



The Parish Review
Journal of Flann O'Brien Studies

Ruben Borg, 'Katherine Ebury, *Modern Literature and the Death Penalty, 1890–1950* (Palgrave Macmillan, 2021), ix + 282 pp. ISBN: 9783030527495,' *The Parish Review: Journal of Flann O'Brien Studies* 5, no. 2 (Fall 2021): 1–5. DOI: <https://doi.org/10.16995/pr.8255>



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Review of Katherine Ebury, *Modern Literature and the Death Penalty, 1890–1950* (Palgrave Macmillan, 2021).

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Taken at face value, Katherine Ebury's *Modern Literature and the Death Penalty, 1890–1950* is a fascinating literary and cultural history of the death penalty in the first half of the 20th century. It unfolds over nine chapters and invites us to engage with a wide array of works: texts as diverse as Theodor Reik's study of confession; memoirs by state executioners (James Berry, John Ellis, and Robert G. Elliott); government-commissioned reports on the viability of capital punishment; a series of seminars by Jacques Derrida; and a rich reading list of 20th-century fiction by Agatha Christie, Dorothy L. Sayers, Anne Meredith, Elizabeth Bowen, Richard Wright, Francis Iles, James Joyce, George Orwell, Graham Greene, and, of course, Flann O'Brien. In preparing this review, my first instinct was to describe the book as *a grim, dark history of modernism*. This is a tempting tag line when considering the materials under investigation; but one realises, soon enough, that it is neither helpful, nor correct. Indeed, perhaps the most surprising aspect of *Modern Literature and the Death Penalty* is that it is not, after all, especially dark. It has no interest in dwelling on the indecent curiosity, the theatrical horror, and the pathetic potential of death row. And while it does not shy away from looking at some of the more sordid details of its subject matter, its tone, its thematic stakes, and its methodological emphasis, are plainly invested elsewhere.

Above all, *Modern Literature and the Death Penalty* is a study in the way three discourses interpenetrate and influence each other. The argument is pitched in the overlap of law, literature, and psychoanalysis, disciplines uniquely suited to process and examine a modernist preoccupation with death: charged discourses, wrought in paradox and riddled with contradictions. I want to single out two such paradoxes brilliantly brought to the foreground in Ebury's analysis.

The first of these concerns the relation between capital punishment, confession, and criminal responsibility—specifically, the pressure that the death penalty puts on the very idea of the soundness of a criminal mind that is able to understand, and take responsibility for, the consequences of its actions. Drawing on the work of Reik, Ebury notes that in the context of capital punishment, the criminal's admission of guilt opens onto a series of fraught psychological phenomena. What would ordinarily be regarded as a desirable legal development, the subject's full assumption of responsibility, is here complicated by evidence of a compulsion to confess and a masochistic longing for extreme punishment. The paradox is perfectly captured by Ebury when she observes that

although after 1898 a prisoner was allowed to give evidence in their own defence, in murder trials if they pleaded guilty they would have a very limited opportunity to explain their crime because of the mandatory death sentence. Because of this

restriction, [...] a confession to capital crime was sometimes considered grounds for an insanity defence. (34)

A second thematic thread revolves around the efforts by the modern state to make the death penalty at once more efficient and more humane—which is to say, to perfect the punishment, to render its ministry somehow more civilised, less distasteful, scientifically and bureaucratically more precise. In reconstructing the details of this project, Ebury delivers a chilling commentary on the character and the defining values of modernism. The death penalty, she writes, was ‘maintained through a mixture of technological refinement, more standardised procedures and increased restrictions on public knowledge...’ (8).

Building on this premise, *Modern Literature and the Death Penalty* proceeds to juxtapose literary, bureaucratic, and psychoanalytic approaches to death—and in the process, presents capital punishment as an obscene extension of the history of the modern state. It is this focus on the *obscenity* of the death penalty that gives the argument its tone and drives its most compelling insights. I mentioned earlier that the book is not interested in dwelling on the horrific spectacle, or the grim theatricality of a state administered death. What we get, in lieu of a sordid history, is precisely a reflection on capital punishment as the ultimate obscenity—where obscenity may be understood in its dual sense of an offensive or abject display and of an event that must take place off-stage, out of public sight.

Derrida’s work informs Ebury’s treatment of the overdetermined relation between state sovereignty, state violence, and modern biopolitics. Chapter Six, in particular, draws on the *Death Penalty Seminars* to examine the sexual symbolism and erotic energies coded in the rhetoric of capital punishment. It is a brilliant analysis, focused on the Irish Revolutionary scene—the literature of the Rising, and the melodrama of Irish martyrdom, from Yeats’s poetry on the events of 1916 to the parody of the legend of Robert Emmet in Joyce’s *Ulysses*. This emphasis on the biopolitical implications of the death penalty is sustained in subsequent chapters on military and civilian executions in the years during and immediately after the Great War; on the representation of capital crime and capital punishment in a colonial context; and on the racialised administration of state justice in the US.

I am well aware that I have yet to mention the sections of the book that are of greatest interest to the readership of *The Parish Review*. Ebury’s inspired reading of *The Third Policeman* resonates with several key topics in recent Flann scholarship: the critical conversation on O’Nolan’s bureaucratic imagination; his dialogue with high modernism and, simultaneously, with Golden Age crime fiction; his attention to the

public administration of life and death—all of these strands are redeployed towards a rich historical and psychological discussion of the confessional drive in O’Nolan’s posthumous masterpiece.

The study is at its strongest where it explores the connections between modern political thought about the death penalty, 20th-century advances in science and technology, and the bureaucratic concern that the punishment be fast and precise (or, in other words, not cruel and unusual). For instance, Ebury observes that in the US, scientific experiments were conducted during the electrocution, while attempts to rationalise the humaneness of the punishment were typically framed in terms of efficiency and speed. Science and law meet in this strange aesthetic middle-ground where the chief concern is to make the execution cleaner, more tasteful, more civilised, and more *modern*. The values and ideals at issue in these debates draw attention to the rich historical coding of courtroom dramas and scenes of execution in the fiction of the twenties, thirties, and forties. Closer to home, they provide an invaluable context by which to reassess O’Nolan’s sensationalist, even grotesque representations of death and justice in *The Third Policeman*, ‘Two-in-One,’ and *The Poor Mouth*.

One notable element of Ebury’s approach is her ability to read across literary genres and discourses. Crime fiction, in particular, plays an important part in her study, trading as it does on the pleasures of an often-perverse justice, and bringing the moral quandaries that attach to capital punishment to wide popular appeal. Ebury reads Flann O’Brien with Agatha Christie and Dorothy L. Sayers as deftly as she pairs, say, Christie with Derrida and Blanchot. The combinations make for one of the book’s most rewarding pleasures.

Modern Literature and the Death Penalty is essential reading for scholars interested in the politics of death and nation within modernism. For the Flanneur, it is also a treasure trove of historical contexts and critical tools by which to revisit the theme of O’Nolan’s fraught relation to modernity—his attitudes to the machinery of the bureaucratic state, and his suspicion of the absurdities of modern science.

Competing Interests

The author serves on the editorial board of *The Parish Review: Journal of Flann O'Brien Studies*. He was not involved in the editorial process or in the decision to accept the piece for publication.

