

**Západočeská univerzita v Plzni  
Fakulta filozofická**

**Bakalářská práce**

**Plzeň 2014  
Lenka Novotná**

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**PORTRAYAL OF DEATH-ROW PRISONERS IN  
SELECTED WORKS OF LITERATURE**

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Fakulta filozofická**

Katedra anglického jazyka a literatury

**Studijní program Filologie  
Studijní obor Cizí jazyky pro komerční praxi  
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Plzeň 2014

Prohlašuji, že jsem práci zpracovala samostatně  
a použila jen uvedených pramenů a literatury.

.....  
Plzeň, duben 2014

## **Poděkování**

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# 1 INTRODUCTION

In the introduction of my thesis will be given an explanation why as the topic of my thesis was chosen “The portrayal of death-row prisoners in selected works of literature”. The death penalty or capital punishment has been and still is a very delicate and often discussed topic. Many books and thesis have been already written about this theme. As the name suggests, my thesis will be focused more on the perception of the death and death penalty in literature of various origin.

The thesis will be separated into two main parts. In the first-theoretical part there will be briefly mentioned basic political and media sources about the issue of the capital punishment in general. And also summarized and analyzed arguments that are for and against the death penalty.

The history of the death penalty in France will be shortly mentioned because of the origin of one of the chosen books. Also an explanation why are the death penalty laws different in different states in the USA will be given.

The second and also the main part of my thesis will be based on an analysis of personalities who were sentenced to death and their thoughts how they are portrayed in selected literature. The biggest attention will be paid to the last novel “The Executioner’s song” because it is based on true story. Also the analysis of death itself will be given.

This work is not intended to decide whether death sentence is right or wrong kind of punishment. I am neither a lawyer nor a judge and I am not here to moralize. This thesis is being written for better understanding the death itself and also for to identifying how people who were sentenced to death perceived the fact that their life is inexorably coming to the end.

The work is based on three popular books. While in each of them the environment is completely different, as well as the time and the main characters. Another point is the determination of the different environment in those books and its influence on the personal perception of death by main characters which means if death for condemned people has a deeper sense or it is nothing else than just the end of their life without any difference of its perception and sense.

Three books that were chosen for my thesis are:

- "Le Dernier Jour d'un condamné"  
(The Last Day of a condemned Man) by Victor Hugo
- "The Green Mile" by Stephen King
- "The Executioner's Song" by Norman Mailer

## **2 THE GUILT AND PUNISHMENT**

Since we were children, we have, as living things, encoded that if we behave against rules we will be punished. The level of the punishment depends on a degree of a committed sin. A Seriousness as well as ways of punishment had changed a lot with years. At first the punishment most common took a form of “Eye for eye, tooth for tooth, hand for hand, foot for foot.”<sup>1</sup> Nevertheless, not always the punishment was according to the extent of guilt. The capital punishment could have been used equally for thieves as for assassins.

### **2.1 Historical context of the death penalty**

The death penalty has been used since the beginning of ages. Namely – personal revenge. That with a consolidation of a state power has changed into the death penalty more similar to the one we know today, the one that is being decided and executed by state and not by a civil decision.<sup>2</sup>

Of course it does not mean that a death penalty has always been considered as the worst punishment. Until the late middle ages people generally believed in reincarnation and eternal life, therefore, other kinds of the worst punishment were being used for the worst crimes. For example exile in early middle ages was considered as the worst penalty. For people, shame was the worst punishment and knowing that in case they come back to the place, where they were sent away from, would be a scandal and also the execution would be inevitable.<sup>3</sup>

Nowadays, the public consider the capital punishment to be different and because people in general do not believe or are sceptical about life after death therefore, the death penalty has officially become a capital or absolute punishment.

## 2.2 History of the death penalty in France

In France the death punishment used to be very common. The most typical way of a death sentence used to be hanging. Other ways, as for example quartering by horses were not so common. The big advantage could choose aristocracy. Aristocrats had the opportunity to choose a painless execution by sword.<sup>4</sup>

After 1791 the first opinions against the capital punishment started to appear. The right of forgiveness, removed by revolutionary legislation was restored by Napoleon I. in 1802. Some other presidents of the third republic, whose attitude to the death penalty was more negative, were deciding more systematically about that kind of punishment. 25. April 1792 was the first time in history used Guillotine.<sup>4</sup>

“In 1810 a new legal code determined besides other things the list of 36 “capital” crimes punishable by a death penalty.”[...]<sup>5</sup>

The death penalty in France was abolished 9. October 1981. France was the last European country that abolished the death penalty except Belarus.<sup>6</sup>

## 2.3 History of the death penalty in the USA

Since the age of William the Conqueror in 11th century, the capital punishment used to be use only for murders but at the beginning of 17th century the utilisation of the death penalty in USA was influenced by British because it was them who “brought” that kind of punishment to United States for the other crimes. In 1608 was executed the first person for espionage. Four years after in 1612 the governor of Virginia Sir Thomas Dale was the one who established the death penalty also for less serious crimes such as: killing chickens, stealing grapes or trading with Indians.<sup>7,8</sup>

The death penalty was very varied from colony to colony and very influenced by many literary writers as for example Voltaire or Cesare Beccaria.

They caused the first abolition movement. There was a big will to change the law and use the capital punishment only for the crimes of murder and treason. Thomas Jefferson was the one who introduced his bill to revise Virginia's capital punishment rights. His bill was defeated by one vote.<sup>9</sup> In 1847, Michigan was the first state kept the death penalty only for treason and later, Wisconsin and Rhode Island abolished the death penalty for all crimes. At the beginning of 1900s there was a big wave of reforms and abolitionists movements. However between the ages of 1920s and 1940s the abolition movement started to lose its support and in 1930s the execution reached the highest level in American history. The average of executions was 167 per year.

In 1948 the "Universal Declaration of Human Rights" was published and one of its parts was that every person has a "right to live".<sup>7,10</sup>

There is still a question why the death penalty laws are different in different states in the USA. The answer is undoubtedly in the U.S. constitution.

### **3 CONSTITUTIONALITY OF THE DEATH PENALTY IN THE USA**

The most important thing to mention is that the United States is not a one single place. “The law and practice of capital punishment varies from state to state and region to region.

Sixteen states and the District of Colombia have no death penalty [...] An additional 20 states (and the federal government) have death penalty laws but rarely use them.[...] Other states such as California and Pennsylvania sentence many murderers to death but rarely execute them; these states have hundreds of inmates who live on “death row”.” <sup>11</sup>

The other 15 states have and use death penalty while the executions take place after many years (the average is 14 years) of legal contestation.

In general the capital punishment is being used only in cases of murder while the murderer has to be mentally conscious and cannot be mentally disturbed. <sup>11</sup>

#### **3.1 Balanced politics**

Different Democracies have a Different Legislative Process and Local Power its Local Law

“Unlike the European counterparts, the U.S. Congress lacks the legal power to impose national repeal because the U.S. Constitution allocates legislative power over criminal law to the states.” <sup>11</sup> It means that it would be impossible to abolish the capital punishment by one law. Each single state is responsible for its own law and has to decide whether to keep the capital punishment or not. “U.S political system makes it more difficult for elected officials to disregard the preferences of the majority of their citizens than is the case elsewhere. Short election cycles, primary elections, weak political parties and campaign finance needs to combine to make it difficult for elected officials to move far from the preferences of

the average voter. Those capital punishment laws remain in the books in 35 states that are explained by the preferences of local majorities – and the system of political representation that ensures these preferences are expressed in state law and local practice.”<sup>11</sup>

That means that the U.S. works on the system of “Balanced politics”. Each state to work well has to find its own balance between “liberalism” and “democracy”.<sup>11</sup>

Between the main personalities who were that opinion that without balanced politics the state cannot work well was for example J.F. Kennedy: *"Let us not seek the Republican answer nor the Democratic answer but the right answer."*<sup>12</sup>

### 3.1.1 Cruel and unusual punishment

Eighth Amendment of the constitution of the U.S reads: “Excessive bail shall not be required, nor excessive fines imposed nor cruel and unusual punishment inflicted.”<sup>13</sup>

But the problem is that there is no more detailed specification of what exactly “Cruel and unusual” punishment is. According to Justice William Brennan who served as an Associate Justice of the United States Supreme Court and was the longest serving justice in history there are four principles by which it is possible to determine whether the punishment is “cruel or unusual”<sup>14</sup>

“1) The "essential predicate" is "that a punishment must not by its severity be degrading to human dignity," especially torture.

