of warfare and genocide. The Rwandan massacres, Lando, a Tutsi friend tells the French-Canadian narrator Valcourt, are not fit for hi-tech television, which is more comfortable with the 'clean' wars of Americans and their precision bombing. This is war that the rest of the world will find hard to stomach on television because of its gruesome excesses:

We're going to rape, cut throats, chop, butcher. We're going to cut open women's bellies before the eyes of their husbands, then mutilate the husbands before the wives die of loss of blood, to make sure they see each other die. And while they're dying, coming to their last breath, we'll rape their daughters, not just once but ten times, twenty times. And the virgins will be raped by soldiers with AIDS ... With machetes, knives and clubs

we'll do better than the Americans with their smart bombs. (p.60)

Elsewhere, Methode, another Tutsi friend of the narrator, dying of AIDS with only a week or two to live, has been reading voraciously on the Nazi Holocaust and pondering the fate of Jews and Tutsis. His contemplation on the differences in *culture* and *style* of each of the genocides is a grim reminder of the extent to which human civilisation has mastered the art of killing in all its various genres:

The world had known the scientific Holocaust, cold, technological, a terrifying masterpiece of efficiency and organization. A monstrosity of Western civilization ... Here it would be the barbarian Holocaust, the cataclysm of the poor, the triumph of machete and club. Already in the province of Bugesera, corpses were afloat on Lake Mugesera, drifting towards the Kagera, the legendary source of the Nile. This was the way to send the Tutsis back to where they came from, to Egypt — as loudly declared by Monsieur Leon, who owned a fine house in Quebec and here was behaving like a little Hitler. (p.39)

The novel's title is an ironic uptake on the lives of privileged diplomats, journalists and UN workers based in the Rwandan capital, who insulate themselves from the spiral of interethnic killing outside to sit by the pool in the only luxury hotel in the city, the Mille Collines, also the setting of the film *Hotel Rwanda*. The satire directed at the insulated white community in Rwanda is scathing:

This is how the Whites at the hotel, instant minor gods, hear and figure Africa. Close enough to talk about it, even to write about it. But at the same time so isolated with their portable computers in their antiseptic rooms, and in their air-conditioned Toyotas, so surrounded by the little Blacks trying to be like Whites that they think black is the smell of the perfumes and cheap ointments sold in the Nairobi duty-free shop. (p.42)

The novel is self-consciously marked as docu-fiction by the author, a French Canadian journalist, who witnessed and reported on the genocide. Courtemanche was in Rwanda at the time to make a documentary on the HIV epidemic in Kigali which had affected almost one-third of that city's population. Tied to this harbinger of death were the rumblings of an ominous ethnic feud that was just waiting to manifest its volcanic fury. Courtemanche's razor-sharp yet deeply empathetic pen creatively transfigures this near-apocalyptic tableau of horror into a searing poetic document of life at the edge of time and sanity.

'We have come to the end of time, eaten away by two cancers, hatred and AIDS. We are a little like the Earth's last children', says Raphael, (p.10) one of Valcourt's Rwandan friends. The highlight of the novel is the juxtaposition of unsparing details of the genocide — too confronting, might I say, even pornographic at times, in its twin depiction of brutal rapes and the shameful might of machetes as they cut through flesh and bone — with a narrative of love, care and bonding between Valcourt and his hapless Rwandan friends.

It is the stuff of great art since time immemorial; the epic battle between *eros* and *thanatos*, life and death, creation and destruction.

Kigali's mystique and menace are entwined in stunning metaphors: the stomach-churning sounds of the genocide outside the hotel precinct are described as 'a mortuary symphony against a picture postcard background'. (p.144) Valcourt is entranced by the Kigali landscape, 'the hills sculpted by thousands of gardens, the mists caressing the valley floors' (p.18). But the menace of machetes at nightfall brings fear to the soul: 'the market's cheerful, noisy anarchy had ceased, the way the birds in a forest fall silent when a predator creeps near'. (p.79) The morning after, 'life wakens as if a whole city were emerging from a coma, astonished to be alive even as it counts its dead'. (p.41) The aftermath of a night of mass killing is figuratively transposed onto the busy world of scavenging birds and animals:

The canine cacophony yielded progressively to the human cacophony. The buzzards took flight in search of the fresh refuse produced by the night. When the buzzards had flown over the city at length and staked out their territory, the jackdaws left the lower branches of the eucalyptus trees around the hotel garden to go and make do, humbly as befits an inferior and obedient race, with places the buzzards had scorned. The croaking of all the city's ravens was drowned out by horrid clumpings of French boots as a squad of presidential guardsmen jogged around the hotel. (p.98)

Also powerful are depictions of disavowal of responsibility on the part of former colonial powers for the history that led to the ethnic divide and the subsequent genocide. Much easier for them to primordialise these Africans: 'A red haired Belgian, who had been teaching philosophy since the university's foundation in 1963, laughed and said, "They like to kill each other at regular intervals. It's like the menstrual cycle; a lot of blood flows, then everything returns to normal."' (p.189)

