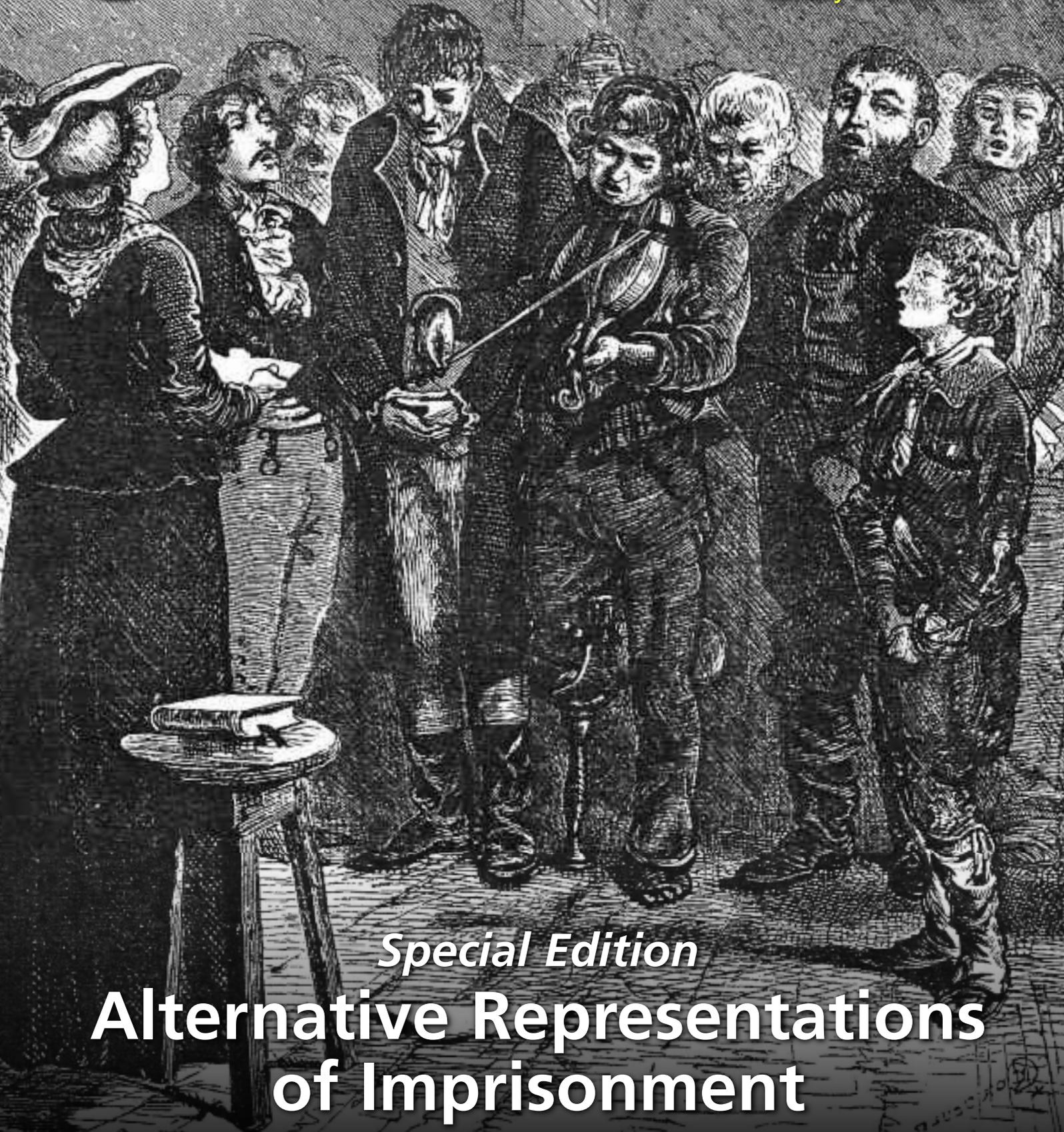


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**Alternative Representations
of Imprisonment**

A Short Film About Killing (1988)

Jamie Bennett is Governor HMP Grendon & Springhill.