2) A severe punishment that is obviously inflicted in wholly arbitrary fashion. (*Furman v. Georgia* temporarily suspended capital punishment for this reason.)

3) A severe punishment that is clearly and totally rejected throughout society.

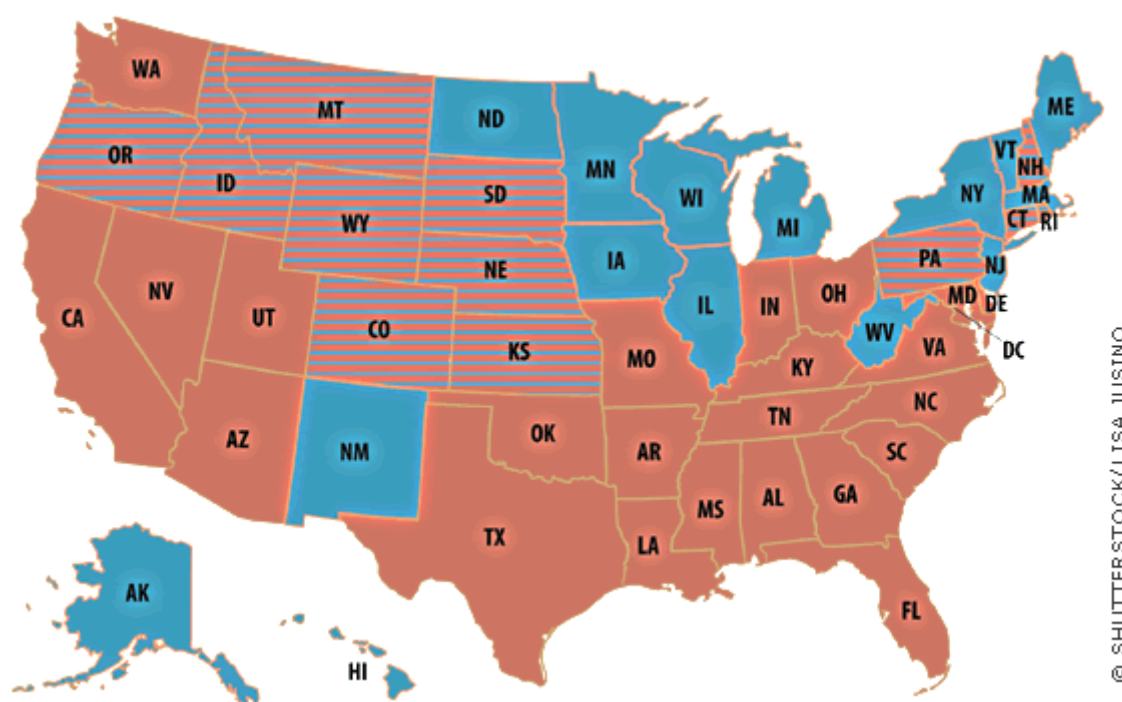
4) A severe punishment that is patently unnecessary. ”<sup>15</sup>

Still there are several ambiguousness about understanding of the constitution. Nowadays several states of the U.S.A. are facing charges from the side of families of executed people and opponents of the death penalty that the mixture of drugs that is being used is not intended for killing people it might be possible that sentenced people are dying in pain and long time. That would be in contradiction with what the Eighth Amendment says.<sup>16</sup>



## 4 PERCEPTION OF DEATH PENALTY IN GENERAL

Nowadays many developed states have already desisted from the death penalty especially all European countries (except Belarus.) In the U.S. it is not so clear. Until today 28 U.S. states abolished the death penalty while 10 of them reintroduced it again. So in present 18 states does not use that kind of punishment at all.<sup>17</sup>



10

Blue colour – states that do not have the death punishment

Red colour – 34 states that have the death punishment

Striped – states that used the death penalty less than three-times since 1976.

On the map we cannot see two other states that abolished the death penalty in last two years: Maryland and Washington. Still it depends on decision of the governor. For now it is suspended but if the next governor will have another opinion, the death penalty can be reintroduced again. .

Terrorism and events that happened 11. September 2001 „ignited a fire“ and the death penalty has become the “core” of the debates again.

Probably terrorism is the main reason why the U.S. still want to keep the capital punishment.

#### “Study: Executions Rose Worldwide in 2013

A new study says the capital punishment is on the rise across the globe. Audrey Gaughran of Amnesty International blamed Iran and Iraq for an increase of over 100 executions over the previous year.

Audrey Gaughran: "Almost a hundred more people were put to death in 2013 compared to 2012. The countries responsible for that sharp spike are largely Iran and Iraq. Four countries also resumed executions during 2013, which was quite troubling. But that said, the overall picture, the long-term picture, in terms of abolition of the death penalty is positive, and if we look back over 10, 20 years, we see a steady decline in the use of the death penalty."

The United States was fifth on the list of executing countries, with 39 killings in 2013”<sup>18</sup>

## **4.1 Opinions about the Death penalty**

In the present, there exist many various opinions about the death penalty. This topic is widely discussed and still there doesn't exist one clear opinion and certainly not one solution. I am asking myself if it is even possible to find one. Making a decision about doing executions or not is really difficult and it puts the responsible ones into very difficult situations. Public opinions are still changing from case to case. Now, I will present the most popular opinions of defenders and opponents of the death penalty.

### **4.1.1 Opinions that are in accord with the death penalty**

Main supporters of the Death penalty believe that deterrence is the most effective way how to prevent the criminality. They also appeal on the

fact that keeping people in prisons is very economically burdensome and so the state spends its money for people who do not deserve instead of investing to people and sectors where is needed more.<sup>19</sup>

“Deterrence is one of the major purposes of punishment or intimidating people into refraining from crime. The aim of deterrence is as clear, blunt, and powerful as its message: "commit no crime or you will suffer as this criminal suffers.”<sup>20</sup>

One of the opinions for the death penalty also says that the victim’s families deserve a certain “revenge” for the loss they suffered.

There still exists a certain possibility that in the case of escape the prisoner can be dangerous and hurt or kill again.

The Death penalty also solves the problem with crowded prisons.<sup>19</sup>

#### **4.1.2 Opinions that are against the death penalty**

The opinions of opponents of the death penalty are dominating. Still more and more people give arguments that taking the risk of executing an innocent person is too serious. And rather not to execute anyone than one innocent person of thousand culprits.

