

A Phenomenological Analysis of Death Row Inmates' Last Words

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Abstract

The study examines the lived experiences of the death row inmates to trace their traumas, fears and pain of the inflicted punishment of execution. Husserl's (1970) notion of intentionality and Heidegger's (1975) concept of existentialism under the umbrella of phenomenological constructivism were used to explore the post-penalty feelings of the death row inmates. A sample of 20 letters written by the death row inmates was selected to address the research questions. It was found that the last words do not simply reflect expressions and feelings of remorse, guilt, fear and repentance but also document that crime mainly belonged to the marginalized section of society. This study suggests preservation of the last words in the form of an official document for prisoner's education system that would eventually help reduce ideation of crimes.

Keywords: Last words, death row experiences, phenomenological constructivism and criminology.

Introduction

The last words of the dead prisoners have gained a global significance as many researchers of the world showed interest in studying the discourse of final statements of the condemned prisoners (e.g, Crawford, 2008; Elder, 2010; Hirschmuller & Egloff, 2016; Human Rights Clinic, 2017; Johnson et al. 2014; La Chance, 2007 & Vollum, 2007). A handful of pamphlets and magazine versions of last words of the ones moving towards the gallows were published and then analyzed. Malone and Swindle (1999) and Brahm (2010) are of view that such words carry psychological weight and connote closure or goodbye to others. Sometimes the words were uttered at public place of execution and sometimes

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inside the prison (O'Neill, 2001). Jenkins (2017) described the deadliest Pakistani serial killer Javed Iqbal Mughal's public execution "in a manner similar to that in which he had tortured and killed his victims." At the time of his death sentence his narration "I would like to give my love to my family and friends" were not a result of guilt or regret but out of mere satisfaction for what he did to the innocent children. Since the lifting of the death penalty moratorium, a number of prisoners were sentenced to death in Pakistan. Only a few of them left their last words. In Pakistan, there is no official documentation of the last words of death row inmates as far as private execution is concerned. In spite of this, the last words are still set as record with family, relatives and lawyers and a few are lost to silence (Cornell Centre on Death Penalty Worldwide, 2011).

Several researches (cf. Brahms, 2010; Fung et al., 2001; Johnson et al., 2014; Mehl, 2006; Pyszczynski et al., 2004; Rizza, 2015 and Tausczik & Pennebaker, 2010) were conducted on the prisoner's final statements in the west. Some of the studies focused on the anthology of final words according to the execution method and others explored the actual content of the prisoners' statements through comparative analysis. There is a little literature available on the last words of death row inmates in Pakistan. This study provides insight into their lived experience by reflecting on the essential themes which characterize the discourse of the death row phenomenon. It further uncovers the linguistic features describing post-penalty feelings of the death row inmates.

Methods and Materials

Theoretical Underpinnings

The present study used phenomenological constructivism both as a philosophy and a method to investigate the lived experiences of death row inmates. According to Smith (2011), phenomenological constructivism is "concerned with the detailed examination of personal lived experience, the meaning of experience to participants and how participants make sense of that experience" (p. 9). Thus, this phenomenological study collected data in form of death row individual experience and then gives a thorough description of their experiential meaning. Husserl (1970) called this description of death row experience as "transcendental phenomenology" that

involved “what and how they experienced it”. This study moved beyond this mere description to Heidegger’s (1975 & 1962) “existential phenomenology” in order to understand “Being” in relation to conscious structures that made human experience more meaningful.

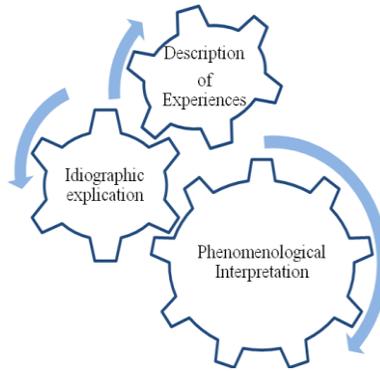


Figure 1: Theoretical Model for Phenomenological Constructivism

As indicated in figure 1, phenomenological constructivism was applied at three stages. At the first stage, the death row inmates’ own standpoints were related with how they detached their views, memories, verdicts, expectations, and beliefs about death sentence phenomenon into “one unified, meaningful experience” (Husserl, 1970). At the second stage, we explored commonly emerging themes based on the subjects’ experiences while waiting for the death sentence. At the final stage, the interpretative stance is adopted within phenomenology. This is inherent in the notion of dual hermeneutics: (a) The first layer in which the death row inmates try to understand their experience, and (b) the second layer in which the researchers construct interpretation or decodes meaning grounded in the death row emotional experiences.

