

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'.

The Media and the Death Penalty

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.