The deterrent effect of the death penalty is inconclusive because there exist no study that can prove the deterrent effect really works.<sup>21</sup>

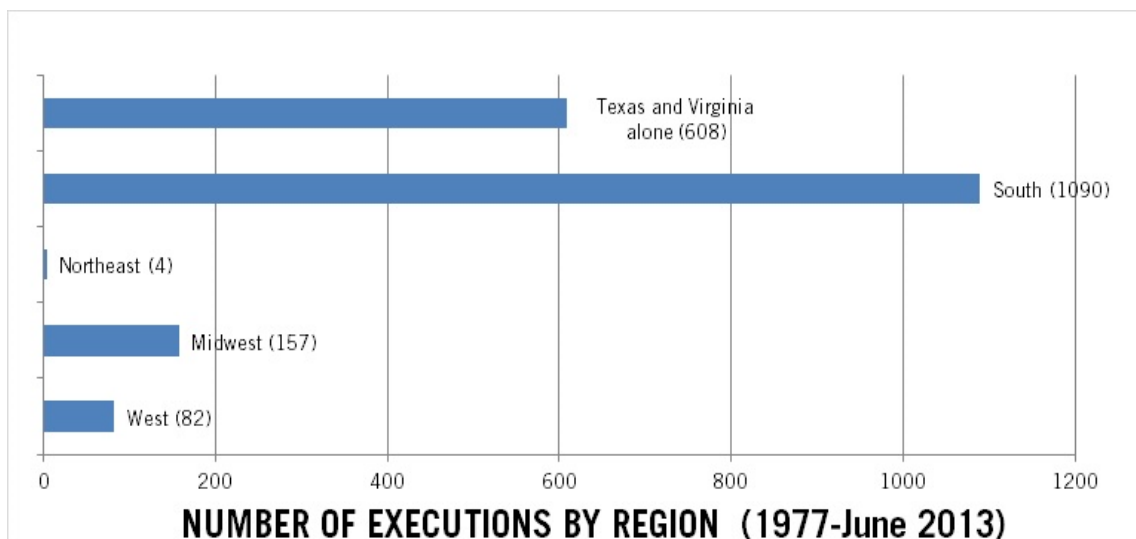
The main opponent of the death penalty the organisation Amnesty international that is arguing with following:

“Factors contributing to the arbitrariness of the death penalty:

- Almost all death row inmates could not afford their own attorney at trial. Court-appointed attorneys often lack the experience necessary for capital trials and are overworked and underpaid. In the most extreme cases, some have slept through parts of trials or have arrived under the influence of drugs and/or alcohol.

- Prosecutors seek the death penalty far more frequently when the victim of a homicide is white than when the victim is African-American or of another ethnic/racial origin.
- Co-defendants charged with committing the same crime often receive different punishments, where one defendant may receive a death sentence while another receives prison time.
- Approximately two percent of those convicted of crimes that make them eligible for the death penalty actually receive a death sentence.
- Each prosecutor decides whether or not to seek the death penalty. Local politics, the location of the crime, plea bargaining, and pure chance affect the process and make it a lottery of who lives and who dies.
- GEOGRAPHIC ARBITRARINESS: Since the U.S. Supreme Court reinstated the death penalty in 1976, 82% of all executions have taken place in the South. The Northeast accounts for less than 1% of executions.”<sup>22</sup>

*"Twenty years have passed since this Court declared that the death penalty must be imposed fairly, and with reasonable consistency, or not at all, and, despite the effort of the states and courts to devise legal formulas and procedural rules to meet this daunting challenge, the death penalty remains fraught with arbitrariness, discrimination, caprice, and mistake."*— U.S. Supreme Court Justice Harry A. Blackmun, February 22, 1994.<sup>22</sup>



22

“Why kill people who kill people to show killing is wrong.”<sup>23</sup>

To put a person to prison is more effective and deterrent than to put him to death. Person in prison has a lot of time to think, realize and suffer. The death is the escape of the heaviness of being and existing which is much worse punishment.

They are also mentioning that the punishment for families of the executed person is much worse and they do not deserve to suffer.

The opponents are also arguing that in today's society we are so developed but still we should move one of that inhumane way of punishment. We should be more civilized.<sup>24</sup>

## **5 LITERATURE IN FRANCE AND ITS IMPACT ON PERCEPTION OF DEATH PENALTY**

The death penalty was a subject of philosophical and political debates in the late eighteenth century. And even that the French Revolution and the excesses of terror were inclining more to death penalty, the opinions about abolition started to appear.

Relatively few writers were committed to openly fight in their works against the capital punishment. Among those writers who were determined to combat against the death penalty were for example Victor Hugo or Lamartine. Both of those authors were dealing directly with the subject and political texts.

Victor-Marie Hugo was one of the greatest French writers. During all his life he was a protector of human rights and in his writings he was not afraid to combat and criticize the death penalty. He mixed political opinions with artistic skills that makes him one of the most important personalities not only in France but also all around the world.

Victor Hugo 3. February 1829 anonymously published a novel "Le dernier jour d'un condamné". This novel was published in 1832 with a preface by the author.

At the time of its publication, in France there were about 75 executions per year. It means that every five days there was one execution. Between the years 1833 and 1880 the Assize Courts have pronounced 1775 death sentences. 66% of people were sentenced for murder and in 88% cases they were men. 1060 of those people were finally executed.<sup>25</sup>

In 1830, Lamartine, after being elected to the French Academy, engages in politics and publishes poem "Against the Death Penalty", then the following year a political essay "On rational policy" distributed to the

public. Later during the second half of the 19th century that the numbers of death sentences and executions have began to fall.

Other authors of *Popular roman* as for example Eugene Sue and Alexandre Dumas were trying to argue in their literary works against the capital punishment.

According to the novel “Les Mystères de Paris” written by Sue and published between years 1842-1843, the death penalty does not give the possibility to the condemned person to realise and atone for his crime, such as imprisonment, while still condemned person is separated of society and does not endanger anyone. The ultimate judgment belongs to God and not to men. He also mentions that the public performance may not be a good moral example for the people.

Alexandre Dumas published in 1839 a book „Famous crimes“ where he describes the theme of punishment in „The Three Musketeers“ and “The Count of Monte Cristo” published in feuiellton form from 1844.<sup>26,27</sup>

## **6 VICTOR HUGO- THE LAST DAY OF THE CONDEMNED MAN**

### **6.1 Brief characteristics of the novel**

As I have already mentioned the novel “Le dernier jour d’un condamné” in English “The last day of the condemned man” was one of the most important literary works that undoubtedly played a very important part in development of public opinions about the abolition of the death penalty in France.

The main idea of the novel is that all people, without the difference are all sentenced to death. It is the God’s decision, the God’s deal to decide about the right to live and die. No one else has the right to decide and judge.

This novel takes the reader to France in 19th century and let him spent last days with person who was judged and sentenced to death penalty. Thanks to Hugo's perfect descriptive skills, the reader is devoured into the centre of events that are happening to a person that is waiting for his last hour.

The literary work takes a role of a diary of a person who was sentenced to death. That condemned man writes notes every single day that he calls "The diary of his sufferings, hour by hour, minute by minute"<sup>28</sup>

With this book the reader is diving into the deep psychology of the condemned and has the unique opportunity to observe his feelings and all those questions coming through his mind. We can call it his "internal monologue". Thanks to the "stream of consciousness" the reader has tendency to sympathize with the condemned. The description of his feelings is so detailed that that the reader feels the same distress. The surrounding atmosphere and environment that are described in details fully correspond with feelings of condemned. The reader dives into the horror that the prisoner experiences.

## **6.2 Life vs Death**

Usually the condemned is coming back in his mind to the times when he was the most content and happy. He is remaining his family and suddenly he realises that because his wife and mother are both seriously ill they will die soon. Here is the boundary of two different ways of death. It is the first turning point when we realise that we all are sentenced to death. We can only speculate if it is a liberating feeling. His daughter is after the death of all family members sentenced to life of the only child and each person has different point of view about what is worse. It the death is worse or if staying alive and being sentenced to be a survival. Sometimes afraid of living can be worse than afraid of death. And what hurts more than death itself is the realization of being alone in the world.