Data Collection

The sample of 20 letters written by the death row inmates was collected from the main cities' jails of Punjab: Lahore, Multan, Sheikhpura, Peshawar and Faisalabad. The demographic detail such as age, education, social background and financial status were not exactly known to the researchers. However there was some indication of these variables in their letters. For example; one of the subjects admitted in his letter that he murdered some person for money as he was financially a wreck. The letters were written in two languages: Urdu and English. Fifteen letters were written in the Urdu language and five were written in the English language. There were also some sentences in mixed Urdu and English e.g., *ab regret kernay se kuch change nahi honay wala* (nothing will change because of regret). As many as 1432 words trace their traumas, fears and pain of the inflicted punishment of execution.

Ethical Considerations

Gordon (2016) guidelines were followed while collecting and handling the data. A permission was obtained from the Secretary Prison, Home Department to get access to the letters written by the death row prisoners. Some of the letters were obtained from the lawyers and a few of them from the superintendents of the concerned jails. The names of the volunteers as well as persons belonging to legal institutions were kept anonymous in order to avoid any kind of legal confrontation or adverse circumstances. Similarly, names and home addresses of the subjects were concealed so as to avoid unanticipated complications. Hence there was no unauthorized access to the data.

Analysis

The structural framework analysis and the phenomenological meaning-making of the death row inmates' last words were deemed central to the present study.

Structural Framework Analysis of Death Row Last Words

The death row inmates' last words followed a structural pattern based on typical sequence as is given in figure 3.

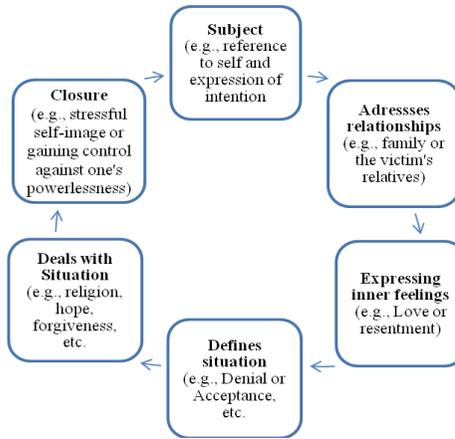


Figure 3: Structural Pattern of Death Row Last Words

The common structural patterns which appeared in almost all the last words generated several meanings. The micro-level analysis manifested that the letters began with self-reference such as “*Mai*” (I) and then immediately followed by their particular intention “*Mai chahta hun keh*” (I want that) and “*meri khwahish hai kh*” (I wish to/would like to). Beginning with personal salutation and right from the start of their last statements, they try to gain full control over their communicative intent. This is pertinent to the prison context where that situation results in loss of self-control.

Afterwards, the death row inmates address their social relationships. In other words, they define their identities in relation to the social world outside the prison world. In order to come out of the state of loneliness, they describe their connections to others. For example “*My beloved wife and my lovely little children*” and “*I would thank my mother for bearing all this*”. These references to personal relations lead towards showing a positive image of the inmates as loving son, brother or friend. It is usually observed in the inmates’ last words that the personal relationships are addressed in the first part of the letters and that the victimized families are spoken and form last part of the letters. In this way, this sequence threatens the positive self-image of the death row inmates: “*I wanted to thank my lawyers and family who supported me for the last twelve years*” and “*I ask for forgiveness from the victim’s family for the miseries I delivered onto them and I know your intense hatred.*” This effort is reminiscent

of the way to resolve the inner conflict which is manifested through alternative meaning attached to hurtful associations.

The inner feelings are based on two simultaneous structural patterns that is love or hate and gratitude or sorrow or regret. For example "*I am apologetic for the things I have committed*" and "*Mai ne apni zindagi ki sab sey bharia ur gandi bhool ki hai*" (I have committed the biggest and the worst mistake in my whole life). It actually serves to contextualize the prison situation or the moments of execution that the death row inmates are faced with. It is also suggestive of the awareness of uncertainty so that more references to past are quoted than the future instances in order to settle with their present situation.

