

Gruesome Gertie at the Buckle of the Bible Belt

'Ah got ta tell ya bad days are here. Bad days have come.'
Albert French, *Billy*

In *Furman v. Georgia* (1972) the US Supreme Court said the death penalty was arbitrary and capricious as practised by the states.* Four years later in *Gregg v. Georgia* the Court permitted the resumption of the death penalty if the individual states re-wrote their death penalty legislation to remove earlier objections. Since then, the Supreme Court has increasingly expanded the sanction of death. In *Ford v. Wainwright* (1986) it agreed it was unconstitutional to execute the insane but it failed to provide the states with criteria of insanity. In *Thompson v. Oklahoma* (1988) it permitted the execution of sixteen-year-olds. In *Penry v. Lynaugh* (1989) it permitted the execution of mentally retarded people. As the law of capital punishment expanded, the Court increasingly abandoned reason. Moreover it rendered its decisions in tones ranging from the neurotic hauteur of Chief Justice Rehnquist to the lurid snarl of Justice Scalia. In *McCleskey v. Kemp* (1987) it announced that racial disparities in American justice are inevitable and that their removal from law would lead to too much justice. In *Keeney v. Tamayo-Reyer* (1992) in

deciding that the Federal courts are not required to hold evidentiary hearing when the states did not, the Supreme Court effectively agreed that innocence of the crime committed is not a defence against capital punishment. Most ominously, *Herrera v. Collins* (1993) held that Herrera might be innocent but nevertheless he could be executed because his trial had been deemed constitutionally correct. The veil of justice has been yanked from the face of power.

Political science has been inadequate to the task of explaining this sudden degeneration of legal reason in the midst of a complex revival of capital punishment within the American polity, nor has it approached, much less adequately analysed, the death penalty within the context of the other productions of death, such as plague, famine, work, and war.

At the beginning of 1994, 2,802 people were on death row in America: 44 were women, 1,102 were African-American, 33 were sentenced as juveniles. Since 1976 two hundred and twenty-nine capital sentences have been executed.¹ Capital punishment has entered into the private chambers of sovereignty: President Clinton directly owes his election to the execution of a retarded man, Ricky Ray Rector, whose execution provided Clinton with the 'high noon' of his campaign, to quote James Carville, his Louisiana election manager. Capital punishment has run through the streets in class war: the Los Angeles insurrection of May 1992 may be seen as a vendetta of class war conducted through the judicial system that began with the beating of Rodney King and was ignited by the resumption of the death penalty in California by the gassing of Richard Alton Harris the week before the riots began, concluding with the electrocution of Roger Keith Coleman in Virginia the week after the riots died. The subsequent trials (the Williams–Denney case) have reiterated the vendetta in a minor key: tick-tack, tick-tack. Clinton's Crime Bill has provisions for an indefinite number of new Federal death penalty offences—the number ranges from fifty-seven to seventy. The Federal execution chamber, with a death row capacity of one hundred and twenty, is due to open for business by the end of the year at the US Penitentiary in Terre Haute, Indiana.

In the last year two novels were published about the death penalty which escape the dull tick-tack of retribution, written by different African-American men. Albert French's *Billy* (New York 1993) is the story of a ten-year-old boy from Mississippi who accidentally stabbed a teenage girl to death. After a near lynching, he was tried, found guilty, and suffered the death penalty ('Ah donts' wants ta be electric's'). Some of the themes of the book—it is set in 1937—may be familiar: Southern justice, the brutal sheriff, the terror of the night riders, the impotence of the white liberal.

* I would like to thank David Trotman, Douglas Hay, Prabhu Mohopatra, Nicholas Rogers, and Carolyn Strange for a York University Toronto conference which considered a spoken version of this essay. I also am grateful for suggestions from Michaela Brennan, Sam Sheppard, George Caffentzis, Robin Blackburn, and Noel Ignatiev.

¹ Current information about the US death penalty is available from the Death Penalty Information Center, 1606 20th Street, N.W., Washington DC 20009, or from the NAACP Legal Defense and Educational Fund, Inc., Suite 1600, 99 Hudson Street, New York, NY 10013.

The book's distinctions are two-fold. It is written in a narrative voice which combines the preacher's dignity with the funky vernacular of the juke joint. It contains a portrait of Billy's mother whose righteous anger, even in the shadow of an almighty Yahweh, has no parallel: there is no colour line of law or custom that can deter her from the maternal love she has for her child. Her cries silence every other sound. Billy goes to the chair resisting every step of the way, convulsing against the straps, calling for his mom.

Ernest J. Gaines is a novelist born on a plantation across the Mississippi river from Angola in Point Coupee. His most recent novel is called *A Lesson Before Dying* (New York 1994). It tells the story of an African-American condemned man in Louisiana waiting to be executed. His attorney had tried to save him by saying to the white jury, 'Why, I would just as soon put a hog in the electric chair as this,' a beastly designation that the despairing condemned man, Jefferson, accepts. Set during an earlier generation when Gruesome Gertie, the name of the electric chair, was trucked around the state to the local court-houses, it proves that the dramaturgy of execution was intended to shame the community and to terrorize children. Led by Miss Emma ('I don't want them to kill no hog') and Tante Lou who goad the local schoolteacher to prison visits, the community suffers through the subsequent drama of waiting by bringing sustenance to Jefferson and by recollecting him to himself. The terror failed. The condemned and the community restore their dignity, the latter by stopping work on the day of electrocution and the former by walking upright himself to the chair. Instead of shame and terror, the electrocution brings about a moment of wordless solidarity.