When the condemned realises that there does not exist a person who would care about him. The physical pain and afraid of death is just a culmination of the psychical torture. Here we can pose a question if the worst punishment is life or death. The answer is not easy and not even the definite answer exists.

As we will see later the same question appears again in the writing of Norman Mailer – The Executioner's song.

### **6.3 Fair justice**

Person sins against something and now has to pay for it. The question is whether it is fair according to the innocents who suffer with it and are punished as well. In the case of Hugo's novel it is Maria, the daughter of the condemned, who is a kid and has to pay very expensive price. It is hard to decide who has the right to judge. Maybe it is God but then some people may not understand where the justice is. Her mother and grandmother die and her father, who would be the one that could take care of her is sentenced to death. Sometimes the person thinks if there exists Heaven and Hell. Than the person realises that Hell will not come after his death but at the time when he realises the loss of the only and last thing that he had – his daughter – he knows that he already is in Hell.

### **6.4 Suffering**

And that is the worst and most painful suffering than death itself. The condemned is still returning in his memories to the times when he used to be happy, healthy and full of power. He realises those paradoxes of life. Those contrasts are starting with the dark cell in contrast with a beautiful Notre-Dame and blue sunlit sky; a dark ugly spider on the ceiling of his cell and flying bird as a symbol of a freedom. This is followed with the opposite of the God's palace and the cell of death. The forthcoming end of his life and beginning of a new merciless life of his daughter who is

since beginning sentenced to solitude and poverty. It is evident there is an incredible desire to understand and be understood.

## **6.5 Feelings of the condemned**

Another very important thing to mention is that the narrator does not talk about the crime that was committed. In my opinion the author wants to highlight that whatever the crime, that the person committed, is the punishment itself is not as painful as the time that he has for perceiving all those things he did and also values of life and death. I mean, during reading the book we can observe all changes in person. Thanks to his internal monologue the reader himself can think about his own life and it seems he thinks that in our life we can commit crimes that are not maybe punishable but that are growing inside us and like a plague are destroying us.

### **6.5.1 Suppression of feelings and memories**

Notwithstanding the human brain may have the ability of suppression of feelings and memories. All these memories that would disturb our harmonious life the brain imposes to some part out of our consciousness sphere and we may not remember them all. Sometimes all those things can be woken up by some incidents that happen and then we have to deal with them and maybe try to solve them.

### **6.5.2 Conscience**

The most important thing is to realise them in time because everyone will die one day and there is one thing that everybody should have inside. The thing we have is being called conscience and conscience will wake up inside us- sooner or later- and it can happen that we will not have enough time to deal with it- as for example the main character of this book whose time came so fast and time for realising all those things he has done was way longer than time for fixing them. And

the death itself would never be so difficult with the possibility of rectification and maybe forgiveness.

## **6.6 Author's opinion**

That is the reason why it seems that Victor Hugo was trying to appeal on conscience. He was the one who was fighting against the death penalty and was sympathizing with the punishment of the life imprisonment. He believed that person will have enough time to realise his acts and for soul-searching. That was according to Hugo better, more humane and more effective form of penalty than the death sentence. General question that appears is if someone shows regrets, does it influence the decision of the court about whether they will get the death penalty. Usually yes, nowadays, while there is a big trend to incline to other solutions the expression of regret is considered to be a mitigating circumstance.

## **6.7 Development of main character's perception of the death**

The awareness of coming death has been changing since the beginning. In other words, since we were kids until the end of our life our feelings about the death have been changing. The main character is also changing his feelings about the death. Firstly he considers the death penalty as a certain – last- part of a life cycle. The prisoner realises that there exist no chance to confront the decision of the court and fight against it. In first moments he is just counting his last days. He is full of nostalgia and he realises that he was condemned to a “life without the future”. Still he is hoping for a miracle and he is not giving up his dreams. The prisoner is thinking about how many people were sitting in this cell sentenced and waiting for death.

### **6.7.1 Last moments alive**

At the time when he is counting his last moments until the last journey to a scaffold he gives a shudder when he realises that even the

last hopes he had are dying with him. That from counting days he is counting now last minutes and that neither a priest, mercy nor pardon of the king won't help him.

### **6.8 General perception of death**

In the book the narrator perfectly described prisoner's hopelessness, powerlessness and impossibility to choose his own destiny. The main character is abundant with an incredible desire to live. He wants to live even if it should have been in shackles until the end and even if his life should mean a hard work with other prisoners in slavery. There is nothing else left than just a desire to live. That huge dream that is stronger than anything else but still it is not enough to save his life.

## **7 STEPHEN KING- THE GREEN MILE**

### **7.1 Brief characteristic of a novel**

The book *The Green mile* is one of the most successful novels by Stephen King. The author is playing with the idea of executing an innocent person and a movie version that was directed by Frank Darabont was also made. The movie has become one of the most successful movies that even nowadays it doesn't let any heart cold.

The novel is written in 1st person and is made as a story of an old man- Paul Edgecomb who is in the nursing room and who is writing the story as a novel created of his own memories. The story is not being told chronologically and there are still flashbacks to a narrator. The man who used to work as a prison guard in the prison and in 1932 accepted John Coffey.

### **7.2 Explanation of the name "Green mile"**

In the book the reader is very ingeniously and credibly settled to the story that puts him really close to death. Most of the story takes place in the Louisiana's Cold Mountain Penitentiary – especially on the "Last Mile" that in the book is called "The Green Mile" because it has a green floor. Probably the author chose green colour for certain reasons. Green is the colour of the nature, the colour of flowers and living plants. Plants that make the oxygen that allows us to breathe. Here we can see the first paradox. The last mile, the place where the condemned people spend their last days is called Green. And the green floor instead of leading them to live sends them to death. In the book there are many paradoxes as in the previous one by Victor Hugo. Probably both authors are fascinated by a comparison of life and death.

### **7.2.1 Guilt of John Coffy**

However King stressed this paradox by putting into his novel a main character that is obviously innocent and plus he is blessed with a God's gift. He can heal and save lives of living things. Not without reason the author, that is well-known for his sense for detail chose his name John Coffy. Maybe only if we see the initials we can realise that it is J.C. Those with more creativity can see similarity with Jesus Christ.

In the book John Coffy is described as a very tall and big man. That at the first moment everybody is afraid of. John Coffy, person with such an incredible bless and power. He is a miracle. The person that can help people and save lives is also paradoxically sentenced to death for his gift. Because of a lack of intelligence and inability to explain that he wanted to help to save their life, it was very easy for people to tag him as the murderer. It is easy and comfortable for people to tag someone. People need to see that with an execution they will find their own satisfaction and probably they want to close it in themselves and not to search and make sure if the person, who was executed is really guilty. That is kind of psychological problem because the pain of bereaved is so huge that the will to search for the truth do not have to be so strong and it is easier to trust to what we want to trust and even if there are some doubts, it is better to deny them.

### **7.2.2 Narrator**

As I have mentioned above about the ability of repression of memories of the human's brain and the remembrance of old memories based on some external influences that are accompanied by during their life, the same happens to a narrator while people he is meeting or movie that is just being shown on TV reminds him his past and can hit him like a strike of lightning into his head. Than we can observe how the narrators memory is still being influenced by the past. He is describing how hard is to live a life full of compunctions and guilt. How is it to live a life when he

realises that there can exist some “maybe I could help”. The guard who was the first one to whom Coffy helped with his health.

