

Why executions were a gendered affair

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[Susanne Kord](#) [1], 25 September 2012

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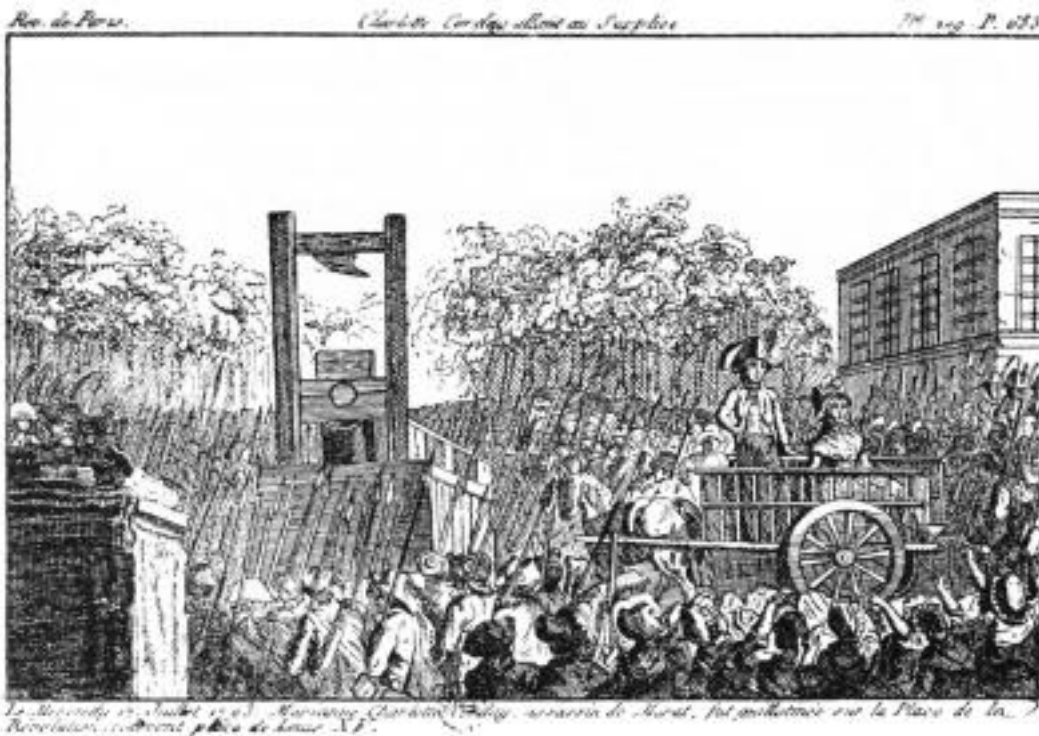


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Susanne Kord takes a look back at executions in eighteenth and nineteenth century Europe, arguing that ideas of the 'meek' v. 'unruly' female influenced the perception both of executions and of the crowds watching them—and wonders whether this is really a thing of the past

If historians are to be believed, executions in European countries were administered in a gender-neutral fashion. The death penalty was tied to the nature of the crime, not the gender of the criminal. Gender-specific forms of execution—breaking on the wheel, disembowelling and quartering for men, drowning, sacking, and live burial for women—disappeared in most countries in the late eighteenth to early nineteenth centuries. Thereafter, most capital offenders, male or female, were either beheaded—considered the less pain- and shameful form of execution—or hanged. Even histories focusing specifically on female criminals claim that women's state-imposed deaths were gender-blind: equality in death, it seems, was achieved as early as the late eighteenth century, despite women's continuing unequal status in civic, legal, social and political life.