The novels stress the reactions of the African-American community to the execution of one from its midst. In both cases that reaction is led and guided by the female relatives of those who suffered capital punishment. They show two, apparently opposite, ways of meeting death. The novels raise themes unexplored in law. First, to abolish the death penalty one works with those who refuse to accept it, like Billy. Second, the execution of the penalty may fail in the production of terror and instead it may produce a moment of community integration, albeit in antagonism to the executioners. Gaines and French are wise to the politics of abolition; hence they situate their suggestions in the past, for there is no political science without history. Abolition is led by African-Americans, as is clear by looking at the racial composition of consensual executions. Of the 229 executions since 1976, twenty-nine, or 12 per cent, have been consensual. Only two have been of African-Americans, twenty-four were white.²

The Material Touch of Sister Helen Prejean

Since the resumption of the death penalty in 1984, Louisiana's Death Row, according to the Loyola Death Penalty Resource Center, has never produced a 'volunteer', an inmate who has so despaired of life that he actively tries to hasten the legal and political process that ends in his death. In other words, no hogs. That this is so, is attributed to the spiritual work of a Catholic nun, Sister Helen Prejean (pronounced pray-shawn, which is

² *The Angolite*, vol. 19, no. 2 (March/April 1994).

important to say, since so much in Louisiana is Gallic rather than Anglo). Sister Prejean is an abolitionist, as opponents of the death penalty are called, and the chairperson of the National Coalition Against the Death Penalty, who has published a book called *Dead Man Walking: An Eyewitness Account of the Death Penalty in the United States*.³ This book is at once a tract against capital punishment and a moving description of her experiences in first, trying to prevent the execution, and second, in ministering to two men as they await execution and as they suffer it.

'Louisiana has the highest murder rate in the country,' states the publisher of *Crime State Rankings 1994*. Louisiana's rate of incarceration, 505 prisoners per 100,000 people, is also the highest in the nation (344 per 100,000), and the US rate of incarcerations is the highest in the world (South Africa is second with 311 per 100,000).⁴ The growth of incarceration in Louisiana has been staggering: at the end of 1993 it had 22,639 prisoners, more than three times as many as in 1975. Over the same period the number of prisons increased from three to twelve. Seven thousand are held in parish jails. Many youthful offenders are kept in military-style 'boot camps'. More than five thousand are imprisoned at Angola, the oldest, the largest, and the most dangerous prison in Louisiana. They say 'while many leave Angola, none get over it.' It is here that the Louisiana death penalty is executed.

Sister Helen Prejean writes about her friendship with Pat Sonnier and Robert Lee Willie. Pat Sonnier, a Cajun, was born in St Martinville, the centre of Acadiana, 'one of the friendliest, most hospitable places on earth'. On 4 November 1977 with his brother he abducted a teenage couple, David LeBlanc and Loretta Bourgue, raped the girl, and shot them each at close range in the back of the head. The depravity of the crime stunned Sister Prejean. She visited him regularly. She obtained counsel, Millard Farmer, a well-known death-penalty lawyer. She pleaded with the governor, the archbishop, and the Pardon Board, all to no avail. Her efforts did not save his life—he was electrocuted on 4 April 1984—but hers began to change. She agreed to take a second case. Robert Lee Willie dropped out of school in ninth grade. On 28 May 1980, as part of an eight-day rampage, he kidnapped a teenage couple and killed the eighteen-year-old Faith Hathaway, on the very day she was seeking to join the US Army. The feast of St John the Evangelist, according to the Church calendar, fell on the day before his execution. It was St John who recorded the words, 'You shall know the truth and the truth shall make you free,' which she offers to Robert Lee Willie. He was electrocuted on 28 December 1984, the Feast of the Holy Innocents commemorating the infants slaughtered by King Herod.

The drama of this book arises not from the question, Will they die? but from the question, How will they die? The authorities wish to avoid deaths like Billy's, the protagonist of the Albert French novel, whose resistance destabilizes the equilibrium of the community. Sister Helen tells the story of the eighty-pound Leandress Riley who was executed in

³ New York 1993.

⁴ See William J. Chambliss, 'Don't Confuse Me With Facts: Clinton "Just Says No"', *NLR* 204 (March/April 1994).

San Quentin's gas chamber in 1953. They strapped him in and bolted the door. He pulled his wrists out of the straps, jumped out of the chair and ran around inside the chamber while media and witnesses watched horrified. This happened three times. The guards who worked on his 'tactical unit' could never work another execution. On the other hand, if they are to get a death such as Jefferson's, the protagonist of the Gaines novel, then they must negotiate. Pat Sonnier told Sister Helen, 'I just pray God gives me strength to make that last walk.'

The protocols of death are subject of elaborate study. Tranquilizing medicine is offered to the condemned if he wants it. There is to be no music. Any emotional response is to be suppressed. There can be no radio in the death cell. In Missouri pornographic movies are shown to the general prison population on the night that an execution takes place. On the eve of the first women's execution (in North Carolina) inmates were encouraged by the warden to masturbate. The official prison chaplains prepare the condemned for death.⁵ They provide the lubricant to the cogs in the wheel of death. Prayers in Latin and a communion wafer in a gold container: such is the grease oiling the machinery of death. At Angola the chaplains opposed Sister Prejean, though it is the constitutional right of the condemned to have a spiritual adviser of their own choosing. They said women are too emotional. She has no part in the official liturgy of the death penalty. She would agree with Shelley:⁶

. . . every gibbet says its catechism
And reads a select chapter in the Bible
Before it goes to play.

She shows that reason belongs even to children. 'But Dad,' asks the seven-year-old son of a New Orleans death-row lawyer, 'then who is going to kill them for killing him?' Tick, tack, *tick*. Against the *lex talionis*, which only leads to an infinite regression, as the boy notes, there is an economy of pity and compassion in which saving leads to scarcity, and spending causes growth. François Villon in the *Ballade des Pendus* ('Frères humains qui après nous vivez . . .') and Carl Sandburg ('I am the killer who kills for those who wish a killing today') are on this side, as is Sister Prejean. She tells the newspaper reporters, 'What have we accomplished by killing Robert Willie? Now two people are dead instead of one, and there will be another funeral and another mother will bury her child.' This question has an important answer. In less than a month after Pat Sonnier's execution, a teenage couple are abducted at a shopping centre, then robbed and shot in the woods, a copy-cat crime which leads Sister Prejean to wonder whether state executions incite rather than deter violence: in the fall of 1987, after Louisiana executed eight people in eight weeks, the murder rate in New Orleans rose by 16 per cent.

On Highway 66 in the Tunica Hills five miles from the prison containing 4,600 men is a hand-painted sign, 'Do not despair. You will soon be there.' 'Clang, clang' shut the gates, metal on metal. She notices, after the

⁵ Harry Potter, *Hanging in Judgment: Religion and the Death Penalty in England from the Bloody Code to Abolition*, London 1993.