### **7.3 Paradox of killing**

The question which also arises and is also one of the arguments of opponents of the death penalty is what is the difference between those people sentenced to death and the one who presses the button that kill them. In the book we can see one example for all. Percy, one of the main characters of the book is a prison guard who has no character and who is only working because of connexion he has. Person, whose biggest pleasure is to see people suffer and to show his dominance. The one who instead of making the execution according the rules made person suffer and burned him alive. On those two characters – John Coffy and Percy Wetmore we can see the best example of the good and wrong. There is the evidence that the author believes in some judgement of God because in the end Percy and all those wrong characters of the book have the bad end and even the execution of John Coffy we can consider as the end of his long and difficult life that he had to live.

### **7.4 Author's point of view**

The author seems to highlight that each person should find his inner peace. People sentenced to death penalty in this book are also portrayed as calm people that accepted capital punishment and the fact that there is not any possibility to fight against the decision. It may be possible the author was of the opinion that even thought all those people are criminals the prison guard should treat with them as with people and they do not deserve to be disrespected. He believed that the death that was approaching to them closer and closer is punishment big enough and no one has the right to handle with them inhumanely.

## **7.5 John Coffy**

In comparison with Hugo's novel here we do not observe any principal memories of his life, any wishes to live longer. Opposite. The Coffy himself is mentioning his tiredness and sadness of today's world. Seeing how people behave to each other and also will to end his life and go to heaven. The perception of death by John Coffy is, as I said, very specific. Maybe it also depends on the measure of intelligence because as I have already mentioned, John Coffy was not a very intelligent person, maybe it is also possible to say that his intelligence was quite low. That was also a reason why he was able to accept the death itself quite easily. Maybe it is done by inability to realise something under the term death. Maybe the belief in heaven and happy eternal life is what makes him almost to wish the death.

### **7.5.1 Perception of death**

The perception of the death by John Coffy is not that important. More important in this novel is perception of life and death by Paul Edgecomb. It is a very interesting point of view. Paul gets longevity from John Coffy by some accident. That means that his life is longer than the lives of others and it is possible to observe how a person can feel when outlives the others. It might doubt a little bit about the sense of person's life while the people that he cares about are dying. And how we can see also later in *The Executioner's Song*, the rate and way of punishment varies according to perception of every person. One of possible interpretations of this novel is that person after living a long life may get tired and especially when the death is something natural that the person is surrounded by all his life.

## **7.6 Three kinds of death**

It may be possible to divide death into 3 different kinds. "Planned death", "expectable death" and "sudden death". This concept could be



useful to help analyze different perceptions of death that are very variable dependent on the way of death. It is possible to apply this concept not only in “The Green mile” but also in general.

### **7.6.1 Planned death**

People who were convicted to death knew the exact day, hour and minute, when the electricity will be turned on and kill them. They can count seconds to their last hour and in the final moments they can wish to have it all behind. It can be also understood as something unnatural.

### **7.6.2 Exceptionable death**

This is probably the most suitable pattern of life and death. As natural as a birth should be the end. Person come to the world to live his life, potentially to give another life and build something and when the time comes, person dies naturally. Ideally calmed and reconciled with the idea of the last stand. People who live their life and who are at peace probably perceive death as a kind of liberation. In the book we can observe this kind of death especially because Paul’s living in the home for the elderly. He is surrounded by old people while he is describing how many people he has seen die during his life. It is also done by his longevity because in his 104 years, when the story ends, he is still alive while all people around have died. That is why he realises more the real value of life and death. At the moment when he loses important people in his life, there is a turn that makes him think more about the matter of life. Evaluation of his acts and balance of good and bad deeds that he did makes him to certainly wish to “rest” after that long life.

Another case of expectable death is also mentioned in the novel. That is the kind of death when the person realises his life is coming to the end while having for example an incurable disease. This is a similar example as in Victor Hugo's novel, where he mentions a mother and a wife of the main characters that are both seriously ill and are dying. The

difference is that in *The Green Mile* the warden's (Hal Moore) wife does not know about her cancer and she is recovered by a miracle. In reality she would probably die. Still, person dying on a terminal illness is dying in a pain or under strong drugs. Suffering is terrible and usually there is the biggest hope and will to live more and more. The ill person fights until the last moment and usually gives up only at the moment when knows that the fight is over.

### **7.6.3 Sudden death**

This kind of death is also described in the novel. Example of this kind of death we can see at the description of a bus accident, while Paul's wife- Janice Edgecomb dies when she is coming to her grandchild's graduation. It is possible to say that it is one of the daily tragedies that happen. And reasons are various. Inattention, negligence or coincidence those are examples of what causes death. This is something that hits people more than expectable or planned death because of the impossibility of knowing that the death is coming.

The worst case of a sudden death we can see on the Detterick twins who were murdered. Those ones for whom John Coffy suffered instead of the real murderer. Here is the real tragedy of life. Innocent children brutally and cold-bloodedly slaughtered. Children which probably hadn't think about the death before because their life was so pure and untouched. In this case there is not a big surprise that the killer is convicted to death. Naturally, it is understandable that the parents of victims wish the capital punishment and revenge. Person who is able to commit such a terrible crime does not deserve to live and in this case also most people can agree. But author probably has chosen such a delicate plot because in a case of the judicial error, while John Coffy is punished for the crime that made another person- and there can always be – even though one percent chance of error- we can realise that death is not the biggest punishment. Not for John Coffy that actually wished escape of

that corrupted world. The most important thing is that he is dying with damaged reputation, the worst way possible and in front of people that hate him to death. Although the real killer dies in the book as well, the reader can realise he does not feel any satisfaction with his sudden death. Because of bigger concentration to the judicial error than to the revenge.

## **7.7 Kings opinion**

Based on the novel it indicates the author was against the death penalty. Not because there is an execution of an innocent person in the book. I think the author used very refined way how to attract and potentially convince the reader. Even though the killer gets what he is guilty for. He dies. But he is dying without disgrace and not even during a legitimate execution.

Maybe it is possible that Stephen King wants to point out, that the capital punishment does not help the bereaved neither with their loss nor sufferance. Only revenge is maybe a sudden compulsion to take a destiny into our own hands. And there can appear the impression that there was a chance to predict, save the situation and change the past. But the most important thing is to realise that it is impossible to change the past in the present. We cannot take things back and change them. Unfortunately death is irretrievable and that is how we should manipulate with it. It can be the main author's idea. Not exactly abolition of the death penalty but there is an important stress of seriousness of taking this decision. Regardless of the fact that no one has the right to decide about life and death of another person.

### **7.7.1 Note to The Green mile**

According to my research in 1932– the year where the main story of the book takes place- was in Louisiana 13 executed people. Eight of those people were black. The rest – of white people – were part of one

criminal gang. The most interesting thing is that in the year 1932 in Louisiana people were executed by hanging. Not with the electric chair as written in the novel.<sup>29</sup>

## 8 NORMAN MAILER – THE EXECUTIONER’S SONG

### 8.1 Brief characteristics of the novel

Last book to analyze is a documentary roman written by Norman Kingsley Mailer. He was American novelist, journalist, film maker and politician candidate who is also considered as an innovator of a genre called New Journalism. During his life he published many writings. Among his writings is also The Executioner’s song. In 1980 a Pulitzer-price winning book.<sup>1 30</sup>

### 8.2 Brief summary

Here we will summarize the author Norman Mailer’s partially fictional and partially true story that is based on interviews that he made and information that he collected from people who were in contact or who personally knew Gary Mark Gilmore- man, who in the summer of 1976 cold-bloodedly killed two men. The novel is separated into two books – book one and book two while in the first part the reader is being introduced to Gilmore and his life. He is plunged into the story since the beginning of Gilmore’s memories. The first part helps the reader to understand the background of the following murders. And it allows him to get to know Gary Gilmore very intimately. Description of his complicated childhood and consequential problems with law, alcohol and drugs, years spent in prison and subsequent releases. The endless carousel that is finished with his execution.