I wish to explore the poetic power of these depictions of extreme human suffering from the point of view of some recent criticism of the 'dark lyricism' — a kind of stylised and highly figurative poetics of extreme violence and human suffering — found in the works of J. M. Coetzee, especially in his novel *Elizabeth Costello*. Coetzee is, of course, the artist *par excellence* of minimalism and austerity. Much lauded for the diamond-hard, cutting brilliance of his bare narratives of the brutality of apartheid in South Africa, Coetzee, not surprisingly, takes exception to graphic descriptions of gratuitous human violence in the lyric metaphors such as one finds in *A Sunday at the Pool in Kigali*. Elizabeth Costello, in the eponymous novel, asserts: 'To save our humanity, certain things that we may want to see must remain off-stage.' (p.169). In the same novel Coetzee applauds the minimalist realism of Defoe's *Robinson Crusoe* for its courage to stick to 'bare' facts in the face of enormous desolation:

Robinson Crusoe, cast up on the beach, looks around for his ship-mates. But there are none. 'I never saw them afterwards, or any sign of them', says he, 'except three of

their hats, one cap, and two shoes that were not fellows.' Two shoes, not fellows: by not being fellows, the shoes have ceased to be footwear and become proofs of death, torn by the foaming seas of the feet of drowning men and tossed ashore. No large words, no despair, just hats and caps and shoes. (p.4)

What Coetzee asserts in his criticism of dark lyricism is the foremost responsibility of the artist to recognise and acknowledge the absolute material essence of the body in pain and not transmute the materiality of that pain into figurative language. The figurative, in reaching for points of comparison with other phenomena, leaches the suffering body of its singularity and dishonours it. Coetzee's warning is, of course, salutary in the context of poetic clichés and deliberate artistic attempts to titillate the sadistic among us through excessive depictions of gratuitous and mindless violence. Both trivialise human suffering and to that extent are obscene.

But can one not also say that Coetzee's uncompromising aesthetic opposition to all figuration of human suffering and bodily violation comes in the way of communicating pain across human difference? The figurative and metaphorical in language is, after all, the site of human claiming and marking of this world, of naming 'things' in terms of something else — in the final analysis the very possibility of human communicability. What happens then to the ethical responsibilities of a trauma aesthetic? Should they be articulated only in terms of the impossibility of figuring pain, of an aesthetics of bareness and silence? Won't such fidelity and re-

spect toward the singularity of the suffering body be ultimately achieved at the expense of its eventual isolation from a global ethic of caring and responsibility invoked earlier in this essay? In reading the following account of the violated body of Valcourt's wife, Gentille, do we as readers commit yet another violation as voyeurs or are we compelled to witness the unimaginable and assume a responsibility that will forever be haunted by Gentille's violated, withered corporeality? Or do we do both? Gentille pleads with her husband to forget her:

I'm not the Gentille you loved and that you think you still love ... I'm not a woman any more. Don't you smell the sickness? ... I don't have breasts any more. My skin's dry and tight like an old drum. I can only see with one eye. I probably have AIDS ... my mouth is full of sores that keep me from eating sometimes, and when I eat, my stomach won't hold anything. I'm not a woman anymore. Do you understand what they've done to me? I'm not human anymore. I'm a body that's decomposing, an ugly thing I don't want you to see. If I left with you I'd be even sadder than I am now because I see in your eyes as you look away that what you really love is your memory of me ... Go now and leave the country. I'm dead.
(p.247)

Her husband respects her wishes, but does not leave the country. Instead, he resists the reinstated Tutsi government's thirst for revenge and provides legal defence to innocent Hutus accused of genocide. He

and a Swedish Red Cross worker adopt a Hutu girl whose parents have been accused of participating in the genocide. They name her Gentille, thus signalling both a connection and a rupture with genocidal Rwanda — both an assumption of global responsibility for the genocide and an invocation of a humanist ethics that seek to break the cycle of revenge and retribution.

The tableau that endures in *A Sunday at the Pool in Kigali* is that of the poignancy of uncanny, unpredictable affiliations between strangers in the midst of horrific human suffering induced by a colonially engineered absurd filiative ethnoses and ethos.²⁴ The novel's poetic rendering of extreme human truths amidst a landscape of terror and beauty enhances rather than detracts from the moral power of such shared suffering, a mode of sharing that Coetzee would reject. Valcourt's prospective father-in-law, Jean Damascene, captures both the absurdity and poignancy of this tableau in his embrace of Valcourt, the French-Canadian in love with his Hutu-Tutsi daughter, Gentille, as his true son:

My son, today we have closed the circle of history and absurdity. The head of the *interahamwes*, who have sworn to cut the throats of all Tutsis and send them all the way to Egypt by the Kagera river, is a Tutsi. He's an uncle of Gentille's. The Head of the Tutsi rebel army is a Hutu and he's also an uncle of Gentille's ... Both want to kill Gentille who doesn't belong to either side. Gentille is like the fruit of the red earth of this hill, a mysterious mix of all the seeds and

all the toil of this country. Son you're going to marry a country they want to kill, one that could be simply Rwandan if it had the chance, the country of a thousand hills, which all of us, nameless and heedless of origin, have built like patient, obstinate fools ... if you are crazy enough to embrace this hill, its consuming madness and its most beautiful daughter, I shall love you more than my own sons. (pp.192–3)

In the apotheosis of Gentile as an aspired Rwanda, all-embracing in its numerous ethnic mixings and strange foreign affiliations, there is an ethic of interconnectivity that transcends the current post-genocidal political rhetoric of Rwandan nationalism, one invested in an unlearning of ethnicity and an impossible embrace of the abstract human. Humanism, the novel suggests, is not a commitment to abstract entities denuded of traces of belonging. It is, rather, the acknowledgement of the enmeshment of man in his particular affiliations and recognition of both the possibilities and dangers of such affiliations. It is this recognition of mutual vulnerability that is also the possibility of an ethic of caring and hospitality. Judith Butler gives it a name. She calls it our 'new humanism' of 'common corporeal vulnerability'.²⁵ Contiguous with this notion of 'corporeality' is Hardt and Negri's recent theorising on the 'common' as the 'flesh of the multitude' that links and expands social being, producing and performing it in 'excess of every traditional political-economic measure of value'.²⁶ This new social corporeality conceived in terms of a 'flesh-like' continuum rather than as racially and sexually marked difference is resistant to

a logic of identity and segregation. It is the complete antithesis of the abstracted 'mass man' of totalitarianism so powerfully theorised by Hannah Arendt. It is, thus, a powerful and enabling conception for an ethics of non-violent and transcultural relationality in an age of terror.