This is a story about a young boy who kills a taxi-driver and then the law kills the boy'
— *Krzysztof Kieslowski*

Polish film-maker Krzysztof Kieslowski is widely regarded as one of the great modern European directors. He was born in 1941 and graduated from the famous Lodz film school. His reputation was built upon the ambitious ten part TV series *Dekalog* (1988) in which he used the Ten Commandments as his starting point for an exploration of the lives of residents of a Warsaw estate. He followed this with *The Double Life of Veronique* (1991), the story of two identical women, one in France and one in Poland, whose lives intersect and are metaphysically linked. His final films comprised the *Trois Couleurs* trilogy and were loosely based upon the guiding principles of the French Revolution; liberty, equality and fraternity. These three films, *Bleu* (1993), *Blanc* (1993) and *Rouge* (1994), were released to great acclaim. However, Kieslowski quickly announced his retirement and died two years later.

A Short Film About Killing (1988) was originally one of the episodes in the *Dekalog* series, but was expanded for cinema release along with another episode, *A Short Film About Love* (1988). As was quoted at the opening of this article, Kieslowski was characteristically pithy in his description of the plot. The film follows a disaffected and alienated young man, Jacek, who kills a taxi-driver in a seemingly random attack. The murder scene is brutal, bungled and prolonged, lasting seven and a half minutes as Jacek strangles the struggling man and finally overcoming him, drags him out of the car into a field where he smashes his skull with a rock. The film quickly cuts to end of the court case where a young idealistic lawyer, Piotr, has failed to prevent Jacek receiving the death penalty. The remainder of the film focuses on the build up to and the conduct of the death penalty. During this, Jacek reveals the death of a young sister that may have partially explained his crime. The preparations for the hanging are meticulously conducted and carried out. The execution itself lasts for an excruciating five minutes. At times it

appears systematic and mechanical but at others is confused and messy. The film closes with a shot of Piotr sitting in his car in an empty field, weeping.

As with all of Kieslowski's films, themes of chance and coincidence are woven through as a metaphysical thread. The lives of the three main characters intersect both before and as a result of the attack. Chance is also addressed more broadly through the life stories of the protagonists and in parallel characters in other episodes of *Dekalog*. Such grand themes are absorbed within narratives that are based upon naturalistically drawn characters. This is also reflected in Kieslowski's visual style, which uses documentary-style but also incorporates highly stylised elements, for example in this film the use of heavy green and brown filters that give an eerie and unsettling appearance. He moves between philosophical examination of the human condition and a more grounded concern with capturing the lived human experience. By locating his films between two such contrasting and seemingly incompatible approaches, his strategy has been described as 'liminal', that is:

They organically illustrate the fault lines between the rational and nonrational, representation and expression, concrete and abstract, universal and particular, physical and metaphysical.²

In general, Kieslowski veered away from overt political statements and instead focussed on the interior lives of individuals and grand humanistic concerns. However, *A Short Film About Killing* is an exception. In making this film, he had a clear and deeply held conviction:

I wanted to make this film precisely because all this takes place in my name....if someone in this country puts a noose around someone else's neck and kicks the stool from under his feet, he's doing it in my name. And I don't wish it...this film isn't really about capital punishment but about killing in general. It's wrong no matter why you kill, no matter whom you kill and no matter who does the killing.³

1. Stok, D. (ed) (1993) *Kieslowski on Kieslowski* London: Faber and Faber p. 159.

2. Kickasola, J. (2004) *The films of Krzysztof Kieslowski: The liminal image* New York: Continuum p.38.

3. Stok (1993) p.160.

This article will not attempt to provide a comprehensive analysis of this work, but instead will focus on the strategies deployed by Kieslowski in order to convey his reformist intentions. How did he attempt to expose, challenge and question the use of capital punishment? What arguments did he present? How did he use the medium of cinema and TV in order to communicate those views? The article will also conclude by briefly discussing the effects of this film on public discourse and the development of anti-death penalty media over the last two decades.

Representing death

The place and function of capital punishment has changed over time. In his seminal analysis of the birth of the prison, Michel Foucault opened by describing the public execution of Robert-Francois Damiens, who attempted to assassinate King Louis XV in 1757⁴. Foucault described that this 'spectacle of the scaffold' was enacted in order to reassert the power of the sovereign through a deliberately visceral and visible ceremony. However, within a century such public displays had been abandoned and instead a 'gentle way in punishment' emerged, with prisons becoming the main form of punishment characterised by routinisation, bureaucratisation and aimed at changing behaviour. This approach was directed towards the soul of offenders rather than their bodies.