Still his story eluding the others has provoked numerous debates and protests against the death penalty.

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<sup>1</sup> “**Pulitzer Prize** is a U.S. award for achievements in newspaper and online journalism, literature, and musical composition. It was established in 1917 by provisions in the will of American (Hungarian-born) publisher Joseph Pulitzer, and is administered by Columbia University in New York City.”<sup>31</sup>

### 8.2.1 Before the death row

Gary Mark Gilmore grew up in a problematic family, as his mother had mental problems and his father was an alcoholic. When he was a teenager, the marks of aggression started to appear. During his youth he was repeatedly put in reform school or in the prison for numerous delinquent activities. But the part of his life that he spent in the prison was too long. He said, when he was fourteen he had only two years of freedom and the last nine and half years he spent in prison. In 1973 he committed an armed robbery and he was imprisoned again for another nine years.

“He argued that “you can keep a person locked up too long” and that “there is an appropriate time to release somebody or to give them a break. [...] I stagnated in prison [...] a long time and I have wasted most of my life. I want freedom and I realize that the only way to get it is to quit breaking the law. [...]

I’ve got problems and if you sentence me to additional time, I’m going to compound them.”<sup>32</sup>

And as he said he did. Staying in prison for long years obviously made his psyche worse. He became more violent and he tried to kill himself several times. He was using several antipsychotic drugs because he was found out as a disordered psychopathic person. He was kept in maximum security penitentiary and because that did not allow to anyone of his family to visit him, he started to be in touch with his cousin Brenda. She is also a very important source of Mailer’s information. After he was set free, he moved to her in Utah. People around him within his family were Mormons<sup>2</sup> and they believed that the support of family and friendly environment would help him with a reintegration to society. At the beginning it seemed to be possible. Gary fell in love with a woman called

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<sup>2</sup> “Mormons are a religious and cultural group. Mormonism gradually distinguished itself from traditional Protestantism. Mormonism today represents the new, non-Protestant”<sup>33</sup>

Nicole Barker-Berret. The love between them was strong and Gary stayed for some time without more serious delicts. Everything seemed to be fine for some time. But later some problems appeared and mixing drugs with alcohol made Gary more violent and more impulsive again. Nicole did not feel safe by his side, even though she loved him and sometimes she was trying to escape from him. One day she took her kids and really moved some miles away. Gary got so angry because he could not find her. It had begun a chain of events that led to two murders.

“This is one for me”, he said, and fired.

“This is one for Nicole”, he said and fired again.”<sup>34</sup>

First victim was Max Jensen who was working at the gas station that Gary robbed. Second victim – Ben Bushnell was a manager of a motel and had a baby with his wife Debbie.

“She heard Ben talking to somebody in the front office. She thought maybe there was a child there, because she heard a balloon pop.”<sup>35</sup>

### **8.2.2 Events after sentencing**

At the beginning Gary Mark Gilmore was trying to deny his guilt. However his lawyers were powerless. All testimonies were acting against Gary and so finally he confessed everything.

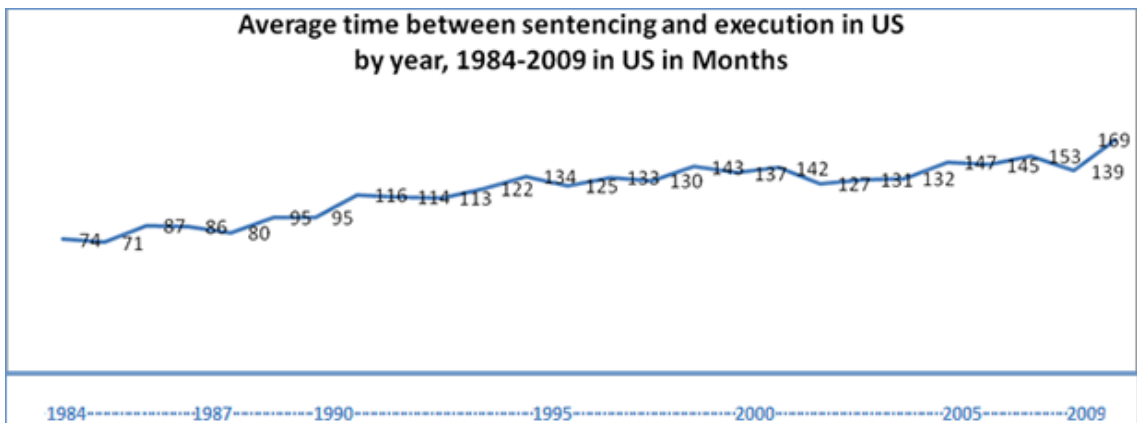
“I killed Jenkins and Bushnell because I did not want to kill Nicole.”<sup>36</sup>

“- Do you wish you hadn't killed Bushnell? – Yes. Wish I hadn't kill Jenkins too.”<sup>37</sup>

For those murders Gary was arrested and the procedure started. Result: Sentenced to death. He could have chosen between hanging or fire squad. He decided for a fire squad.

While he was in prison a massive interest of his case and personality broke out. Until that day it was unprecedented that a person sentenced to

death would accept that kind of punishment being fully conscious and more he strictly refused to appeal against that decision. Normally he would not had been executed. In similar cases, even though people were sentenced to death, they were not executed because in several states within Utah there was a tendency to avoid that kind of execution as much as possible. Therefore his execution was postponed but due to his suicide attempts was settled an exact date for his execution on a date of 17. January 1977.



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### 8.3 Impression on reader

During months he was waiting for the execution he provided a lot of information, statements and fact not only about murders that sentenced him to death but also about his personal life and minds that was passing through his mind. Although Norman Mailer never met him personally he collected information from his family, Nicole and families of his victims to create such a detailed story that causes to a reader's feelings that are very difficult to describe.

For the first time with the comparison with previous books we are able to get so close to the real murderer. We can observe a true and detailed description of crimes he committed and influenced our perception and opinion. However the reader tries, it is very difficult and maybe even impossible to understand Gary Gilmore's personality. What is clear is that



all his violent and aggressive tendencies were born since he was a kid and were very influenced by unstable environment where Gary grew up. Still, it is impossible to deny Gilmore's above average intelligence that was more than 130 IQ. Prosecutor Noall Wotton who was determined to lead the First Hearing with Gary Gilmore found out that "the prison system was not doing what it was designed to achieve, that is, rehabilitate. In his opinion, it was a complete failure."<sup>39</sup> He believed that Gilmore would be better person than what the system made of him. When "Judge asked the defendant if there was anything he would like to say to the Jury. It would be the last opportunity to speak of repentance. Gilmore replied, "Well, I am finally glad to see that the jury is looking at me." "<sup>40</sup>

It is evident, that Gilmore was realising his guilt and also the fact that another imprisonment would not reform him. Not even the life imprisonment. He said that it was the opinion of the court and the opinion was fair. Here we get to the substance of the problem. Obviously this case is completely different from two previous ones. We do not have neither an innocent person who is tired of all the bad in the world nor a person who is from unknown reasons sentenced to death but whose will to live is stronger than everything else. In Gary Gilmore's case we know that he is guilty. We know how cold-bloodedly he gunned down two innocent men and how dangerous he was to people around.