HOSPITALITY IN THE MIDST OF TERROR: AESTHETIC DISTANCE AND ETHICAL ENGAGEMENT IN HOTEL RWANDA

Media theorist and trauma scholar Janet Walker notes that 'alongside mass-mediated public debates on the history and meaning of various catastrophes, the 1980s and 1990s have seen the development of a *trauma cinema*'.²⁷ Terry George's *Hotel Rwanda* is one example of such cinema. Before I go on to situate this 'trauma' film in terms of the typology of reception based on film types and aesthetics suggested by Ann Kaplan,²⁸ I propose to explore a different creative representation in it of the motif that recurs throughout this essay of hospitality in the midst of apocalyptic terror. This would help me effectively link the aesthetic and the ethical in discussing the film.

In *Hotel Rwanda*, 'hospitality' is marked in literal terms by making the hotel, Des Mille Collines, the main site of action and refuge, and the hotel manager its protagonist. The film recreates the heroism of a real-life figure, Paul Rusesabagina, the manager of the luxury hotel. In the manner of a latter-day Oskar Schindler, Rusesabagina, a Hutu, managed to save not only his family (his wife was Tutsi), but also 1,268 other Tutsis by providing them refuge in the hotel, despite

the UN peacekeeping forces' temporary abandonment of the complex.

Interestingly, both Gil Courtemanche and Terry George in their respective works use the hotel as a distancing device from the madness of genocide, but in very different ways. For Courtemanche, as we saw, the hotel with its poolside shenanigans marked the site of western apathy to and distance from massacres on the streets of Kigali. It is contrasted with the genuine engagement and empathy of the protagonist with the suffering of his Rwandan friends. Courtemanche's aesthetic investment lies in narrating the *full* horror of what happened, in not sparing the reader/interlocutor any detail of the monstrous reality of the genocide. In contrast, Terry George in *Hotel Rwanda* makes the Hotel the site of compassion and hospitality, even as he uses it aesthetically as a framing device to spare the reader graphic details of the massacres. Each time, he offers the viewer just a glimpse of the killings on the streets before quickly moving the camera back to the Hotel and to Rusesabagina's anxious visage contemplating yet another strategy to protect the hapless Tutsis seeking refuge there.

Paul Rusesabagina, played by actor Don Cheadle, is portrayed as a typical upwardly mobile Hutu Rwandan with social and political connections in the highest places. The *Interahamwe* leader, George Rutagunda, treats him like a friend and the Hutu General Bizimundu, who led the massacres, is wary of attacking Paul and his Hotel for fear of Paul's high connections. During the genocide Paul, with great presence of mind, exploits these connections, once even managing to reach the French Presidential office through his

Belgian boss in Brussels. He bribes and cajoles Hutu authorities with aplomb and amazing *savoir faire* to save the Tutsi refugees hiding in his hotel. Initially Rusesabagina keeps up the business-as-usual front for his rich international clientele with great composure. Later, meeting menace with steel nerves and deft calculation, he handles the *Interahamwe* leaders on terms they understand — bribes and threats — even as he seeks favours from them to feed the refugees. Towards the end of the 100 days, when there are signs of the return of Tutsi rebels, he even threatens to give evidence against General Bizimundu as a war criminal. He shows that hospitality and caring in times of terror is more about ensuring survival through resourcefulness, prudence and cunning than about just being conventionally right and resorting to foolhardy heroics.

Don Cheadle plays the role of hotelier and *savoir/saviour* with a minimum of histrionics. His understated style brilliantly enacts with minimum fuss the power of the ordinary to do extraordinary things under duress. Cheadle's acting style is very much part of the aesthetic repertoire adopted by Terry George in making the film. 'Less is more' appears to be the guiding principle for the director. As we saw earlier, George shot the bulk of his film in Johannesburg for fear that recreating the horror on the very same streets would be disrespectful to Kigali's healing process. This sensitivity guides his choice of frames through which he narrates for the world the 100-day shame of Rwanda. Throughout the film the viewer sees the massacres through the eyes of Paul, who himself witnesses everything only through multifarious frames — windows, the back-

gate of his home, the Hotel lobby, car windows and, on one occasion, a television screen. And yet, he is hardly a bystander, constantly working, plotting and strategising to save his family and the refugees.

The only occasion on which he actually stumbles over masses of butchered corpses along the river road — undoubtedly the most searing and poetic scene in the film — is shot through a hazy and misty frame that both evokes the twilight horror of his rendezvous with Rutagunda and shields the corpses from the voyeurism of the viewer. Before dawn, Paul goes to meet Rutagunda to request food supplies. Rutagunda obliges but warns him of the imminent death of the Tutsis sheltering in the Hotel. He even asks Paul to hand them over in exchange for the lives of his wife and children. When he does not get a straight response, he tells the driver with quiet menace to take the 'river road', for the way would be 'clear' there. Only when Paul and his driver encounter thousands of Tutsi corpses on the 'river road', do they confront the full horror of Rutagunda's advice.