Yet some evidence, much of it perhaps too unsavoury to be considered by serious historians, militates against this presumed gender-equality of criminal punishment. The rape of women prisoners by their guards was widespread. During the French Revolution, incidents are documented involving 'judges in Brest [...] copulating with the bodies of decapitated girls in a dissecting theatre, in full view of the public' (Sylvia Naish, *Death Comes to the Maiden*, 1991). And the titillating quality of executions seems to have been considerably stronger when the person about to be executed was female. There are sordid stories of Charlotte Corday's breasts being ogled as she was drenched by a torrential downpour on her way to the guillotine, and even seedier ones of a delighted crowd looking up a hanged woman's skirts. None of this, however, is *state-imposed*, and thus such examples are of limited value in showing the gendered aspect of execution as a process planned and implemented by the State.



[9] The Execution of

Charlotte Corday

Eighteenth- and nineteenth-century punishments were based on the idea of justice made visible; hence, there was a strict correlation between crime and punishment. Arsonists were burned alive, thieves had their hands chopped off, and blasphemers their tongues cut out or pierced. The purpose of executions was to appease God and avert his wrath, to eliminate the crime by eliminating the criminal, and to repair the rift in the social fabric that had occurred through the commission of the crime. An execution, in other words, was less about punishing a crime than about *taking it back*. Thus all efforts focused on making the criminal take it back, or—the next best thing—to make her (or him) say that s/he would if s/he could. Her ‘willing’ confession—defined as a confession not made under torture, although confessions offered immediately preceding, following or under threat of torture were deemed voluntary—provided not only the foundation for the death sentence, but also the first step on her journey from sinner to saint. Formerly a criminal, now a ‘poor sinner,’ she was expected to mount the scaffold exuding humility and grace. From there, she would meekly state that she deserved death for her crimes, beg forgiveness of those she had harmed, take leave of her family, thank the authorities for her mild sentence, admonish the audience not to follow her wicked example, kiss the staff that was broken over her or the sword about to behead her, and die, praying loudly until the final moment, a ‘Christian’ death. To produce this kind of behaviour, a certain amount of time—ranging from the legally required three days to, in some cases, several months—was allowed to elapse between sentencing and execution. During this time the clergy were permitted unlimited access to the condemned. The role of the clergy was not to console the ‘poor sinner’ or to aid her psychologically, but to exhort her confession, forestall all temptations to retract it—even if her innocence was known or suspected—and ensure that her behaviour on the scaffold conformed to the expectations of the authorities and her awaiting public.

We have few historical examples of women who refused to play their roles as scripted. One of these rarities is an anonymous eyewitness account of the beheading of a twenty-year old girl for murder in Appenzell, Switzerland in 1849, a girl whose last name was Koch and whose first name is not recorded. Far from a dignified tragedy able to impart its edifying moral, her execution became a grotesque horror show, and for one simple reason: Girl Koch refused to play along. Our witness relates that she ‘was visited diligently by the local priests in order to prepare her for her near end. Nevertheless, the unhappy woman [...] was so little able to accept the thought of death that, in her despair, she refused the solace of religion and declared being unable to die.’ Girl Koch was dragged by four strong men to the scaffold, fighting tooth and nail all the way, drowning out both the priest’s attempts to console her and the public reading of the sentence with her screams. Because she refused to hold still, the executioner was unable to lop off her head. At this point, the senior judge

presiding over the execution hastily conferred with the city council, asking whether the execution should still go ahead, and received the laconic reply that it was now the executioner's job to deal with her. This unprecedented interruption of an execution in progress indicates two things: it shows the extent to which a successful execution depended on the cooperation of the condemned—so much so that Girl Koch's tumultuous resistance actually raised the question whether it would not be better to postpone her beheading or cancel it altogether. And it eloquently documents that the authorities saw the execution as far more than merely punishment of the culprit; its primary purpose was its hoped-for salutary effect on witnesses. The story ends as it must: after further protracted screaming and struggling, a man from the audience advised the executioner to tie Girl Koch's long braid to a staff and then force her head upward while holding her body down, and thus Girl Koch was finally beheaded.