⁶ P.B. Shelley, 'Swellfoot the Tyrant' (1820).

first body search at the prison, 'my fingertips are cold.' 'I feel a tight band of ice around my stomach.' 'I sit next to Robert and put my hand on his blue-denimed arm stretched out on the table.' This is at the Pardon Board hearing. She pleads for his life. She touches him. Her spirituality is from the gut, it is tactile, it is based on touch. She fetched him a cup of coffee. Through the book, she takes deep breaths. Pat smokes one cigarette after another, though she is allergic to smoke which gives her a 'roaring headache'. The afternoon of Sonnier's electrocution, Sister Helen faints in the Death House. The incident causes worry all round. She had been without sleep. There was a rule against visitors eating in the Death House (this has now changed, thanks to her). At the last meal with Pat Sonnier, she can't eat a bite. She sips her iced tea. He eats everything with relish, and asks the warden to compliment the chef on the potato salad and apple pie. Walking to the chair, Pat Sonnier asks the warden for a favour, 'Can Sister Helen touch my arm?' He assents. She reaches for his shoulder. His chains scrape the floor. She recites from Isaiah:

Should you pass through the sea,
I will be with you,
Should you walk through the fire,
you will not be scorched,
and the flames will not burn you.

Driving away after the death, she pulls to the side of the road to vomit.

Of course, she has things to say about Christianity and the death penalty. As an abolitionist in the Bible Belt she runs into a lot of Biblical quarterbacking, and she can play the game. 'Turn the other cheek' would be a long pass, risky but game-winning, or there is the grunting of short runs for small yardage, 'eye for an eye' stuff. Sister Prejean went to Catholic school in Louisiana:

'Who is God?'
Wback, whack, wback.
'God is *love*. Remember that.' *Wback, whack.*

Her spirituality is not based on a stick of any kind. Untiring, she does not try too hard. She lets go in order to hold on. She checks herself against getting 'ahead of grace'. She recalls that her religion puts the 'Figure of the Executed Criminal' at its centre. But basically her touch, her support, is materialist, heartfelt and from the gut: 'When sorrow and loss and conflict are overwhelming, bake a pie.' At the 'Death Row Appreciation Seminar' held on the row at Angola last spring, she said, 'The touching is what makes us human.'⁷ One feels it.

Is the Death Penalty Ugly or Wrong?

Sister Prejean has produced an agitational book meant to be used: it summarizes arguments, reports statistics, quotes opinion polls, lists court decisions, and describes criminal law. Sometimes it seems that she (or her editors) makes a play for the college audience, because the European and

⁷ *The Angolite*, vol. 19, no. 3 (May/June 1994), p. 69.

Euro-American sources which one would expect from a Reagan-Bennet civics course decorate her experience. And, with the exception of Langston Hughes, these are white: Truman Capote, Bernard Shaw, W.C. Fields (who read the Bible daily, looking for loopholes), Dostoevsky ('Go away and commit no sacrilege,' the condemned man said to the priest who accompanied the tsar's executioner), Rilke, and Hemingway ('Be a man my son,' said the priest to the guy who lost control of his sphincter muscle on the way to the gallows). Her own tradition includes Dorothy Day, founder of the Catholic Worker's Movement, whose injunction to 'comfort the afflicted, and afflict the comfortable' sums up Prejean's strategy. She is fond of Gandhi's line, 'If everyone took an eye for an eye, the whole world would be blind.'

But her main literary guide against the death penalty is Albert Camus. She looks back to Camus's 'Reflections on the Guillotine' of 1957.⁸ It can be read with Arthur Koestler and Victor Gollancz, as part of the conjuncture of 1956 in which the abolitionists played a distinct role.⁹ Its moralism was not only severely anti-communist; it did not ally with either the American civil rights movement or with the Third World struggle. Prejean is critical of parts of that '56 Moment', for example, she refutes Gollancz who made the story of the woman caught in adultery ('Let him without sin cast the first stone', John 8:7) the cryptic absolute of his opposition to the death penalty. Sister Helen notes that the passage is an entrapment story, it shows Jesus' wisdom in besting an adversary, rather than being an ethical pronouncement about capital punishment. Yet Sister Prejean's affinity to Camus is apparent throughout. His opposition depends on an odd conception. The death penalty is a ritual act, a primitive rite, it reflects primordial law, expressed in sacral language and ceremonial phrases. Murder is part of the nature of man. He criticizes humanism and modernity generally. The death penalty is a religious penalty, the executioner performs a sacred function. The 'society we live in' has lost all contact with the sacred, hence the death penalty is hidden away, a relic of a previous time. Yet, unlike Sister Prejean, his opposition is equivocal. This becomes apparent only in the next-to-last paragraph of his 'Reflections': 'The death penalty as it is now applied, and however rarely it may be, is a revolting butchery, an outrage inflicted on the person and body of man.' We have to note that he writes of the person and the body, but not the life, of man. 'That truncation, that living and yet uprooted head, those spurts of blood date from a barbarous period that aimed to impress the masses with degrading sights.' The imagery belongs to the butcher's craft. What is truncated is the head rather than a life. His language fetishizes blood, which is associated with what is foul and dirty. 'The truth is that in the nuclear age we kill as we did in the age of the spring balance. And there is not a man of normal sensitivity who, at the mere thought of such crude surgery, does not feel nauseated.' Do we need to recall that whatever was 'normal' in 1956 was bourgeois? This goes for nausea as well which, to Camus, arises from technical backwardness. 'The science that serves to kill so many could at least serve to kill decently' is his

⁸ 'Reflections on the Guillotine', in *Resistance, Rebellion, and Death*, New York 1961.

⁹ See Peter Linebaugh, "'One & All, One & All': Edward Thompson (1924-1993)", *left history*, vol. 1, no. 2 (fall 1993).

pathetic conclusion. The reference to the 'nuclear age' is a stale trope, bad physics and bad history. Nuclear physics has not proved efficient at killing one, and only one, person.