Followed by the inner feelings, a pattern which defined the inmates' letters was the expression of defining the situation in terms of acceptance or refusal of the responsibility of the crime committed. For instance "*ye mera gunnah hai, iss key liyae mai kisi ko zimadaar nae tehra sakta*" (I know it is my sin or blunder and that I can blame no one for this) was self-centered and such phrases featured in the overall texts of the last words. Some of the last words included a complete denial of the crime committed and manifested themselves as innocent beings by declaring death penalty as a partial practice of punishment.

The inmates' attitude or their behavioral dealing with the situation forms the next structural stage of the last words. For instance addressing the higher being "*Allah*" provides assurance and comfort in a completely powerless situation they are in. Moreover, recourse is sought through religion for the sake of meaning-making out of their loneliness. This might function as a sort of relief to an accused one and understanding with God might promise them forgiveness or an ease to handle the situation. The "*Supreme Court*" is also referred to as a second chance or as an appeal which these death row inmates would then have lost hopes in.

The ending of all the last words was significant in form of closure. It usually comprised of a simple sentence (e.g., "*That's all from my side*"), a religious reference (e.g., "*May Allah help me*") or expressing gratitude ("*Love you all, my parents and little children*") etc. All the last words of the death row inmates concluded with a closure statement. This actually signified self-comfort and led towards self-control over the worst situation they were in. In fact,

the death row inmates determined the point where the words were put to silence as a result of death sentence.

Phenomenological Meaning-making of Death Row Last Words

Several patterns emerged in the last words which strike key relevance to the death row phenomenon as is given in figure 4.

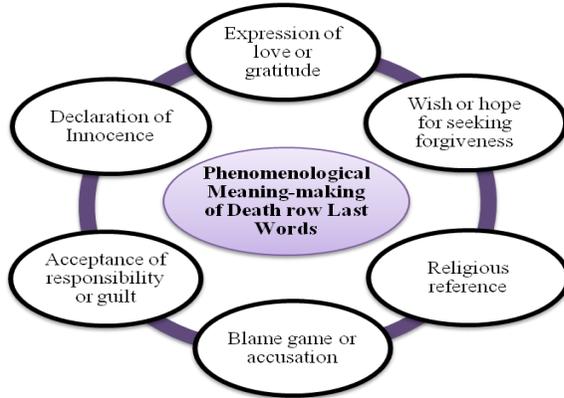


Figure 4: Phenomenological Descriptive, Idiographic and Interpretive Constructivism

Expression of Love and Appreciation for others

The predominant coded category in the last words was the manifestation of affection and solidarity with the social relationships outside the prison world. The emotion related words were present in 75 percent of all the last words. For example, “*meri piyari waalda*” (my dear mother), “*meray moh tara mabbajaan, ab aap key siwa koi nahi hai mera*” (my respected father there is no one for me except you) and “*To my dear wife, I am really thankful to you... I love you so much and take care of yourself*”. Such gratitude expressed was a clear indication of gaining control over their helpless state of execution. In addition to that, the words were opposing to the condition for which he was himself responsible. Furthermore, as a result of Terror mortality salience theory, it is observed that death row try to seek refuge by establishing ties with their closed ones as is evident from the aforementioned examples (see also Rizza, 2015, p. 106 and Schuck& Ward, 2008, p. 49).

Wish / Hope for Seeking Forgiveness

The feelings of repentance and guilt do not just relate to the victim's relatives but were even dedicated to their own family members or friends. The repetition of words and formal patterning in the last words revealed their desire that such an event might had never happened. Thus, *"I wish that I had not killed him with my hands. I cannot tell you how sorry I was", "I am extremely sorry for the agony I cause you and I wished I could bring the time back for the victim's family."* The urge for the reversal of time is actually a helpless effort to bring back the original temporal state for the victim's family. It is a kind strategy adopted in the letters to lessen the pain that one feels after regretting for what he once did in his life-time. Eaton and Theuer (2009) examined the element of regret and compunction in the final words of the Texas prisoners and noted that the non-capital offenders adopted such kind of strategy as a way of motivation so as to receive leniency in their punishment (p. 328).