Clearly, this was not the dignified spectacle of contrition and justice that the town fathers had had in mind. In refusing to participate in the performance of such a 'Christian death,' Girl Koch had cast herself as a victim of state-inflicted violence, thus inviting a potentially mutinous audience response. Contemporary writers worried ceaselessly about this very scenario; the degree of their panic was directly linked to their perception of the audience as 'the people,' 'the crowd' or 'the mob'. Theoretically, of course, all of these appellations could apply to the same assembly of people, but in juridical writing, these are three distinct entities. 'The people' deserve respect; they are endowed with certain inalienable rights, among them the right to dissent and resistance. 'The crowd' describes a relatively neutral mass of spectators with a potential for hostility and violent behaviour, associations which are considerably intensified when the 'crowd' becomes a 'mob,' whose further unsavoury attributes include bloodlust, sadism, and—worryingly, in the context of executions—a high propensity for insanity and criminality.

As with the seemingly (but not really) gender-neutral methods of execution, an argument can be made that the distinguishing characteristic here is *gender*. The 'people' and the 'crowd' lead a relatively gender-neutral textual life, but the mob is unquestionably female. Contemporary writers, such as Carl Friedrich Pockels and Adolph Freiherr von Knigge, have consistently assumed this when describing women's 'irresistible craving to gaze upon hideous scenes, executions, operations, wounds and the like, and to listen to horrible tales of murder—things to which the less effeminate man responds with disgust' (Knigge, *On Human Interaction*, 1794). Later sociologists from [Gustave Le Bon](#) [10] to [Scipio Sighele](#) [11] to [Gabriel Tarde](#) [12] have also defined the mob as female, 'even if, as is normally the case, it is composed of men' (Tarde). Le Bon assumed that the mob's irrationality, its tendency to exaggerate, its limited understanding, its enslavement to its own physical urges, and its simultaneous capacity for extremes of sentimentality and extremes of cruelty were quintessentially female. This idea also presupposes its reverse, namely the quintessential masculinity of the State, which expressed itself, in the writings of renowned eighteenth-century philosophers like Immanuel Kant and Johann Gottlieb Fichte, in the principal exclusion of women from all civic rights. Drawing on the old juxtaposition of the symbolic and the semiotic, order and chaos, male and female, the fickle mob is identified as female; the 'authorities,' like authority itself, as male. Conceptually, then, the mob observing a woman's execution, staring up her skirts and ogling her breasts, is always female, even if the crowd consists largely of men, and the execution, the spectacle that affirms the authority of the masculine State, becomes, in no small measure, an exercise in subduing the feminine mob. The fear expressed in these writings—some of which are now considered the philosophical foundations of European constitutions, legal systems, and ideas of society—was as much a fear of the unruly female as a fear of the unruly masses.

Much evidence indicates that these ideas survive today in only slightly mut(at)ed form. In 2005, Elizabeth Marie Reza published an [article](#) [13] entitled "Gender Bias in North Carolina's Death Penalty," in which she concluded that "gender bias and discrimination affect the application of the death penalty". And less than a year ago, a doctor diagnosed a group of girls who exhibited strange behaviour in public with '[hysteria](#) [14]'. "Mass hysteria rare, but usually seen in girls," [trumpeted](#) [15] Fox News in February 2012. It is one thing to know that gender bias influences modern social life, careers, markets and life opportunities; it is quite another to understand gender ideas forged far in the past can still affect the most serious decisions we can make as individuals or communities: that they can, for instance, lead us to take human lives or classify other human beings as 'aberrant.' As Faulkner put it, "The past is never dead. It's not even past."

In this article, Susanne Kord has drawn upon her [Murderesses in German Writing, 1720-1860](#) [16] (Cambridge University Press, 2009), which will appear in paperback form in 2013.

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 About the author

Susanne Kord is a Professor of German, Comparative Literature and Film Studies at University College London, a feminist, and a recovering Hollywood addict. She is the author of the book [Murderesses in German Writing](#) [25], and co-author with Elisabeth Krimmer of the books [Contemporary Hollywood Masculinities](#): [26] and [Hollywood Divas, Indie Queens, and TV Heroines](#) [27].

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