'An anaesthetic that would allow the condemned man to slip from sleep to death (which would be left within his reach for at least a day so that he could use it freely and would be administered to him in another form if he were unwilling or weak of will) would assure his elimination, if you insist, but would put a little decency into what is at present but a sordid and obscene exhibition.' This compromise at the very end of a supposed philosophical denunciation of the death penalty gives the game away. The parenthetical thought, with its suggestions of Socratic self-determination and its notion that a person under a death sentence may do anything 'freely', is perfectly apt to the United States and its resumption of capital punishment. The states prefer to have 'volunteers' to execute. We note that the 'anaesthetic' is 'administered'. That is classic doublespeak. Since 1988 the death is by poisoning; and it is stabbed, not administered. Sodium pentothol makes you unconscious, pancuronium bromide paralyses the diaphragm and makes you stop breathing, and potassium chloride stops your heart. It sounds painless ('Just a few minutes to live through', as Cartouche, the eighteenth-century French bandit, said of hanging), but in fact it can take the physicians minutes to find a vein to stick the syringe into. Ricky Ray Rector was kept waiting on the gurney for three-quarters of an hour while a surgical incision was made across his forearm so that a vein could be found in section. The suggestion that the death penalty can be painless, which we also find in Camus, is a lie. The deeper opposition in Camus's argument is thus not between life and death, but between decency and obscenity. He wishes to remove something that is offensive to the senses rather than to do justice. It is an aesthetic critique rather than a moral one.

Camus writes aggressively as a European ('we of European civilization'). He writes as an anti-communist, and as a *piéd noir* in the midst of the Battle of Algiers. He disregards history, a familiar strategy of the *colon*, or the planter. To him, there is barbarism or civilization, and these are moral, even theological categories, quite as much as they are temporal periods, or phases of history. Sister Prejean, unlike Camus, has a rigorous, uncompromising moral ground to her opposition to the death penalty. Nor does she believe that it can be cleaned up. But with Camus she shares a pervasive blindness. That blindness is to the past. Thus, as a work of agitation seeking to contribute to the future strategy of abolition, the book is seriously flawed. We must explain why.

Historical Materialism and the Louisiana Proletariat

The multi-ethnic creativity of the Louisiana proletariat is known to the world, if not from the Gulf Pulpwood Association of the mid sixties or the New Orleans dock strike of 1906, then from the jazz that originated (argues Michael Ventura) on Congo Square in New Orleans in 1817. The music has always had a direct relation to the system of coercion, slavery, and unpaid labour.¹⁰ To this day the 'Black Indians' at Mardi Gras in New

¹⁰ Michael Ventura, *Shadow Dancing in the USA*, Los Angeles 1985.

Orleans sing the music of the penitentiary. For example, here are excerpts from 'Shoo Fly,' a cane-cutting tune from Angola, as rendered by the Wild Magnolias (on the Polidor label):

I said I didn't know but I didn't care
I want to leave New Orleans and go somewhere

Said early that morning 'bout quarter to five
That dirty old judge he gave me five.

Well, we're in the valley down so low
You had to cut that cane, row by row.

Well, I met that captain on a big white horse
I didn't know his name but I called him boss.

I said down by the river where the water goes down
If you jump overboard you got to go down.

I said A, trey, a deuce, and a jack
I been to Angola but I won't go back.

The music originates among gang labourers who must swing machetes in unison. The song leader must have invariable rhythm so no one gets cut, a loud voice so everyone can hear, creativity in the formation of lyrics, and the diplomacy to negotiate a cadence between the boss's demand for speed and the cane-cutters' demand for slow. Huddie Ledbetter was six foot tall, and born of ex-slaves. He sang himself out of the number one chain gang of the Texas State Penitentiary, being pardoned for a song by the governor in 1925. Continuing his hard-living ways, he was sent up to Angola for an 'assault with intent to murder'. Here he worked, fought, and played his twelve-string guitar. Once again, he sang a pardon petition and got free. Then he wrote 'Bourgeois Blues':

Home of the brave, land of the free,
I don' wanna be mistreated by no bourgeoisie.

The abolitionist can no more deny the reality of the historical past than a prisoner can deny prison. Perhaps the abolitionist must approach the past, if not in the same ways, then with the determination that the prisoner approaches prison. *The Angolite* is edited by Wilbert Rideau who himself spent eleven years on death row in Louisiana. It is the prison newspaper and it describes the necessary path: 'One must transcend the entire prison experience, a feat requiring the determination of a fanatic, the adeptness of a master politician, and the tough fighting ability of a seasoned mercenary.'¹¹

¹¹ The newsmagazine is published bimonthly and is available to subscribers from: *The Angolite*, Louisiana State Penitentiary, Angola, LA 70712.

Proposition 1: The Death Penalty is Part of the Birth of the Louisiana Proletariat at Point Coupee

Gwendolyn Hall, the historian of eighteenth-century Louisiana Afro-Creole culture, writes, 'Colonial Louisiana left behind a heritage and tradition of official corruption, defiance of authority by the poor of all races, and a violent, as well as a brutal, racist tradition . . .'¹² Louisiana creole culture 'is the most significant source of Africanization of the entire culture of the United States.' The growth of the cypress industry (as a maritime packing material cypress is less corrupted by salt water than other woods) led to widespread marronage, as creoles and Cajuns established permanent settlements in the swamps.

In one direction the mighty Mississippi leads to Central America and the Caribbean, in the other direction is the long stretch to Chicago. There is a point in Louisiana where the Mississippi takes a false turn, and a part of it leads nowhere. This will become the location of the Angola penitentiary; this is where executions of the death penalty in Louisiana take place today. It is Point Coupee. 'It is here that one can closely observe the incubation of new, hybrid cultural forms in response to the human and ecological environment. Red, white, and black met under crisis conditions,' writes Gwendolyn Hall and the theme has not changed substantially since. The 'multinational, multiracial underclass of deported convict labourers' working on the docks and the river carried news rapidly of the St Domingue insurrection, and in April 1795 the Point Coupee Conspiracy was discovered. Taking place during the most radical phase of the French Revolution it was supported by white Jacobins including a Walloon schoolteacher who possessed a copy of the Declaration of the Rights of Man which he read aloud to the slaves, a German tailor born in New York, and an indentured Mississippi River *voyageur* who described himself as a native of the Republic of Raguse (Croatia!). Some slaves were creole and mulatto, from Curaçao, Jamaica, New Orleans, and New York. Others were from Bambara, Maninga, Mina, Congo, Ibo, Caraba, Thoma, Fulbe. One of the leaders was named Sarrasin. Leadbelly sang in 'Old Hannah':

Go down old Hannah, don't you rise no more,
And if you rise in the morning, set this world on fire.