Religious Reference

Religion played a dynamic part in the last words of the death row inmates. The last words comprised of explicitly religious proclamations such as avowals, prayers and references to Allah and His last prophet Muhammad (P.B.U.H). About 85 percent of the last words contained religious inclination for the sake of motivation, forgiveness and to come out of such disappointed prison state. The examples *"Mujhe pata hai keh Allah pak mujhe maaf, zaroor maaf ker dein gay"* (I know that Allah will forgive me, will definitely forgive me), *"Allah will be my real judge and shall atone me for what I have not done"*, *"Allah is the greatest and the most merciful"* and *"O Allah, please forgive me. Please lessen my pain I am going through"* attach meaning to their situation in the prison as well as their moments of last breath. The presence of alternating realities abounds the last words with particular references to the life hereafter. These words were not just restricted to prayers but also dealt with speaker's death; moments after execution: *"Allah is everything and today I will be with Him from now on"* and *"Allah watches everybody from above. Please don't throw anger on me. I have murdered a man but now I am guilty of my crime. I know I have committed the worst sin but Allah is the most beneficial, He will forgive me, I know."*

At another occasion, the death row inmates' wished to "die more than once" revealed his sense of being guilty and at the same time full of remorse. The feelings of compunction, shame, regret was usually noted in the linguistic structures: *"meri piyaari ammi jaan, madayion kay paon may apni chaader rakh ker maafi maagein. Un ko quran-e-paak ka waasta dein aur mujhe iss takleef se bahar nikalein"* (My dear mother, please go to the victims and lay your shawl in their feet. Refer to the Holy Quran and please ask them to forgive me and take me out of this miserable life or pain). The peculiar allusions to Hazrat Muhammad's (P.B.U.H) kind attitude to prisoners at the time of conquest of Mecca and Ameer Hamza's (A.S) murderer Wahesh Bin Harab was also forgiven by the last Prophet Muhammad (P.B.U.H) reveal the inmates' religious knowledge who are well aware of the wrong they have committed in their life. Such references were incorporated as a form of stress alleviation from the pain of being executed. It shows their readiness to amend the harms they have done to the victim's families: *"If I am given a chance to go back and change the reality, I mean reverse the pain I would. But there is nothing in my hands and some realities are so cruel that they cannot be altered"*. It is, therefore, evident that this is a contrite acceptance of social semantics, pervasive impassiveness, religious sentiments and a yearning for mercy and pardon. It would be more accurate to say that such sentimentalities are not insincere but they possess much deeper significance. The last words clearly show the people are conscious of their crimes which in a way promote remorse and the related hope of refurbishment.

Blame game or Accusation

The death row inmates have the tendency to act over sensitively due to the brutal punishment as well as the encroaching death time. Consequently, this leads to expected excuses and blaming others instead of apologetic behavior. 46 percent of the last words contained phrases like *"mera waqeel meray pass nae ata. Aik hee raasta bacha tha kh meri saza kum ho sakti thi"* (my lawyer does not pay visits to me. It was the only way through which I could have got leniency in my punishment) and *"paison ka intezaam karein ta keh meray case ki waqalat ho sakay"* (arrange for some money so that my case can be proceeded and pleaded) which revealed accusation on their part. Here repentant and ashamed attitude is entitled to

represent a positive image of them as decent civilians before they are hanged. But Johnson (2013) pointed out that the demographic features were responsible for the “presence or absence of such apologies”. Hodgins and Liebeskind (2003) reported offenders’ excuses in place of regrets in the last statements after “capital trials” and during solitary confinement in death cell. In contrast to these views, Eaton and Theuer (2009) noted lack of evidence for such defensiveness and analyzed the apologetic comments directed for the victim’s relatives. Furthermore, the death row used words “*ab maut he milnay per jail khanay kay azaab se chuthkaara naseeb ho ga*” (now death will cure the pain of prison life). This according to the system justification theory acts a way of getting out of trouble and finally the only way of relief from the prison world. They rationalize the level of their pain with actual execution process. They are guilty but not of committing crime and hence a ready acceptance to undergo the pain of execution is noted for the sake of evading the depression caused by the solitary confinement.