The modern capital punishment is carried out away from public gaze, hidden behind prison walls. Rather than being part of everyday experience it has become part of 'abstract consciousness'⁵, accessible only through second hand reports and fictional accounts. As a result, most members of the public have become 'distantiated consumers' of the narratives and images of capital punishment⁶. This retreat from direct experience and visibility has allowed the death penalty to be reinterpreted and its representation recast and packaged by the producers of these narratives and images. For example, Foucault argued that state killing became situated within the administrative approach to justice:

A clear aim of the film was to render the execution visible. Rather than hearing about it through news reports, fictionalised accounts or glamourised depictions, the viewer is confronted with a realistic recreation.

*The guillotine takes life almost without touching the body, just as prison deprives of liberty or a fine reduces wealth. It is intended to apply the law not so much to a real body capable of feeling pain as to a juridical subject, the possessor, among other rights, of the right to exist. It had to have the abstraction of the law itself.*⁷

Whilst, Garland has argued that the use of lethal injection has deployed expert power in order to manage presentation and understanding:

*The killing state kills, of course, but it strives to legitimate these killings by representing them as something other than they are — for example, as painless, sterile medical procedures...executions have become behind-the-scenes bureaucratic procedures in which the offender's life is terminated with a minimum of pain and physical suffering.*⁸

These representations of capital punishment emphasise three points that are directly explored in Kieslowski's film. The first is that the death penalty has become invisible, carried out in private behind the high walls of prisons. Secondly, it has become detached from the body of the punished, it has become an abstraction in which the physical nature is minimised and instead it is recast as a painless and expedient judicial sanction. Thirdly, this has acted to emphasise asymmetry between the crime and punishment, representing them as different in nature and morality. Each of these will be discussed below.

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4. Foucault, M. (1977) *Discipline and Punish: The birth of the prison* London: Penguin.

5. *Ibid.*

6. Garland, D. (2010) *Peculiar institution: America's death penalty in an age of abolition* Oxford: Oxford University Press p.298.

7. Foucault (1977) p.13.

8. Garland, D. (2002) The cultural uses of capital punishment in *Punishment and Society* 4 p.459-87 quote from p. 466 emphasis in original.

absorbing sense of time and place is created. The feeling of being there through a documentary style reconstruction is a deliberate strategy. The power of this approach was apparent even on the set, where Kieslowski had to suspend production for a day as the reaction of the cast and crew to the scene was so intense. He described that:

*The sight of the execution is simply unbearable, even if it's only a pretence.*⁹

Whilst the detail of the film illustrates the bureaucratisation and routinisation of the penalty, including the preparation and testing of the gallows, the final cigarette, the last rites and the donning of the black hood, it also focuses on the pain and suffering inflicted. In his final meeting as he awaits his punishment, Jacek tells Piotr the story of his sister's death, revealing the guilt, anger and trauma that has shaped his actions but also revealing his humanity. The execution is a rough and ready affair despite its mechanisation. Jacek is restrained, shoved and wrestled to the gallows as he breaks down in desperation during his final moments. Finally, as he hangs limply from the noose, the film cuts to an almost abstract image of bodily fluids dripping into a grubby tray below his body. Through these representations, Kieslowski places the physical and bodily nature of capital punishment back in the centre stage. This is no painless and sterile process but is brutal, painful and traumatic.

By undercutting the conventional representation of the death penalty, Kieslowski starts to highlight the similarities between the acts. Both become prolonged, painful and messy acts of brutality and suffering. In discussing the film, he describes both acts as 'murder' and drew the links between individual violence and capital punishment¹⁰. In this way, he attempts to reject the distinctions and instead draw parallels, asserting a moral equivalence. As Beccaria argued, the very

legitimacy of capital punishment is called into question by this mirroring:

*The murder that is depicted as a horrible crime is repeated in cold blood, remorselessly.*¹¹

This cycle of violence was described by Foucault himself as recasting the execution as 'a hearth in which violence bursts again into flame'¹².