Terry George recreates Paul's horror for the viewer by means of short, sharp and subtle cinematic devices. On hearing Paul's agonised stifled groan, the viewer has a shadowy glimpse of row upon row of huddled corpses extending to the horizon. The camera then quickly pans to Paul and his driver in their four-wheeler trying to reverse out of that road even as the auditorium is awash with the sound of wheels bumping over dead bodies. Few creative evocations of man's voracious appetite to kill have been more powerfully depicted than this one. The audience ex-

periences a *frisson* straight from hell even as the horrific details are visually veiled from it. Terry George persists with his aesthetic stance of protecting the massed from the gaze of the living when, after a strained moment of silence, Paul warns his driver: 'You will tell no one about what we saw on this road. No one.'

Arguably, in recreating the genocide on screen, the maker of *Hotel Rwanda* invests neither in Coetzee's minimalist aesthetics nor in Courtemanche's full-frontal, searing poeticism. Adopting the former would have meant sacrificing the film's global reach, for how, except through cinematic figuration of extreme suffering and pain, could he have hoped to communicate to the world that another Rwanda should not happen? Again, as Samuel Beckett's plays demonstrate, minimalism is hardly conducive to a portrayal of the heroic. For the world, Rusesabagina is Rwanda's Schindler and Terry George intends to portray him as such. Coetzee's protagonists are heartbreakingly frail, failed humans caught up in a hostile world without redemption. It is also arguable that what Courtemanche could create through the genre of the novel — putting into graphic words and figurative language the kind of pain and violence that humans would be hard put to imagine in reality — Terry George could not risk with a feature film without allowing the representation to slide into the gratuitous and even sado-masochistic pornography. The visual medium, and especially the feature film with its heightened cinematic effects, engages all the senses with an immediacy that words on a page cannot approximate. That is why its apprehension of reality is more immediately confronting than that of a novel.

As the ethnographic film-maker David McDougall notes in *The Corporeal Image: Film, Ethnography and the Senses*, 'all films and not only "gross" genres are potentially disturbing to the corporeal equanimity of the viewer'.²⁹ In an extended discussion on the concept of *photogenie* — that which highlights the film as a technological phenomenon so that a film, far from presenting reality, actually presents us with a strange apparition, a photochemical imprint on the world — MacDougall retrieves the notion of the 'oneiric' to discuss tensions that beset the viewing body. The 'oneiric' is a perspective 'suspended somewhere between privilege and paralysis, with all the power to see but an incapacity to act'. This, says McDougall, may be the reason why people feel so disturbed when they see certain kinds of images — especially ones of extreme bodily violence. He adds: 'People who have witnessed disturbing events often report that they find it much more disturbing when they see them on film. The mechanical vision of the camera is more inhuman, more unrelenting.'³⁰

Further, what may just about be bearable in the documentary genre may be totally unacceptable in a feature film melodrama, for the latter carries much more of a burden to intervene creatively and transfigure reality for the audience rather than simply documenting it. It will indeed be a daunting ethico-aesthetic challenge to make Courtemanche's novel into a film — an attempt that is apparently already under way. Would *Hotel Rwanda* possibly have been as compelling a feature film if Rusesabagina had not kept his hotel business, an avocation whose demands of diplomacy and cool under fire helped him become a successful saviour? Did his feat

help make the movie 'watchable', a movie of such a horrific event that might have otherwise defied dramatisation except in gratuitous terms? Does it sanitise the genocide even as it humanises it, so that even while the film asserts the ethical imperative of hospitality towards strangers in dire need till the very end — the film's last spoken words are 'there's always room' — its generic/aesthetic investment is in making the trauma 'bearable' for the viewer rather than trying to get a measure of its real horror?

Hotel Rwanda arguably falls into the category identified by Ann Kaplan as 'melodrama', a genre that 'seals over traumatic ruptures'³¹ and ends with 'comforting closure or cure'.³² In the context of trauma films, Kaplan identifies three other types of representation and viewership: a) the gratuitous and the horrific, from which the spectator recoils in distress and terror; b) the routine television-like images of catastrophe around the world, against which the viewer is placed as a voyeur; and c) the powerful political scripts on trauma made by 'independent' filmmakers, where the viewer is addressed as a 'witness' and is entreated to intervene.³³

While Terry George's representation can be clearly distinguished from the 'gratuitous' and the 'routine-like', I would argue that *Hotel Rwanda* goes beyond the conventions of melodrama. Its aesthetic 'distancing' in portraying the full horror of the genocide is not merely to make the trauma 'bearable' for the viewer and provide 'closure', but also to acknowledge the limits to aesthetic representation of the precariousness and terror of life at the end of the millennium. To that extent, it respects and affirms the corporeal vulnerab-

ility that appears to have become the face of the 'human' in these late modern times. This is the burden of Judith Butler's argument in *Precarious Life: the Powers of Mourning and Violence* in accounting for the dehumanising nature of much contemporary media representations of warfare and violence. She says that such representations make no allowance for the mutual vulnerability of all humans, that they are often brandished as triumphalist icons either of US supremacy or of other radically fundamentalist and dehumanising worldviews.³⁴ When Paul Rusesabagina commands his chauffeur 'not to tell anyone' of the carnage they encounter on the river road, it is precisely this new kind of humanist ethics that he invokes; an ethics that has the full measure of the horror and also the acuity to take a step back from narrating it all. This is a different ethic from the one that argues for the intractability and unrepresentability of trauma. It advocates a meaningful return to referentiality that respects and acknowledges our collective precariousness.