Acceptance of responsibility or guilt

The last words covered death row inmates’ open confession of crime: “*Mai apnay jurm kaeh taraaf kerta hu. Mujhse ye qatal huwa hai*” (I accept the responsibility of my crime and that I have committed murder). These words show the inmates acceptance of responsibility of their crime and their willingness to yield to the severity of punishment. 93 percent of the last words contains the acceptance of crime. Some instances of acceptance of guilt were used for persuading the victim’s family like “*mujhe khuda key waastey maaf kerdein. Aa pjo bi kahain gay, mai wo sab kuch kernay kay liyae ready hun*” (In the name of Allah, please forgive me. Whatever you will say or demand, I am ready to do it). Such expressions are also reminiscent of recognition of the enormity of the crime committed by the inmates. Their preparedness to do anything and their inclination to go for any sort of rectification all point towards their guilt. One example clearly manifests the frame of mind of the death row inmates: “*Na mujhe koi ghum hai aur nahee kisi se koi gila. Aap key baitay ko mai ne maara hai aur isska result bi mujhe hee face kerna hai jis key liyae mai tayyar bi hun*” (I am not sad and even don’t have any grudge against anyone. I have killed your son and now I am the one who has to bear the consequences of it. I

am ready for this). It is evident that the person who is guilty is not hesitant to accept his mistake. The inmates' personal sacrifice is the price they would pay in order to achieve revelation. It is observed that spending a long time in solitary confinement on death row usually transforms men but how the change occurs is not specified. But Mann (2010) explored the various dimensions of solitary confinement which results in the insanity of the Texas prisoners. Contrary to this Vollum (2007) noted that transformation into reformed men is resultant to the death row experience which is the most difficult period in the prisoner's lives.

Declaration of innocence

On the other hand, there is a complete denial of accepting one's guilt. "*Mera koi kasoor nahihai. Mujhe phasaya ja rahahai*" (It is not my fault. I am just involved in it) is a complete rejection of responsibility which is used as a strategy for compensation in the punishment. It is pointing to the flaw of the unjust system where people had bribed the other party and involved this inmate in dire consequences. In fact, the words expose his intentions of being terrorized by the thought of execution. He laid all the responsibility on the system and presented himself as a man of worth so refer to the terror management theoretical grounds (see also Johnson et al., 2014). Furthermore, in the phrase "*mai ne apna gunnah qabool kerlia hai lekin uss waqt mai majboor tha*", (I have accepted my crime but I was helpless) the second line accounts to McKendy's (2006) narrative debris as it false. Something that is prohibited in Islam cannot be used to justify the criminal act. Also, the prisoner was a Muslim and for him talking of being helpless was an absurd excuse.

Conclusion

The last words mostly depicted pain, misery, remorse and repentance which showed that crime mainly belonged to the marginalized section of society. The phenomenological construct showed slight indications of personal transformation during the solitary confinement on the death row. In this rendering, significant chances are missed out to yoke the reformation process experienced by the inmates and offer them the opportunity of not been executed. The writing of last words is crucial as it leave a final meaningful mark in the lives of the condemned, as well as for those

living outside the prison world. It is hoped that the last words may be used to educate the prisoners who are captured on short term basis for committing juvenile crimes and this would eventually lead to reduction of crime rate in Pakistan.