Twenty-three slaves were hanged. Their heads were nailed on posts at several places along the Mississippi. One of them, an eighteen-year-old man, mounted the scaffold laughing and saying goodbye to his friends. 'Despite the hangings and the brutal display of bodies along the Mississippi River, despite moves for massive deportation of slaves considered dangerous, the blacks were not intimidated. Festivals for the dead, honouring the executed slaves, were held in the homes of free blacks.' Following the hangings, the ruling class developed a new philosophy of slave control, the prophylaxis of terror. A myth was created about the conspiracy which became the cornerstone to the ideology of white supremacy and racist violence. It continued to be taught in New

¹² Gwendolyn Midlo Hall, *Africans in Colonial Louisiana: The Development of Afro-Creole Culture in the Eighteenth Century*, Baton Rouge 1993.

Orleans public schools into the 1940s. Gwendolyn Hall has demolished that myth: she has shown in the Haitian-inspired conspiracy of 1795 and in the multiethnic marronage characteristic of the place, a taproot of the continental proletariat which may be profitably contrasted with the utopian tri-isolate community fictionalized by Barry Unsworth in *Sacred Hunger*.¹³

A Lesson from History: Louisiana is part of the Caribbean, and hence Africa and Central America. What happens there affects it, and vice versa. The Federal Bureau of Prisons joined the Immigration and Naturalization Service to open the Oakdale Detention Center in May 1986 to incarcerate Hondurans, Salvadorans, Nicaraguans, and Haitians until a combination of the refugees and human-rights attorneys, such as Nancy Kelly, closed it down. The Cuban Marielitos were then placed in it, until they burnt it down in 1988. Although Sister Prejean does not refer to Father Aristide or the South American bishops of Medellin, nor to the Haitian *lavalas* nor the Central American revolution, she is as surely part of those movements as Louisiana is part of the Caribbean and Central America.

Proposition 2: Capitalist Production and its Reproduction of the Proletariat Require the Death Penalty

A few years after Louisiana was admitted to the Union in 1812 Edward Livingston codified its laws. He opposed the death penalty, but since this was inconsistent with production by slave labour, his opposition remained a mere matter of conscience. His effort epitomizes the combination of refinement and savagery of the plantocracy. Leadbelly sang:

The big bee flies high,
The little bee make the honey;
The black folks makes the cotton,
And the white folk gets the money.

In 1835 the first penitentiary was opened. Two-thirds of its inmates were white. On the plantation, terror was exercised without process of law, due or otherwise, hence the white complexion of the penitentiary.¹⁴ Solomon Northup, an African-American violinist and a Northerner by birth, was twelve years a slave in Louisiana. In 1842 he was sold for a slave on Bayou Boeuf, off the Red River. He refused a whipping and struck the master. ('Goaded into uncontrollable madness, the slave will sometimes turn upon his oppressor,' he explains.) Consequently, he was strung up on the nearest tree but was fortunately rescued. Later he witnessed the hanging of a man who 'maintained an undismayed and fearless bearing, and with his last words justified the act' of slaying his overseer. These acts of tyrannicide were incidents in class war; signs of the colossal struggle to come.

¹³ See Peter Hulme, 'The Atlantic World of *Sacred Hunger*', NLR 204 (March/April 1994).

¹⁴ Roger W. Shugg, *Origin of Class Struggle in Louisiana: A Social History of White Farmers and Laborers During Slavery and After*, Baton Rouge 1939.

In 1837, the year before his arrival, a concerted conspiracy of the slaves was led by Lew Cheney 'preaching a crusade to Mexico and, like Peter the Hermit, creating a furour of excitement wherever he appeared.'¹⁵ Later, during the Mexican war, Northup remembered the 'extravagant hopes' among the slaves. 'The news of victory filled the great house with rejoicing, but produced only sorrow and disappointment in the cabin.' Cheney betrayed the assembled runaways. 'The fugitives were surrounded and taken prisoner, carried in chains to Alexandria, and hanged by the populace. Not only those but many who were suspected, though entirely innocent, were taken from the field and from the cabin, and without the shadow of process or form of trial, hurried to the scaffold.' Troops from Texas arrived to destroy the gallows and to stay 'the indiscriminate slaughter'.

A Lesson from History: This early history teaches that capital punishment helped to organize the relation between production and reproduction. On the one hand, some exemplary deaths were needed to guarantee continuity within the labour process as well as the relative stability of the labour pool; on the other hand, indiscriminate slaughter could not go so far as to endanger the supply of labour.

Proposition 3: The Death Penalty Re-established White Terror Following the Abolition of Slavery

Following the defeat of the Confederacy, General Ben Butler, commandant of New Orleans, freed all convicts.¹⁶ This sort of action was greeted with scepticism. As early as 1862 an anonymous 'Colored Man' had written a statement (found by the police in the streets of New Orleans), 'the White Preacher told us we were all free as any white man and in Less time than a month after you weare taking us up and putting in the luckups and Cotton presses giving us nothing to eat nor nothing Sleep on.' The hypocrisy of the Union was widely observed: 'White corn and yellow will mix by the taussels but the black and white Race must mix by the roots as they are so well mixed and has no tausels.'¹⁷ The period of Reconstruction reads like a Chinese puzzle, said DuBois. 'Beneath the witch's cauldron of political chicanery, it is difficult to remember the great dumb mass of white and black labour . . . groping for light, and seldom finding expression.'¹⁸ Occasionally, it did. Meeting at the Mechanics Institute refugees from Haiti published the bilingual New Orleans *Tribune*. It was the first black daily newspaper in America, and it advanced a revolutionary critique of capitalism: 'We cannot expect complete and perfect freedom for the working man, as long as they remain the tools of capital,

¹⁵ Solomon Northup, *Twelve Years a Slave*, edited by Sue Eakin and Joseph Logsdon, Baton Rouge 1968, p. 189 ff. First published in 1853.

¹⁶ Wilbert Rideau and Ron Wikberg, *Life Sentences: Rage and Survival Behind Bars*, New York 1992.

¹⁷ Ira Berlin, Joseph Reidy, Leslie S. Rowland, eds, *Freedom: A Documentary History of Emancipation 1861-1867, Selected from the Holdings of the National Archives of the United States*, series II, *The Black Military Experience*, Cambridge, MA 1983, pp. 153-7.