POSTSCRIPT

If there is one central thesis that has emerged from the above examination of the link between trauma aesthetic and humanist ethic in late modernity it is this: such an aesthetic is workable only to the extent that it maintains a balance between a redemptive evocation of human singularity in extreme pain, and respect for civic pluralism/discrepant affiliations rather than sectarian and identitarian ends. As we saw from our analysis of the two creative works, there are generic variations in maintaining this balance. Whether they ultimately succeed in 'making sense' of

the horror of the Rwandan genocide depends as much on their aesthetic sensitivity to their respective genres and media as on their avowed moral commitment to tell the story of Rwanda to the wider world. What is definitely not ethically and aesthetically viable in this age of shared terror is silence.

ENDNOTES

¹ Cited in Gary Maddox's 'Time to Face the Pain', *The Sydney Morning Herald*, Weekend Edition, 19–20 August 2006.

² Cited in Sharon Verghis' 'Not Another Terrorist Movie', *SMH*, op. cit.

³ Susannah Radstone, 'Trauma and Screen Studies: Opening the Debate', *Screen* 42(2), 2001, p.189.

⁴ See Judith Butler, *Precarious Life: The Powers of Mourning and Violence*, London: Verso, 2004, p.149

⁵ See Hannah Arendt's *The Origins of Totalitarianism*.

⁶ Butler op.cit.; Michael Hardt and Antonio Negri, *Multitude*, New York: Penguin Press, 2004.

⁷ Cited in a report by Anson Musselman on Corinne Dufka's address to the UCLA International Institute entitled, 'Remembering Rwanda: Ten Years After the Massacres'. See <http://www.international.ucla.edu/article.asp?parentid=11069>; downloaded 1 December 2005.

⁸ Gil Courtemanche, *A Sunday at the Pool in Kigali*, Melbourne: Text Publishing, 2003, p.109. The Arusha Accord was a pact on power-sharing agreements signed in Arusha (Tanzania) by the Hutu-dominated Rwandan Government and the Tutsi-led Rwandan Patriotic Front (RPF). The signing took place in two stages, on 30 October 1992 and 9 January 1993. But the agreement did not include power sharing with the Hutu extremist *Coalition pour la Defense de la Republique* (CDR). Further, the cabinet's role was enhanced, while that of the President was cut down. It entitled President Habyarimana to stay in office till the transition to a coalition government fully materialised. The power-sharing clause of the Arusha Accord was, not surprisingly, strongly opposed by Hutu extremists, including members of Habyarimana's entourage. See Arthur Jay Klinghoffer's *The International Dimension of Genocide in Rwanda*, NYU Press, 1998, for complete details of the Accord and its failure which led to the genocide.

⁹ All Dufka quotes can be found on the UCLA International Institute website cited in Note 7.

¹⁰ Michael Ignatieff, *The Warrior's Honour: Ethnic War and the Modern Conscience*, NY: Henry Holt & Company, 1998, p.76.

¹¹ Ibid., p.75.

¹² Cited in 'Art from Genocide — Two paths to Understanding', by Jennifer de Poyen, *San Diego Union Tribune*, 30 October 2005, <http://www.genocideintervention.net/about/press/coverage/index.php/archives/89>, downloaded 29 May 2006

¹³ *Aesthetics and Ethics: Essays at the Intersection*, Cambridge: Cambridge University Press, 1998, p.8.

¹⁴ Jason Cowley, 'Rebirth of a Nation', *The Observer*, 27 February 2005, <http://observer.guardian.co.uk/review/story/0,6903,1425995,00.html>.

¹⁵ Cited in *The Observer*, 27 February 2005

¹⁶ Ibid.

¹⁷ *The Observer*, 27 February 2005, cited in Jason Cawley's article 'The Rebirth of a Nation', <http://observer.guardian.co.uk/review/story/0,6903,1425995,00.html>.

¹⁸ Ignatieff, op. cit., p.10

¹⁹ Butler, op. cit., pp.129–30.

²⁰ Hardt and Negri, op. cit., Preface, p.xi, p.128.

²¹ Ignatieff, op. cit., pp.18–9.

²² Klinghoffer, op. cit., p.132.

²³ Ignatieff, op. cit., p.20.

²⁴ For political and ethno-social details of how Belgian colonialists in Rwanda conceptually engineered a racial divide between Hutus and Tutsis, see Christopher Taylor's 'The Hamitic Hypothesis in Rwanda and Burundi', in his *Sacrifice as Terror: The Rwandan Genocide of 1994*, Oxford: Berg, 1999. See also Klinghoffer, op.cit.; and Christian Scherrer's *Genocide and Crisis in Central Africa*, London: Praeger, 2002.

²⁵ Butler, op. cit., p.42.

²⁶ Hardt and Negri, op. cit., p.192.

²⁷ Janet Walker, 'Trauma Cinema: False Memories and True Experience', *Screen*, 42(2), 2001, p.214.

²⁸ Ann Kaplan, 'Melodrama, Cinema and Trauma', *Screen*, 42(2), 2001, p.204.

²⁹ New Jersey: Princeton University Press, 2005, p.16.

³⁰ Ibid., pp.17–8.

³¹ Kaplan, op.cit., p.203.