References

- Brahms, W. B. (2010). *Last Words of Notable People: Final Words of More Than 3500 Noteworthy People Throughout History*. Haddonfield, NJ: Reference Desk Press.
- Cornell Centre on Death Penalty Worldwide. (2011). *Death Penalty Database: Pakistan*. <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Pakistan>.
- Crawford, B. (2008). *Texas Death Row: Last Words, Last Meals, Last Rites*. London: Penguin.
- Eaton, J. and Theuer, A. (2009). Apology and Remorse in the Last Statements of Death Row Prisoners. *Justice Quarterly*, 26 (2), pp. 327–47.
- Elder, R. K. (2010). *Last Words of the Executed*. Chicago, IL and London: University of Chicago Press.
- Fung, H. H., Lai, P. & Ng, R. (2001). Age differences in social preferences among Taiwanese and main land Chinese: the role of perceived time. *Psychol. Aging* 16, pp. 351–356. doi: 10.1037/0882-7974.16.2.351.
- Gordon, L. E. (2016). *Real Research: Research Methods Sociology Students Can Use*. Los Angeles: Sage Publications.
- Heidegger, M. (1975). *Introduction: The Basic Problems of Phenomenology*. Indiana University Press.
- Heidegger, M. (1962). *Being and Time*. Oxford: Blackwell.
- Hirschmuller, S. & Egloff, B. (2016). Positive Emotional Language in the Final Words Spoken Directly Before Execution. *Frontiers in Psychology*, 6:1985. Retrieved from 10.3389/fpsyg.2015.01985.
- Hodgins, H. & Liebeskind, E. (2003). Apology versus defense: Antecedents and consequences. *Journal of Experimental Psychology*, 39, pp. 297–316.
- Human Rights Clinic. (2017). *Designed to Break You: Human Rights Violation on Texas' Death Row*. Retrieved from <https://law.utexas.edu/wpcontent/uploads/sites/11/2017/04/2017-HRC-DesignedToBreakYou-Report.pdf>

- Husserl, E. (1970). *Logical investigation* (J. N. Findlay, Trans.). New York, NY: Humanities Press.
- Jenkins, J. P. (2017). *Javed Iqbal: Pakistani Serial Killer*. Encyclopedia Britannica, Inc. Retrieved from <https://www.britannica.com>.
- Johnson, R. (2013). A Few Words on Last Words of Condemned Prisoners. *Journal of Prisoners on Prisons*, 22 (1), pp. 112–21.
- Johnson, R., Kanewske, L. C. & Barak, M. (2014). Death Row Confinement and the Meaning of Last Words. *Laws*, 3, pp. 141-152. Retrieved from doi:10.3390/laws3010141
- LaChance, D. (2007). Last words, last meals, and last stands: Agency and individuality in the modern execution process. *Law and Social Inquiry*, 32 (3), pp. 701–724.
- Malone, D. & Swindle, H. (1999). *America's condemned: Death row inmates in their own words*. Kansas City: Andrews McMeel Publishing.
- Mann, D. (2010). Solitary Men: Does prolonged isolation drive death row prisoners insane? *Texas Observer*. Retrieved from <http://www.texasobserver.org/cover-story/solitary-men>.
- McKendy, J. (2006). I'm very careful about that: Narrative and Agency of men in prison. *Discourse and Society*, 17 (4), pp. 473-502.
- Mehl, M. R. (2006). Quantitative text analysis. In Eid, M. and Diener, E. (eds.) *Handbook of Multimethod Measurement in Psychology*. Washington, DC: American Psychological Association, pp. 141–156.
- O'Neill, K. F. (2001). *Muzzling death row inmates: Applying the First Amendment to regulations that restrict a condemned prisoner's last words*. Arizona State Law Journal. Retrieved April 5, 2005, from Lexis Nexis database.
- Pyszczynski, T., Greenberg, J., Solomon, S., Arndt, J., and Schimel, J. (2004). Why do people need self-esteem? A theoretical and empirical review. *Psychol. Bull.* 130, pp. 435–468. doi: 10.1037/0033-2909.130.3.435
- Rizza, C. (2015). Death Row Statements: A Discourse of Play. *Discourse and Society*, 26 (1). Sage Publications. Retrieved from <http://journals.sagepub.com/doi/pdf/10.1177/0957926514543228>.
- Schuck A and Ward J (2008) Dealing with the inevitable: Strategies of self-presentation and meaning construction in the final

- statements of inmates on Texas death row. *Discourse & Society*, 19 (43), pp. 43–62.
- Smith, J. A. (2011). “We could be diving for pearls”: The value of the gem in experiential qualitative psychology. *Qualitative Method in Psychology Bulletin*, 12, pp. 6-15.
- Tausczik, Y. R., and Pennebaker, J. W. (2010). The psychological meaning of words: LIWC and computerized text analysis methods. *Journal of Language and Social Psychology*, 29, pp. 24–54. Retrieved from doi: 10.1177/0261927X09351676.
- Vollum, S. (2007). *Last Word and the Death Penalty: Voices of the Condemned and their Co-victims*. New York: LFB Scholarly Publishing.