### **8.3.1 Emotions**

Still in some parts the reader is fascinated how deep can be Gilmore's feelings. What he had discovered in Nicole that become the true and only love and sense of his life, reader cannot believe that the same person is capable of such a big emotionality. Gary was a talented poet and he dedicated many of his poems to Nicole. Among this here we can see examples of a correspondence that he and Nicole were changing as it is depicted by Norman Mailer and about its credibility we can just speculate:

From Gary:

*“New Years Eve*

*Oh Baby Nicole*

*myself, my wife ... a card from lady in Holland that was very beautiful – she said : „Trust everybody. Love All the People.“ God I´d like to be that strong. In my last letter I told you that they are gonna shoot me Jan. 17 ... Those 4.30 caliber slugs will release me. And I will come to you – little white Bird. Have 17 days. I think of you all the time. I think only of you. Baby, I always knew you were a white bird, you´re the little white bird that perched on my shoulder before we were both born again into this life and we made certain vows to each other then.”<sup>41</sup>*

From Nicole:

*“Jan. 8. Sat.*

*Hello my Love [...] forgive my vulgarity Love ... Its a crazy life these days. I wonder what destiny we are waiting for. Entering, if you are shot Jan 17 ... What will be in me? Will I be nothing – if you go away... Will I be more? Will I be lost or be found? I don´t want to be without you. I don´t think I would continue to exist if I should be ever a day without Your Love in my soul. Jesus, Gary. Be with me. I love you so very much”<sup>42</sup>*

It is more than obvious that those letters they were changing between each other are full of love and also we can observe Gilmore´s poetic side. How might these letters influence our view on the death penalty? It´s a paradox that person who so brutally killed innocent people and who during his life did not show any signs neither of emotion nor devotion is able to have such deep feelings for somebody. This makes a reader, even though he realises all those bad things he committed, have certain kind of empathy with Gilmore.

## 8.4 Perception of death

As for Gary same for Nicole the sense of life has gone since Gary's imprisonment. The death for Gary is a relief. The life imprisonment would be the worst kind of punishment for him. Also for Nicole life without Gary is nonsense and she attempts to commit a suicide. That is the reverse of the first case in Victor Hugo's story where the condemned wants to live even at the cost of life imprisonment or working until the end of his life. Here Gilmore wants to die by hook or by crook. Here we can see an extract of one of interviews with Gary Gilmore. If the interview is a fiction or non-fiction we do not know.

“WHAT DO YOU BELIEVE WILL HAPPEN AFTER YOUR DEATH?

I could speculate, but I don't know – if the knowledge of death is within me, as I believe it is, I can't consciously bring it to the surface. I just think it will be familiar ... I must keep my mind singular and strong- In death you can choose in a way that you can't choose in life. The biggest mistake you could do when you die is to be afraid.”<sup>43</sup>

Obviously Gary Gilmore was more scared of more time he could spend alive than dead. In the novel he expresses many times that he despise fear. In the interview he also expressed having regrets about his act. But interesting thing was that he didn't regret neither those two wasted young lives for nothing nor suffering families. He regretted his loss. Nicole. That was for him the worst punishment. Loss of the only person he really loved in his life. It is appropriate to say it was his egoism that convicted him to death. He was probably convinced to death a long time before than he took life to innocent people.

## 8.5 Point of view on the death penalty

Maybe because of this case we can think about the death penalty also from another point of view. Man who murdered two young men. Who took husband's and father's life. The debate is whether it was a fair

solution and if Gilmore's capital punishment was a right choice. When person makes a sin usually a punishment comes. The punishment should be in accord with the seriousness of a crime. In Gilmore's case it was more a favour and release. Two people were killed without any possibility of a choice and the big medial attention about Gilmore's execution overshadowed their death. It is up to everybody to make own opinion if Gary Gilmore even deserved being in such a big spotlight. The punishment was actually chosen by the killer himself. Sometimes death is not the worst penalty. Sometimes and I believe not only in Gary Gilmore's case it is just an escape from a real punishment that would be more just.

Gary Gilmore got six-pack of beer as the last wish. And his last words were: "Let's do it."<sup>44</sup> It almost reminds Gary Mark Gilmore's victory over the system and a voluntarily chosen and pleasant last mile.

## 9 CONCLUSION

In comparison with the past, nowadays, the death penalty is in decline. Also the ways of execution have changed over centuries. Nowadays, the death penalty should be less painful and as fast as possible. However the death penalty is quite commonly used way of punishment in The United States of America.

In the books, that were analyzed in my thesis, were obvious different cases and also different attitudes of the people sentenced to death. In the first Victor Hugo's novel there is maybe a regular condemned person who has the strongest will and desire to live. Even if his life would be miserable. In my opinion that person really deserved a second chance because in the death row he realised important things in his life and deeply regretted all the bad things he had done.

In the Stephen King's novel there is a person in the death row who is innocent. There is a paradox because this person realises all those bad things in the world. He, as a very pure and sensitive person, accepts his punishment. In this story the other characters are also very important. Here is suitable to apply the model of "Three kinds of death" because the author may convince a reader to see some pattern in it. This is set in contrast with longevity of another main character and it is up to a reader to create and evaluate his own opinion about death itself.

Last novel written by Norman Mailer was specific firstly by its true story basis and secondly by choice of the condemned person for the capital punishment. The novel as well as the main character are full of contradictions and the impression on a reader is not unified. In some parts a reader can feel strong disgust, anger and contempt with the main character, however, in another parts reader can almost sympathize with him. Gary Gilmore's case as it is portrayed in the novel seems to be really unfair. Two innocent men died, Gary Gilmore had a unique

possibility to choose his own destiny and as a bonus he became a celebrity.

It is important to say that in these examples of different books there is no pattern how people perceive and realise their last hour. Every person considers death differently. Some people are afraid, for others it is a release. That is why, in my opinion, the death penalty should not exist because as well as every case is different it is impossible to apply one punishment.

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## **12 ABSTRACT**

The goal of my bachelor's thesis is an analysis of personalities and perception of death of three different people who were sentenced to capital punishment as they are portrayed in three literary works. The first part of my thesis briefly summarizes basic facts about the capital punishment, especially in the USA and France where the chosen literature comes from and also opinions of its defenders and opponents. The environment is different in these works as well as sins of sentenced people and one of the condemned people is innocent. The biggest attention will be paid to the third person whose name is Gary Gilmore. The essential part of his story is based on true events and the death penalty was what he had chosen as his punishment.

## 13 RESUMÉ

Cílem bakalářské práce je rozbor osobností a vnímání smrti tří odlišných osob odsouzených k trestu smrti tak, jak jsou vyobrazeny ve třech literárních dílech. Úvodní část práce stručně shrnuje základní fakta o trestu smrti, a to zejména v USA a Francii odkud pochází vybraná literatura. Dále pak názory jeho zastánců a odpůrců. Ve druhé části následuje samotná analýza smrti, jejího vnímání a pocitů odsouzených. Díla se liší jak prostředím, tak i prohrškem přičemž jedna z odsouzených osob je nevinná. Nejvíce pozornosti pak bude věnováno třetí osobě, a to Garymu Gilmorovi, jehož příběh je z podstatné části založen na skutečných událostech a jenž si za svůj trest zvolil právě absolutní trest.