Kieslowski's approach is one that embraces both feelings and ideas. Through these images, representations, narratives and devices, he allows the viewer to access a space in which they are confronted with the nature of capital punishment and undergo an experience which engages them with questions about its legitimacy. He places the viewer in a liminal situation. On one hand, they are situated as a 'witness' to a murder and execution that are realistically represented rather than being stylised or glamourised. On the other hand the film provokes the viewer to experience intuitive critical, emotional and moral responses to what is represented. This makes for an uncomfortable and intense experience but also one that seeks to connect with the thoughts and feelings of the viewer, excavating their humane instincts.

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Challenging the death penalty in film

In the UK, *A Short Film About Killing* might be regarded as a relatively obscure art house film, appealing to a cultural elite. However, such an ethnocentric view would ignore its origins as a mainstream Polish television production. The original *Dekalog* series attracted an audience of around 15 million in Poland¹³ and then quickly achieved international success through television and cinema distribution.

The film was released at a time of change across Eastern Europe and at that time debate had arisen in Poland about the death penalty¹⁴. The film secured a

9. Stok (1993) p. 166.
10. Stok (1993).
11. Quoted in Foucault (1977) p.9.
12. Foucault (1977) p.9.
13. Stok (1993).
14. Ibid.

place in the public discourse supporting the abolitionist perspective. A year later, a five year moratorium on capital punishment was introduced, which later became a permanent abolition. This film is therefore an example of how film can play an important role in public debate and reform.

During the 1990s, Hollywood produced a cycle of anti-capital punishment films, including *Dead Man Walking* (1995), *The Green Mile* (1999) and *True Crime* (1999). These films adopted more dramatic, character and plot-based strategies, including humanising and developing empathy with those who face execution, or presenting them as innocent people, wrongly convicted through a flawed system. It has been argued that these films found a public space to challenge the death penalty¹⁵. However, these films have adopted a different strategy to Kieslowski, who presented no question about the truth of the conviction or the brutality of the crime; and made no attempt to use sentimentality or emotional manipulation to garner sympathy. Instead his approach relied on authenticity and confronting the viewer with and absorbing them within a liminal space capturing both the actuality and the nature of the death penalty. The viewer is implicated in the execution

and undergoes an experience that draws out an emotional and moral response¹⁶.

The spirit of *A Short Film About Killing* has been replicated most closely in the new media rather than in later cinema. The execution of former leader of Iraq, Saddam Hussein¹⁷, at the end of 2006 was heralded by Western leaders as an important step in Iraq's progress and was represented in the media as a unifying event in that country. However, surreptitiously captured mobile phone footage of the death was distributed around the world through the internet. This revealed that Hussein had been the subject of abuse and sectarian taunts, was hanged before he completed his prayers and his executioners danced a jig as he dangled from the noose. As with Kieslowski's film, this footage took a hidden practice and made it public, revealing a spectacle that rendered visible the nature of the act and the dynamics of power.

Krzysztof Kieslowski's *A Short Film About Killing* is an outstanding film about capital punishment. It used cinema to engage viewers in critically reflecting upon social issues on an emotional, intellectual and moral level, and has shown that film can play a role in changing policies, practices and perceptions.

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15. O'Sullivan, S. (2003) 'Representing "The Killing State": The death penalty in Nineties Hollywood cinema' in *The Howard Journal* 42:5 p.455-503. See also Garland (2010) for an excellent analysis of the historical, political and social structures within which the American death penalty is situated. This account suggests that the late modern death penalty exists in a chronic crisis of legitimacy as it sits uncomfortably with the liberal institutions and values of the society in which it is situated. This would to some degree account for the continued critical cinema representations during the last two decades.
 16. A similar strategy can be seen in two films that explore non-state violence and its depiction in cinema. Michael Haneke's *Funny Games* (1997) in which a middle class family are terrorised in their holiday home and Gaspar Noe's *Irreversible* (2002), an account of a rape and revenge killing. Both immerse viewers in realistic depictions of violence but also use highly stylised devices (including characters talking to camera in Haneke's film, and in Noe's film the narrative runs in reverse from the end to the beginning). In doing so they raise questions about the ways in which violence is represented and consumed.
 17. For a fuller discussion see Bennett, J. (2007) 'A Short Film About Killing Saddam' in *The Howard Journal* 46:2 p.194-6.