



THE BRITISH EXECUTION

STEPHEN BANKS

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Stephen Banks

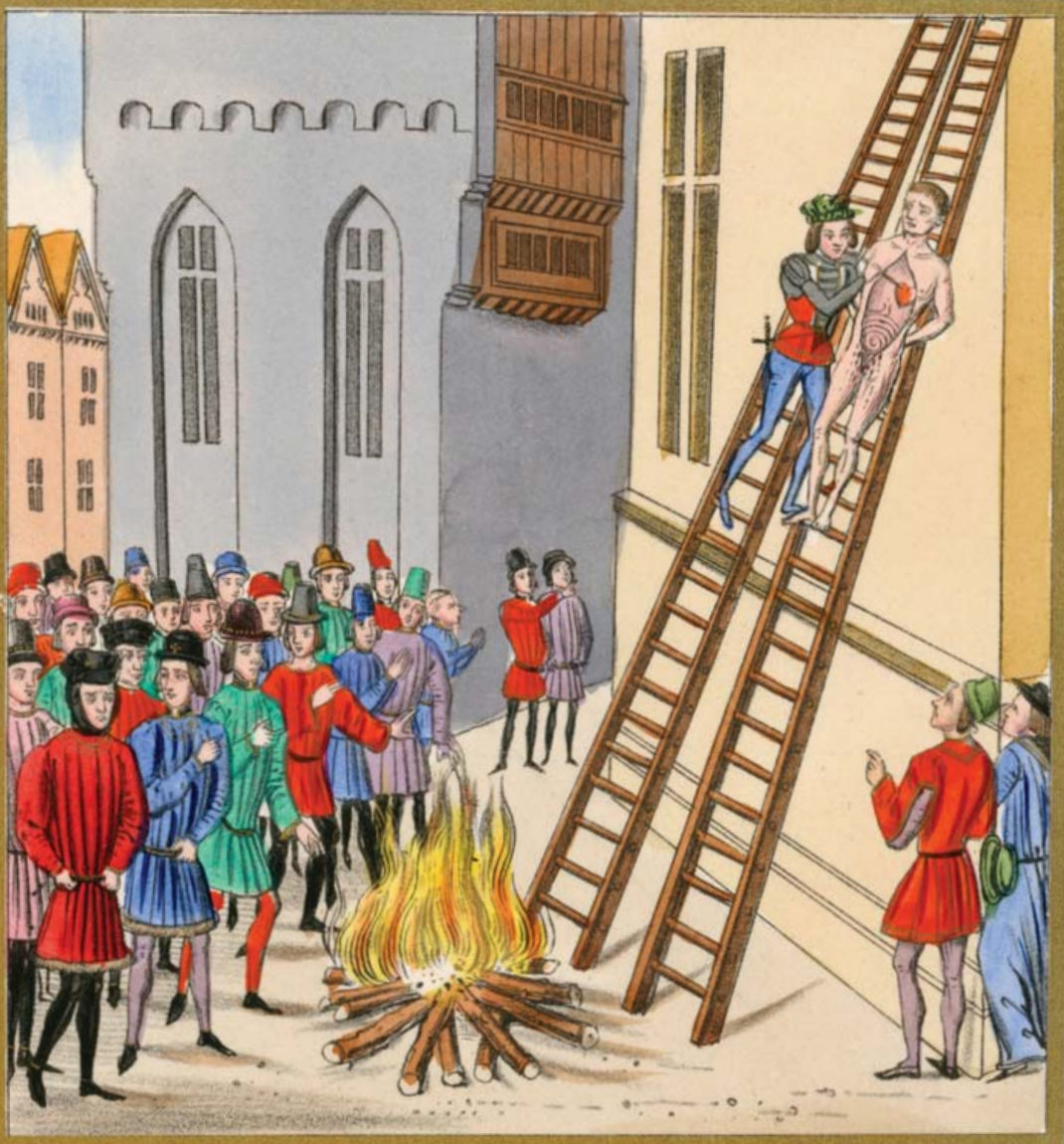


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22^econt la feste fut
passee, les meske
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THE FATAL PERFORMANCE

THIS BOOK concerns itself with capital punishment in Britain from the time of the Tudor kings up until the final execution in 1964. By way of an introduction however, it is useful both to visit earlier periods in British history and to observe that capital punishment was rarely a simple matter of putting a criminal to death quickly and discreetly. Rather it was a performance, held in public until 1868, and one that was designed to convey many messages to those who might see it. Historically, the scaffold was seen as a place of educational opportunity, where one could explain the character of the crime, justify the appointed retribution and hopefully deter further offences.

Execution, then, was theatre, with its own conventions and symbolism, and this has been true since ancient times. Justinian's *Institutes* tells us that when a man in Rome killed his own father, the Romans displayed their horror by sewing him up in a sack with a dog, a cock, a snake and a monkey and hurling him from the Tarpeian Rock. In England, as in other countries, traitors were dragged to their deaths on hurdles to signify that their feet were unworthy of touching the ground. Heretics sent to the stake were forced to wear vestments or hats depicting devils and flames, a reminder that the burning of their body was but a foretaste of the eternal fire that awaited them.

Doubtless, many spectators derived satisfaction from seeing due punishment inflicted. In feudal societies, however, a crime was as much an offence against the monarch as against any individual or community. People were subjects of, and to an extent, the property of, their sovereign, so if one man killed another he deprived the king of the service or value of the deceased. A serious crime could therefore be construed as an act of rebellion. The French philosopher, Michel Foucault, writing of a particularly prolonged execution in France in 1757, argued that the purpose of torture and protracted punishments was to demonstrate that the power of the king was overwhelming and able to defeat any attempt to injure his sovereignty.

In Anglo-Saxon England things were somewhat different. Central power was weak and the kings were concerned to prevent blood feuds among warring

Opposite:
Hugh Despenser
the Younger, 1st
Lord Despenser
(c. 1286–1326) is
disembowelled, his
entrails are burnt
and he is then
quartered by the
supporters of
Queen Isabella.
(Froissart's
Chronicles, Vol. I,
Plate II, c. 1470)

A contemporary woodcut depicting the burning of the Czech religious reformer Johannes Hus in 1415. Note the heretics' crown depicting Satan's demons.



families or clans. Capital punishment was inflicted, but there was also a system of compensation whereby a man who had slain another could pay blood money to the murdered man's family and so prevent either a feud or a prosecution. The system seems, however, to have been swept aside with