³² Ibid., p.204.

³³ Ibid.

³⁴ Butler, op. cit., p.143.

THE LINEN MEMORIAL

State and Sectarian Violence in Northern Ireland, 1966–present

LYCIA DANIELLE TROUTON

Total Killed During the troubles:
over 3,712

Responsibility for Deaths:

State violence: 367

Loyalists: approximately 1,050

Republicans: approximately 2,140

Those Killed:

Civilians: approximately 2,040

Catholic: approximately 1,235

Protestant: approximately 700

(McKittrick et al., pp.1479–83)

This brief article explains the non-hierarchical listing of all ‘Troubles’ deaths in the inclusive *Irish Linen Memorial* (renamed *The Linen Memorial* in 2007) — killings for which various persons/groups on either side of the political divide, as well as the security forces, were responsible. The artwork-memorial can be read as an anti-monument. *The Linen Memorial* (hereafter LM) acts as a ‘modest witness’¹ in reordering relationships and engaging a parity of esteem between Nationalist/Republican (‘Catholic’) and Loyalist/Unionist (‘Protestant’) communities² during the post-1998 period when Northern Ireland is emerging from conflict.

The use of the linen handkerchief as symbolic for heartfelt grief was what inspired me to use it, as a building block, to create a non-traditional and mobile memorial³ to those killed in the sectarian violence, commonly called The Troubles, in Northern Ireland.

DESCRIPTION

The Linen Memorial as a creative project can help develop alternative narratives about the Northern Ireland community(ies) in our postcolonial times. It was created with Canada Council funding in early 2001, and has been exhibited in North America and Australia, and has recently travelled to Ballycastle, Northern Ireland, in 2008. My project is made of approximately 400 handkerchiefs and almost 4,000 names, dating from 1966–2000,⁴ printed and overstitched.⁵ It is a ‘living monument’ and, as such, continues to be exhibited site-specifically⁶ (or site-contextually) while the crafting process is on-going, inspiring contributions by artists/musicians/performers, and visitors/mourners who are leaving a growing collection of personal mementoes. The LM is a sculptural marker in the project of re-working a common middle ground in Northern Ireland’s communities. It is a visual arts en-

deavour which helps inspire pluralism and diversity; possible re-worked definitions of nationalism (nationalism used in this sense, in contemporary Irish ethnography, precludes associations with Republican/Catholic struggle). It also forms temporary spaces where fragile connections may be made.⁷ The memorial is not fixed, as in a traditional sculpture or structure, but is *mobile*, because a *neutral* site for such a project in Northern Ireland remains an impossibility.⁸

The particular materiality of the memorial is as important as content, form and site. I chose linen because flax farming and linen manufacture were central to the industrialisation and colonisation of Northern Ireland from the later 1700s into the early twentieth century. Linen can be a reference for the universal body, so that while the units are handkerchiefs, the linen symbolically honours the wounded body with a timeless and eternal reminder of the ritual of the ancient death shroud. Hand-embroidery is time-consuming and symbolically illustrates that grieving, and dealing with the anxiety/trauma, is a protracted process. The *LM* claims to be a humble artwork: non-heroic in its materiality, its crafted methodology and in the manner of its presentation as an installation artwork. In my first exhibition of the *LM*, I entitled the work: 'Between Worlds: The Common Body' which asks, 'Whatever one's political, religious, class or ethnic background, perhaps we are all equal, and of the same community, when we die?' The chronological listing⁹ of the names, with which this 'living memorial' is made possible, is derived from the book *Lost Lives*.¹⁰ An accurate chronological names list (and entries which describe the moments before each person's death) took

seasoned Belfast journalists seven years of research.¹¹

My memorial is situated in the intersection between the grief and bitterness caused by sectarian divisiveness. With the different interactive exhibitions of the *LM* over time, various alternative tropes of the relationship between the dead and the living are developed. These are necessary for new schemes of knowledge and social practice for the survivors and the living. It has been hung in various configurations: in a tomb-like formation (Seattle, 2001); as a mourning ritual of inverted catenary arches (Canberra, 2004); as a horizontal quilt (Wollongong, 2005). The 2002 and 2004 configurations involved two Australian collaborators: composer Tom Fitzgerald and choreographer Elizabeth Cameron Dalman and her Mirramu Dance Company. In 2002 Fitzgerald composed 'The Seeming Insanity of Forgiveness,' a complex sonic surround performed at The Long Gallery in Wollongong in honour of the Day of the Dead. Fitzgerald's composition (an excerpt of which is included in this volume) also accompanied the memorial at Canberra's Craft ACT in February 2004. Most recently the *LM* was hung vertically from the skylights in The Crói building at the Corrymeela Centre for Peace and Reconciliation, Northern Ireland (www.corrymeela.org) for the first Day of Private Reflection on the conflict in Northern Ireland, 21 June 2007. At this event every name recorded in *Lost Lives* was read aloud (see www.dayofprivatereflection.com and www.healingthroughremembering.org).

The full listing of individual lives in the *LM* raises a larger aesthetic and ethical question: What effects does the inclusive

list of names produce in regards to the audience/proposed audience of visitors from the general public and mourners of loved ones? As McKittrick et al., the authors of *Lost Lives*, states, 'Since the deaths are listed chronologically, their sequence provides, in effect, an alternative history [as opposed to an official history] of the troubles.'¹² When such a narrative is re-created through embroidery on linen squares it suggests that slow, recuperative work is needed to examine the failings of Northern Ireland's past, and re-thread a hopeful sense of the future. The project works against a Northern Ireland culture where violent community relations have been the norm for the last 30 years. The memorial attempts to create spaces where a delicate 'parity of esteem' can be held, even temporarily, between individuals and groups of differently-perceived backgrounds in contemporary Northern Ireland, emerging from conflict.