## **14 APPENDICES**

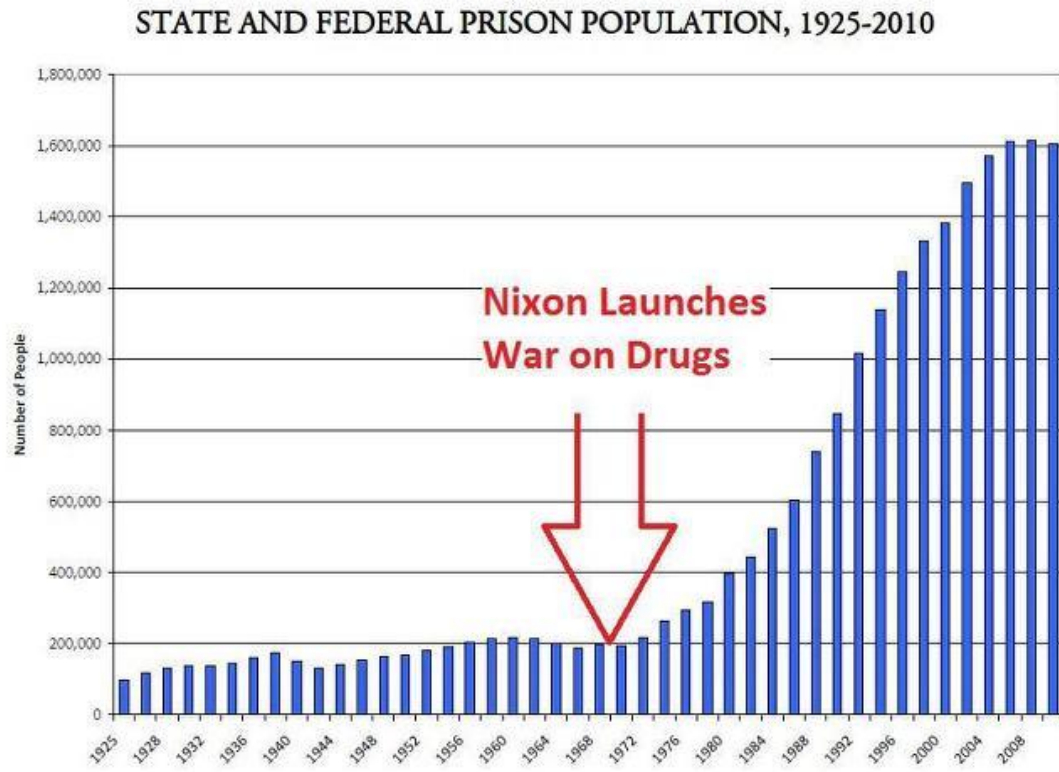
Appendix 1: Number of inmates in US prisons since 1925-2010

Appendix 2: Education versus prison costs USA

Appendix 3: Executions in the US since the reintroduction of the death penalty in 1976

Appendix 4: The cost of life without parole vs death penalty

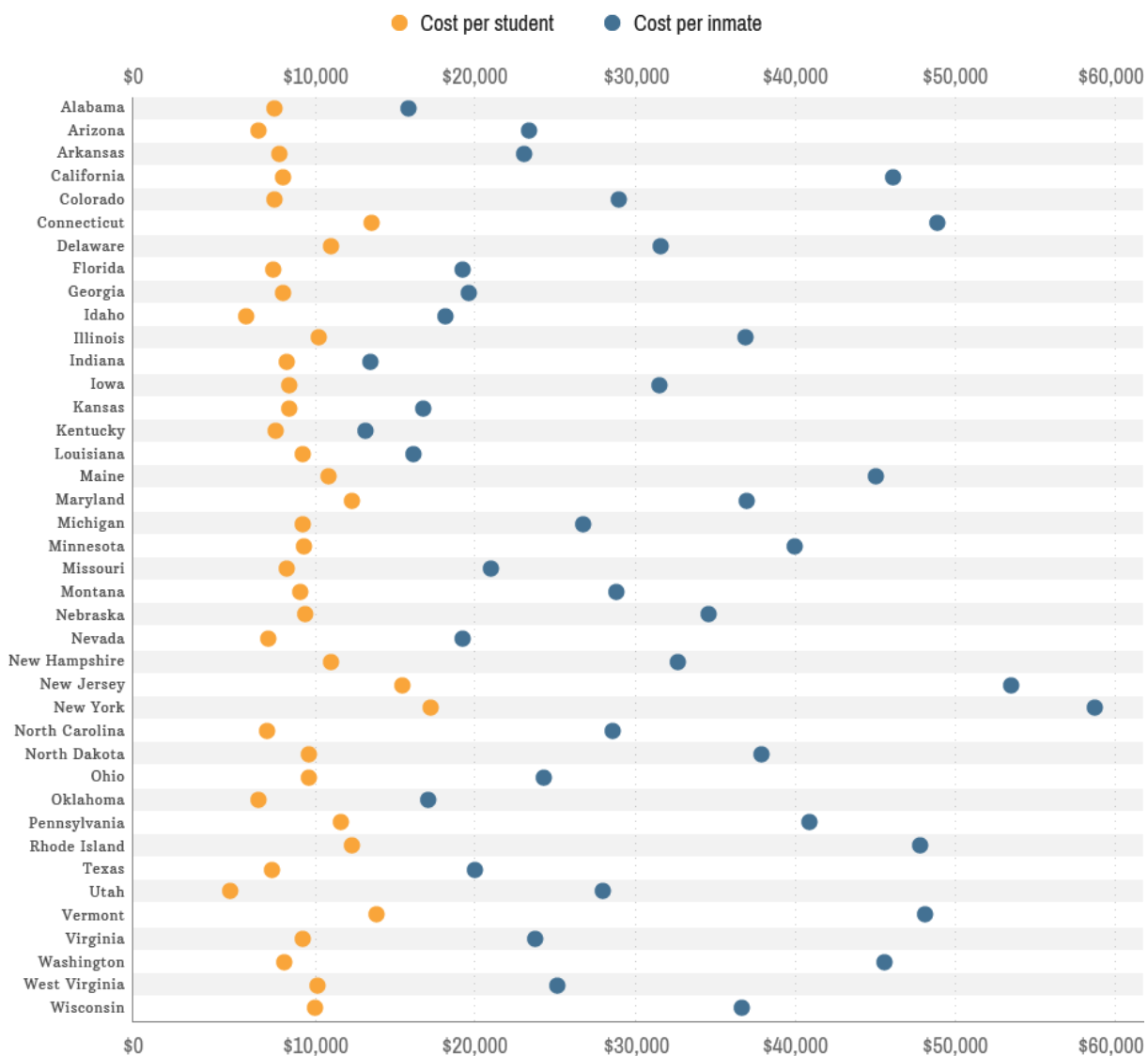
## Appendix 1



Source: Bureau of Justice Statistics *Prisoner Series*.

## Appendix 2:

Data from 40 states depict how much government money is spent per year to educate an elementary/secondary school student compared to the cost of keeping an inmate imprisoned



### Appendix 3

#### Executions in the US since the reintroduction of the death penalty in 1976



## Appendix 4:

### Cost of Life Without Parole: Cases Equivalent To Death Penalty Cases

1. \$34,200/year (1) for 50 years (2), at a 2% (3) annual cost increase, plus \$75,000 (4) for trial & appeals = \$3.01 million
2. Same, except 3% (3) = \$4.04 million
3. Same, except 4% (3) = \$5.53 million

### Cost of Death Penalty Cases

- \$60,000/year (1) for 6 years (5), at a 2% (3) annual cost increase, plus \$1.5 million (4) for trial & appeals = \$1.88 million
- Same, except 3% (3) = \$1.89 million
- Same, except 4% (3) = \$1.91 million

Opponents claim that the death penalty costs, over time, 3-10 times more than life without parole.