¹⁸ W.E.B. DuBois, *Black Reconstruction in America: An Essay Toward a History of the Part Which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860-1880*, New York 1935.

and are deprived of the legitimate product of the sweat of their brow.' Such a sentiment from such a source was characteristic of the Louisiana proletariat since Point Coupee. Consequently, the most vicious and massive repression was launched against it, 'a civil war of secret assassination and open intimidation and murder,' as DuBois called it. The 1866 massacre against freed blacks in New Orleans when thirty-eight were killed outright and a hundred wounded was the first massacre of the White Terror. The establishment of white supremacy is a work of huge amounts of homicidal energy. It was a project, more generally, of the counter-revolution which followed the Paris Commune of 1871 (the Communards destroyed the guillotine). In April 1872, led by secret, semi-military organizations, more than fifty black freed people were slaughtered in Colfax.

The convict-lease system was one segment of the tripartite reorganization of the Southern proletariat, the others being the system of debt peonage, and the labour contract system for agricultural labourers. Prisoners were put to deathly work on plantations and canals, in the coal mines, the turpentine and lumber camps, the tunnelling crews for the railroads, the track crews, road crews, the prison factories, and the state prison farms. The convicts built the levees. It was their labour which laid the hydraulic foundation of Louisiana wealth. They also built the New Orleans Pacific railroad, thus putting Louisiana within the continental as well as the oceanic economy.

In antebellum days three cotton plantations occupied the eight thousand acres of the Angola prison, worked by people from Africa. Leadbelly sang:

You jumps around, you turns around to pick a bale a cotton,
I went to Loosiana just to pick a bale a day.

After the Civil War it was purchased by the dubious Major Samuel Lawrence James, engineer and profiteer who instituted the convict-lease system. For thirty years Major James appropriated the surplus value of the 'state slaves' while their necessary value approached zero. The *Daily Picayune* opined that a death sentence was preferable to a prison sentence in Angola. Three thousand were officially recorded as dying from brutality and overwork during the period. The death rate at Angola was four times greater than in any other US penitentiary. One Southern observer summed up the postwar labour situation: 'Before the war we owned the negroes . . . But these convicts; we don't own 'em. One dies, get another.'¹⁹

Terror was diffused by murderers and rapists, one part of the proletariat against another, pitting men against women, white against black, in the ghastly violence of fear, death, and retribution. Three hundred and three people were murdered during the 1870s in New Orleans. This was the period when the singular, inimitable Lafcadio Hearn worked in the city, his writerly gift for the exotic and the morbid expressing its pervasive

¹⁹ Mark T. Carleton, *Politics and Punishment: The History of the Louisiana State Penal System*, Baton Rouge 1971.

terror. “They have no need of me,” said the Devil, “in the State of Louisiana,” he wrote in 1880.²⁰ What was the relationship between the epidemic of murder and the judicial system? ‘Only five murderers were punished by death. And that was only because they were strangers. Because they had no money to pay lawyers. Because they had no political influence. Two Italians, two negroes, and a Malay.’ Yes, because only the poorest appear on Death Row, its composition so often epitomizes the international proletariat.

A Lesson from History: Lafcadio Hearn prophesied: ‘It will come sooner or later; but the parties who should be most interested in such matters do not pay attention to the shadows of coming events. The Widow with Wooden Legs, as the Spaniards call the Gibbet, is waiting to celebrate her nuptials . . .’ In the face of such prophecy, do lessons need to be drawn? To compare hanging to a wedding is both a Renaissance trope, and a clue to the relation between the thanatocracy and reproduction.

Proposition 4: The Death Penalty Devalues Labour in the ‘United States of Lyncherdom’

In 1901 the state of Louisiana purchased the Angola plantation from the James heirs and established a penitentiary. This was the same year that Mark Twain published his much suppressed essay, ‘The United States of Lyncherdom’. T.J. Woofter, Jr studied the relationship between the incidence of lynching in the nine cotton states of the American South and the value per acre of cotton. As Arthur F. Raper wrote in reporting these results, ‘as a rule whenever the per acre value of cotton is above its trend the number of lynchings is below its trend. In other words, periods of relative prosperity bring reduction in lynching and periods of depression cause an increase.’²¹ Ida B. Wells-Barnett, the first social scientist and statistician of lynching, made similar observations but proposed a different hypothesis in the course of her analysis of a race riot in New Orleans. ‘The killing of a few Negroes more or less by irresponsible mobs does not cut much figure in Louisiana. But when the reign of mob law exerts a depressing influence upon the stock market and city securities begin to show unsteady standing in money centres, then the strong arm of the good white people of the South asserts itself and order is quickly brought out of chaos.’²² Do executions in the US today correlate best with the municipal bond market or with indices of wage rates? Who was right, T.J. Woofter, Jr or Ida B. Wells-Barnett?

Cotton was the principal crop until the boll weevil destroyed it in 1912 when it was replaced by sugar as the money maker. Angola had the largest sugar refinery in the state. It possessed ‘one of the largest sugar plants in the world, producing a material proportion of the sugar output of the South through the almost Herculean labor of its convicts.’ Roger Benton

²⁰ *Creole Sketches*, Boston 1924, p. 126.

²¹ Arthur F. Raper, *The Tragedy of Lynching* (Southern Commission on the Study of Lynching, 1933), pp. 30–31. I would like to thank Neal Walker of the Loyola Death Penalty Resource Center (New Orleans) for bringing this to my attention.

²² *Mob Rule in New Orleans* (1900), reprinted in *Selected Works of Ida B. Wells-Barnett*, edited by Trudier Harris, Oxford 1991.

was a cellmate of Eugene Debs at the Atlanta Federal Penitentiary.²³ Before that he had done a bid at Angola: 'I learned at Angola that slavery did not cease with the Civil War and that the basis of class distinction in the South is an economic one.' Indeed, the thirteenth Amendment to the Constitution, which apparently abolishes slavery, specifically permits slavery and involuntary servitude 'as punishment for crimes whereof the party shall have been duly convicted'. Roger Benton saw little difference between the murderer and the man who 'sets up a factory in which men and women work for less than a living wage, under foul conditions which breed sickness and death.' Roger Benton obtained his insights under the governorship of Huey P. Long when ten thousand floggings were officially admitted, as many as fifty lashes in each. In 1933 alone, there were 1,547 floggings at Angola, with a total of 23,889 recorded blows with a double lash. Angola was the worst prison in the country. In 1951 reforms were inaugurated after the Heel-String Gang, thirty-one white inmates, slit their Achilles tendons with razor blades rather than go to the fields. In 1975 it was the bloodiest prison in the United States.