Detail of linen handkerchief and chain stitch embroidery by Margot Damon or Maureen Trouton. Craft ACT Gallery and Design Centre. February 2004 Photo Credit: Creative Imaging, Canberra

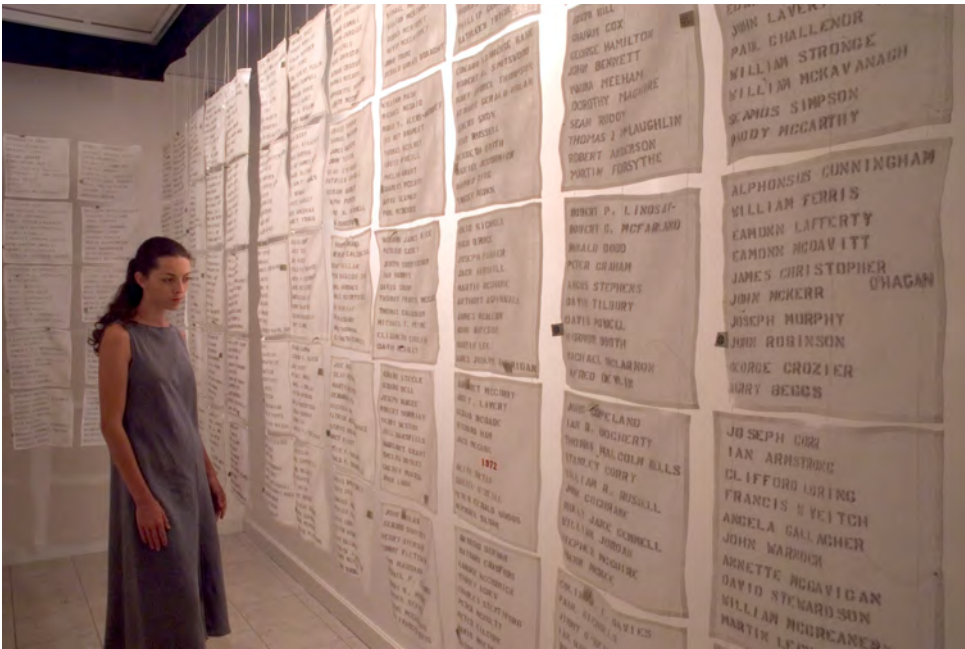


Linen Memorial Choreographer Elizabeth Cameron Dalman and the Mirramu Dance Company Craft ACT Gallery and Design Centre. February 2004 Photo Credit: Creative Imaging, Canberra



Linen Memorial: printed handkerchiefs University of Wollongong , Faculty Gallery February 2005 Photo Credit: Sean Maguire Model: Jo Ann (Bodie) O'Dell

The Linen Memorial



Linen Memorial Approximately 150 Embroidered handkerchiefs. Chain stitch embroidery by sisters Margot Damon and Maureen Trouton (née McGladdery), aunt and mother of artist University of Wollongong, Faculty Gallery February 2005 Photo Credit: Sean Maguire Model: Jo Ann (Bodie) O'Dell in rough linen dress

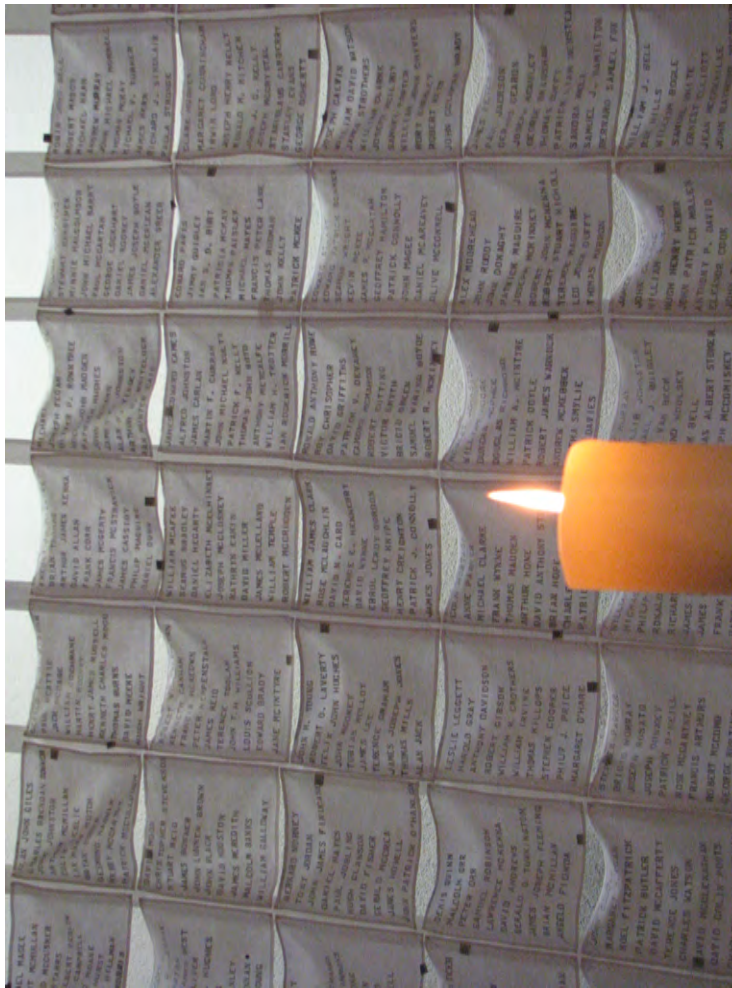


Corrymeela Centre for Peace and Reconciliation Ballycastle, Northern Ireland June 21st 2007 Photo Credit: Christian Guevara