A Lesson from History: What is the political science of these cycles? It is the terror studied at first by the keen observers and dutiful servants of the modern state—Machiavelli, Hobbes, Locke, and summarized best perhaps by Beccaria: 'If it is important to give the people proofs of power often, then executions must be frequent.' But this produces a contradiction because 'crimes will have to be frequent too,' as Beccaria dolefully adds intimating the tick-tack of terror. Hence, the people will have to do ill deeds in order that the state may triumphantly assert the greater good. When is it important to 'give the people proofs of power'? The hypothesis that even a cursory knowledge of history suggests, namely a positive relation between unpaid labour and the death penalty, has the advantage of quantification: the higher the rate of exploitation the more proofs of power that are required. Capital punishment is part of the process of devaluation, and the lesson to be drawn is not just that the death penalty is part of slave production, but that it anticipates slavery. Social scientists write more cautiously, but they write the same thing. Thus a University of Texas study concludes, 'Slavery, criminal justice, lynching, and capital punishment are historically closely intertwined in the United States.'²⁴ Ignorant of history and innocent of its lessons, Sister Prejean nevertheless writes in a tradition with its own advantages.

An Ingenuous Innocence

'I went right along, not fixing up any particular plan, but just trusting to Providence to put the right words in my mouth when the time come: for I'd noticed that Providence always did put the right words in my mouth, if I left it alone.' Sister Helen Prejean begins her account of her role as spiritual adviser to Pat Sonnier and Robert Lee Willie with these words from *Huckleberry Finn*, the classic American novel that was conceived in

²³ Roger Benton, *Where Do I Go From Here? The Life Story of a Forger* (1936). A guide is H. Bruce Franklin, *Prison Literature in America: The Victim as Criminal and Artist*, Oxford 1978.

²⁴ James W. Marquart, Sheldon Ekland-Olson, and Jonathan R. Sorensen, *The Rope, the Chair, and the Needle: Capital Punishment in Texas, 1923-1990*, Austin 1994.

1876, the year of the railroad strike, the year of the Presidential electoral putsch (thrown in Louisiana), and the year of Jim Crow. During such overwhelming repression, Twain resorted to a discourse of innocence which seemed to assert the singularity of the proletarian marronage he recounted.

Huck Finn was the son of a drunken, rebellious Irishman ('whenever his liquor begun to work, he most always went for the govment'). An abused child, Huck freed himself by pretending to be dead and escaped to the Mississippi River. There he met Jim, a runaway slave, who was seeking freedom up north along the same river. They teamed up and their story becomes one of marronage. They escape lynching. ('I says to myself, there ain't no telling but I might come to be a murderer myself, yet, and then how would *I* like it?') Huck decides not to turn Jim in as a fugitive slave. 'Well, then, says I, what's the use learning to do right, when it's troublesome to do right and ain't no trouble to do wrong, and the wages is just the same?' Religion in a society based upon slavery is going to be a lie. This is the premiss of *Huckleberry Finn*. 'All right, then, I'll *go* to hell,' Huck says tearing up the letter informing against Jim.

What determines the value of human life? The Christian view modestly avowed by Sister Prejean is the inviolability of human life. But Sonnier and Willie are not just 'human' lives: they are proletarians and one of the merits of this book is its solidarity with this fact. Sister Prejean's cousins worked the oil rigs, told adventure stories, and built each other up as lonely guys do: 'a fucker, a fighter, a wild-horse rider, and not a bad Saturday night roughneck' consolidates several distinct class compositions into a single, baroque, and south-western compliment. Proletarian labour-power is purchased, or not, in a world market. The market of prices determining its value may supply us with the historic conjuncture. The classic Marxist question has been, What is the conjuncture? Walter Rideau, the Angola prisoner who edits *The Angolite* provides an answer. After the OPEC price rise of the mid 1970s, a second oil crisis commenced with the Iranian Revolution of 1979 and led to the worldwide recession and immense profits to the petroleum producers. This is the conjuncture as identified by *The Angolite*. Louisiana enjoyed 'an embarrassment of riches.'²⁵ Oil and gas industries provided the state with 40 per cent of its revenues. The boom was short-lived, by 1982 the bottom had fallen out. The murderous careers—kill *and* be killed—of Pat Sonnier and Robert Lee Willie follow that cycle.

Pat Sonnier's father was a sharecropper, his mother was on welfare. They divorced. He and his younger brother grew up hunting rabbit and deer at night. He dropped out of school and became a roustabout (or roughneck) on the oil rigs. Later he obtained his licence and drove eighteen-wheelers. Since the age of nine, he was on probation for burglaries, disturbing the peace, and trespass. Part of the petroleum proletariat, he had access to the commons, and petty criminality.²⁶ In his first letter to Sister Prejean, Pat Sonnier asked, 'can we just talk to each other in regular words?' He had

²⁵ Op. cit., p. 148.

²⁶ Midnight Notes Collective, *Midnight Oil: Work, Energy, War, 1973-1992*, Autonomedia, New York 1992, part one.

had a spiritual adviser who had spoken only in scriptures, and he found that he couldn't hold up his end of the conversation. The Bible is quoted for expressive rather than doctrinal reasons. She would not need to be told that the geographic region known as the Bible Belt is coterminous with the Death Belt.

Robert Lee Willie's mother was a cook, a maid, a waitress. Her eyes had deep circles under them. He drove trucks, worked on barges, grew marijuana. He worked on a push-boat pushing forty-eight barges from Grand Isle, Louisiana, to Cairo, Illinois. He was a jailbird. She smiles at Robert Lee Willie, the Marlboro Man, the Outlaw. He did a stretch of time at Marion, the Federal maximum security joint in Illinois, and there Robert Lee Willie joined the Aryan Brotherhood which supplied him with safety, cigarettes, companionship, and in return he wore its tattoos. She scolds him for strutting out his white supremacist views to the newspapers; he sheepishly retracts them the night before he is electrocuted. That same evening, while he relishes fried shrimp with his fingers, he offered this vision to Sister Prejean: 'Me and another dude had to go up to the first barge to set up a light, and afterwards, we sat on the front awhile and smoked a joint and calmed our nerves before making the trek back. The river is real, real mysterious at night with the lights makin' little flicks in the water and the swish of the current under you and you have this feeling and it's like an adventure, being away from home and on a long river like that, which you know goes by cities and towns and different parts of the country and finally to the sea.' At Marion, a poem was made up about him, a poem he cherishes:

Gruesome Gertie she waits for a Rebel
Robert Lee Willie is his name.
She visits him in his dreams at night.
She tries to drive him insane.
But Robert Lee Willie is a Rebel
And I know his mind is strong.
And even if you do end up with him
In our hearts he will always live on!