Linen Memorial Dimly lit long corridor into the memorial-installation space University of Wollongong , Faculty Gallery February 2005 Photo Credit: Sean Maguire
Model: Jo Ann (Bodie) O'Dell in rough linen dress

The Linen Memorial



Corrymeela Centre for Peace and Reconciliation Ballycastle, Northern Ireland June 21st 2007 Photo Credit: Christian Guevara

ENDNOTES

¹ Donna Haraway, *Modest_Witness@Second_Millennium. Femaleman©_Meets_Oncomouse™:Feminism and Technoscience*, Routledge, London, 1997. A modest witness, according to Haraway's concept, is one who attends to the stories produced about the world: 'Changing the stories, in both material and semiotic senses, is a modest intervention worth making' (p.45).

² See developments in cross-community relations in Lizanne Dowds (August 2004), 'Public attitudes', in Northern Ireland Devolution Monitoring Report, *Economic and Social Research Council*, Leverhulme Trust pp.23–5 www.ucl.ac.uk/constitutionunit/mon-rep/ni/ni_august_2004.pdf

³ As opposed to a traditional or official monument made from stone, bronze, glass and/or steel.

⁴ I am obtaining the information needed to list subsequent deaths into the present. See <http://www.belfasttelegraph.co.uk/features/daily-features/article2144668.ece>

⁵ The handiwork in the memorial has been completed to date by the main embroiderer, my aunt Margot Damon (a professional Home Economics academic), and her sister, my mother, Maureen Trouton, who has also helped (but only, she says, as a 'utilitarian needleworker'). My maternal aunt lives in England, and my mother in Canada; both are originally from Belfast (née McGladdery) and grew up in Armagh, N. Ireland. Also, other needleworkers on the memorial are Edith Morriott of Berridale, and Nerida (a professional quilter) and Glenys Richmond Benson, sisters who both live in Leura, NSW, Australia.

⁶ Site-specific or site-contextual sculpture is not object-oriented and reflects shifts in art-making over the last 40 years and, in particular, in my training at Cranbrook Art Academy, Michigan, USA, 1989–91 under Michael Hall and Joseph Wesner. For example, a site-consciousness is developed and integrated between the art, the surrounding architecture, the landscape/environment, as well as through the artist's consultation with socio-political issues of the site (sometimes obtained through meetings with administrators/managers, urban planners/designers, local interest groups, marginalised groups/persons or politically-conscious programs/events). Some practitioners or theorists separate definitions, such as community-based public art or art-in-the-public-interest, art in public places, or sculpture *as* public space.

⁷ A 'principled' place where commonality and diversity can exist and new connections may be imagined and performed; this is as opposed to a 1970s weak middle ground of the Alliance Party which conceals a middle-class privilege. See Elizabeth Porter, 'Identity, location, plurality: women, nationalism and Northern Ireland' in *Women, Ethnicity and Nationalism: the politics of transition*, Eds Rick Wilford and Robert J. Miller, London or New York Routledge, 1988, p.54.

⁸ In personal correspondence to me in 2001, replying to a letter I had sent him about my project, Brian Feeney, on behalf of the authors of *Lost Lives*, emphasised just this point. Lycia Trouton, unpublished thesis, 2005, University of Wollongong, appendix p.277b

⁹ In 1987, when I was at art school in Pittsburgh, USA, my Jewish professor of Cultural Theory, Richard (Dick) Schoenwald, alerted us to the incredible impact of Maya Lin's Vietnam Veteran's Memorial, a reconciliatory monument, which also inspired my creation. The chronological listing of names is as crucial as the architectonic structure, materials chosen and site. The narrative that is formed by the proximity of the names and the experiential journey of finding an individual's name amidst the larger listing seems to aid in the grief and healing process.

¹⁰ McKittrick et al., op. cit.

¹¹ The book itself has been considered a memorial. I consider it a mobile, counter-monument itself. *Lost Lives* has been described, according to John O'Farrell, as a book of resurrection and an act of 'public service journalism at its finest'. Nell McCafferty states that, '*Lost Lives* is the first book of its kind ... anywhere in the world, to document every, single person to die in a specific conflict' (McKittrick et al., flysheet).

When I presented the project at the conference 'Pain and Death: Politics, Aesthetics and Legalities' for the Centre for Cross-Cultural Research, The Australian National University, Tom Fitzgerald performed part of the original sonic-scape he composed in 2002 as a contribution to the *LM*. An extract from this sonic-scape is available at http://epress.anu.edu.au/hrj/2007_02/Forgiveness.mp3

Tom Fitzgerald has composed a diverse range of music for film and television projects, as well as for live concert and musical theatre events. He has performed with well-known pop artists, Australian orchestras and contemporary ensembles, and has played for Broadway musicals. Collaborating with multi-media artists, he directs One Earth Orchestra, whose 'wild' expressive style blends contemporary electric sounds, orchestral and tribal textures, frequently incorporating improvisation within scored sections of material and spoken word.

¹² McKittrick et al., op. cit., p.13.