She is not averse to literary contributions of her own. She visited him at Christmas, his last day of life but three. Driving back to Baton Rouge she sings:

God rest ye merry gentlemen
Let nothing you dismay
We'll pick our day to execute
In June or Christmas Day.

These merry gentlemen determine the value of human life, not by such moments of commune as Sister Prejean shares with Sonnier or Willie, but by the socially necessary labour time necessary for reproduction. This is driven ever downward with each passing death knell.

She is there to teach men how to live, and to learn herself. She does not promote the lewd doctrine of an afterlife. She teaches Pat Sonnier and Robert Lee Willie to take responsibility for their deeds and to seek

forgiveness. *Dead Man Walking* is also the story of her spiritual growth. She asks Robert Lee Willie to pray for her! After Pat Sonnier was electrocuted, she realized that she had not reached out to comfort the parents, Godfrey and Goldie Bourgue, Lloyd and Eula LeBlanc, of those whom he had murdered. It is a mistake which she repairs and does not repeat. The stepfather of Robert Lee Willie's victim is Vernon Harvey, a vocal and vociferous advocate of the death penalty, whom Sister Prejean befriends. This work produced unusual results, including sympathetic understanding between Lloyd LeBlanc and Pat Sonnier's mother. And why shouldn't it—they both have lost children to violent death.

Indeed, after those on Death Row, it is the parents of the condemned (genetic and otherwise) who lead the grassroots movement to abolition. In 1983 after Robert Wayne Williams was executed (the first in Louisiana following the moratorium) his mother insisted upon an open casket at the funeral, nor would she permit the morticians to conceal the burns on her son's body. The subsequent photographs helped to mobilize thousands against the death penalty. Mrs Williams is a survivor of a holocaust. An organization called Survive, led by a Mennonite volunteer, began in New Orleans offering individual counsel to survivors of violent crimes. By 1989 when Sister Prejean attended her first meeting it had grown to a group of forty of whom 'most were indigent black women trying to cope with the death of sons, daughters, spouses, parents.' Sister Prejean thinks of the black women of South Africa: 'You have struck the women. You have struck the rock.' Here is where her own spirituality is renewed, where the slogan is *God makes a way out of no way*.

There is a national organization, too, called Murder Victims Families for Reconciliation, of people who advocate the abolition of the death penalty and who have had someone murdered in their family. It has led a walk through the state of Indiana. In October 1994 it is organizing a walk through the state of Georgia. We can see these organizations as *class organizations* because they seek to stop the retributive tick-tack, tick-tack of the diffused capitalist thanatocracy. They confront both inconsolable sorrow and the rage against the perpetrators of murder and violence. The New Orleans coroner said, 'Between AIDS, drugs, murder, police, prisons . . . you talk about genocide: by the year 2000 we will have lost a whole generation.' Sister Prejean recalls that the last of the plagues to visit Egypt was the worst, the slaying of the first-born.

In fiction, it was the innocence of Huck Finn that enabled him to make an alliance with Jim. In non-fiction, it was the experience of the Louisiana proletariat that produced such alliances. Writing amidst counter-revolution in 1876 some may perhaps forgive Mark Twain's innocence of the marronage that had existed for generations on that river, and the corresponding political experience. It is less easy to forgive this stance in 1994. That innocence veils the class-wide dangers of the death penalty. To be sure, the innocence of Sister Prejean enabled her to develop a strategy that experience would have deemed impossible in bringing the relatives of murderers and relatives of murder victims into association. As a strategy for the abolition of the death penalty, either this is not enough, or it does not go far enough. Its abolition must be situated among the struggles against other types of socially induced morbidity. Otherwise, as

history teaches, slavery will follow for all, and not just for the most desperate, who already must sell their body parts and blood. Twain's strategy of innocence provided a discourse of compromise with Jim Crow: history teaches the limitations, if not the futility, of that strategy. It led him to an acrimonious, isolated, and embittered stance. The alternative is to abandon the innocence, to embrace the proletarian international (this was available to Twain!), and to conduct the struggle against capital punishment in the context of the struggle against the capitalist thanatocracy as a whole.

Karl Marx wrote, 'Capital is dead labour, that, vampire-like, only lives by sucking living labour, and lives the more, the more labour it sucks.' In a drive to self-sufficiency a new cannery was built at Angola. In the years Sister Prejean visited Angola the pay was two-and-a-half cents an hour which, one would think, would satisfy the most thirsty profiteer. Not so, report the investigators of *The Angolite*. 'Another economic cushion is the prison's plasma programme . . . [whose] income enables Angola prisoners to spend about a million dollars a year in the prison commissary.' Since then the Angola pay-rate has dropped 20 per cent, to two cents an hour. Moreover, the prison plasma programme was shut down in March 1994, as tends to happen when the plasma contract is tendered out to bidding. The pay for blood donations has dropped from \$12 to \$4.²⁷

Thus, in the American gulag slave labour grows. The medicalization of executions also proceeds, barely noticed. Dr Jack Kevorkian ('Dr Death') is campaigning to have organ 'donations' included in the execution process. A Texas death-row inmate has been given permission to 'donate' a kidney before his execution. Blood sucking and butchery have become the means of profit, terror, and devaluation of life.²⁸ Opposition begins on death row, then in the prison population. At the first execution in 1994, that in Idaho, as the execution proceeded, the inmates pounded on walls, shook cell doors, and stomped on the floor in protest. At Angola, the workers in the prison factory went on strike against the construction of a gurney on which the condemned man is forcibly strapped to receive the fatal injection. These are the beginnings of opposition. On the outside we must finish it; it is an international job and a class job.

²⁷ *The Angolite*, vol. 19, no. 2 (March/April 1994), p. 8.

²⁸ See Susanna B. Hecht, 'Love and Death in Brazil', *NLR* 204 (March/April 1994).