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# **PUBLIC EXECUTION AS THEATRICALIZED MEANS OF INFLUENCING SOCIETY FROM NEW TESTAMENT TIMES TO MODERN HISTORY**

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## **Abstract**

The article deals with the theatricalization of public executions and the social mechanism of their impact (including the role of the Church) on society from the New Testament times to modern history. Based on research results, public execution in this period is considered a national festive occasion characterized by theatricality of action and is a socio-cultural phenomenon. In the study, the authors show how government bodies and the Church use public execution as a regulatory function that can be efficient if the masses are involved in this process in one way or another. To do this, the authors systematize the types of public executions for various reasons. An attempt is made, as far as the format of the article allows, to describe the expressiveness in public punitive events and public executions according to their scripted, directorial, theatricalized and entertainment components as a tool in managing the masses. Special attention is paid to the etymologization of public executions, based on research, primarily by Michel Foucault, and biblical descriptions. The article is based on cultural and historical research into the manifestation of the phenomenon of public execution in the history of mankind. The priority in the analysis is given to European countries in the Middle Ages.

*Keywords:* pageantry, crucifixion, burning, hanging, quartering

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## 1. Introduction

The chronological boundaries of the study - from New Testament times to the beginning of the modern era - are the accepted historical designation of the period of world history between the beginning of Common Era and modern history - the English bourgeois revolution of the 17<sup>th</sup> century (1640-1660). During this period, such mass events as public torture and executions were a typical phenomenon of socio-cultural reality.

The authors believe that it is a great achievement that at present public execution (public death penalty) has not only ceased to be a public event in most countries but also there is a refusal of the death penalty executions as a form of criminal punishment at the legislative level in the most developed countries focused on the full observance of human rights. In particular, the member states of the Council of Europe signed the Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms on 4 November 1950 in Rome, according to which “No one shall be condemned to the death penalty or executed” [Protocol No. 6 to the Convention for the protection of human rights concerning the abolition of the death penalty, 28.04.1983, <http://www.threefold.ru/ru/protokol-%E2%84%96-6-k-konventsii-o-zashchite-prav-cheloveka-i-osnovnykh-svobod-otnositelno-otmeny-smertnoi>].

However, during the historical period in question, the public death penalty was very common and used with the direct participation and encouragement of the Church. Thus, the first official recognition by the papacy of the death penalty for heresy appears in the bulla papalis ‘Ad Extirpanda’ issued by Pope Innocent IV in 1252 [1]. It is also worth noting that the wording of Article 2267 of the Catholic Catechism, which was in effect until the summer of 2018, stated that “The traditional teaching of the Church does not exclude recourse to the death penalty when this is the only practicable way to defend the lives of human beings effectively against the aggressor” [*The Catechism of the Catholic Church*, 6.06. 2021, <http://ccconline.ru/>].

We believe that various methods of public execution were introduced into the socio-cultural reality of medieval society not only for the punishment of the committed crime but were also a means of suppression and intimidation of citizens. At the same time, the secular authorities, on the one hand, taking advantage of the opportunities provided by the existing legislation regarding the use of the death penalty, sometimes simply removed the undesirable people. Thus, Frederick II Hohenstaufen, the emperor of Germany, in 1231 was the first in Europe to issue the law ‘On the burning of heretics’, and soon burned several people who led the uprising in Messina. The Pope later wrote in his personal correspondence that “under the guise of heretics... there were not heretics who perished, but believers who inflicted a grave insult upon Your Majesty” [2]. On the other hand, the public death penalty had a direct manipulative effect on the masses in the interests of both secular and ecclesiastical authorities.

We think that a detailed consideration of both the functions of public execution and its methods is relevant for understanding the mechanisms of social management, influencing the spiritual life of society. Moreover, the victims supported the theatricality of this process [3], since the victim could thereby send a message to the crowd while in a hopeless situation.

Society condemned rapists, homosexuals, prostitutes, pimps, those guilty of adultery, incest, blasphemy, desecration, interruption of worship, heresy, apostasy, sacrilege, witchcraft and perjury based on both state legal and religious norms. At the same time, legal norms had to be based on religious ones, and certain laws could not be approved without the direct participation of the Church [4]. Under such conditions, the number of those executed reached enormous proportions. Thus, the bloodiest executions were the Albigenses, heretics, Spanish Moors, Jews, French and Dutch Protestants. The scale of this phenomenon is impressive. For example, 25,000 people recognized as heretics were punished in the Netherlands, 72,000 were executed in England under Henry VIII, and over 89,000 under Elizabeth [4, p. 266]; a total of about five million people died from the investigative actions of the Inquisition [5].

The study is focused only on the consideration of punishment for those types of crimes that were public and were committed against the state and Church authorities or the most condemned by the Church since the latter had a significant impact on the regulation of public relations.

In terms of the religious and regulatory components of public executions (on the example of Europe), we set the following tasks:

- analyse the functions of public executions as a theatricalized action;
- trace the presence of means of expression in public punitive events;
- systematize the main types of public executions in view of their scripted, directorial, theatricalized and entertainment components.

Research hypothesis: medieval public executions are a socio-cultural phenomenon aimed at achieving the maximum effect on society by using the means of theatrical action (strengthen the influence of the Church and state on the social and spiritual state of society).

## **2. Methods**

We conducted a qualitative study of public execution as a theatrical means of influencing European society in the period from New Testament times to the beginning of the New Age using the following research methods: analysis of scientific literature and an expert survey to assess the reliability of selected sources.

The method of analysis of the scientific literature allows one to collect a variety of information within the framework of many assessments and opinions. Considering the existing limitations in the application of the scientific literature analysis method (the quality of the selected sources, their completeness and the subjective viewpoints of the authors), an expert survey was conducted to assess the reliability of the selected sources.

At the first stage of the study, the sources of information necessary to achieve the purpose of the study were selected: articles and monographs on public executions in the historical period under consideration.

At the second stage of the study, an expert survey of 10 experts was conducted to assess the reliability of the selected sources. The selection criteria for the experts were that the experts had at least three articles on this topic published in journals included in the Scopus or Web of Science citation databases. E-mails were sent to the experts with a request to evaluate the reliability of the selected material for this study. On average, the experts rated the selected documents' reliability as high.

At the third stage of the study, based on the selected research literature, we conducted a consistent analysis of the socio-cultural functions of the public death penalty and the grounds for its belonging to pageantry, followed by the classification of public death penalty as pageantry.

### **3. Results**

#### ***3.1. Socio-cultural functions of the public death penalty and the justification of it being theatrical performance***

During the historical period in question, there were no such socio-cultural institutions as the press, cinema, television, radio broadcasting. The functions of the media were carried out by various public events [6], including public executions and torture. Public theatrical performances, which include public executions, fulfilled important socio-cultural functions in society, the main ones of which, in our opinion, were the following: ideological and educational, information and communicative, compensatory, regulating, stabilizing, and aesthetic. An integral part of public theatrical events is their collective nature, as there were always a lot of spectators who sometimes actively participated (for example, stoning in New Testament times). Thus, autos-da-fe were arranged on the main square with a huge crowd of people, in the presence of spiritual and secular nobility, sometimes the king himself with his family, aristocracy, city magistrates. It is the collective nature of the death penalty that distinguishes it from murder - the former is carried out not by the will of one person, but by a decision of the state power, that is, based on a sentence passed by representatives of the authorities or a specialized authorized body. The first professional development of the matter of the death penalty belongs to the Italian educator, the Marquis Cesare Bonesana di Beccaria (1738-1794) [7]. The idea that public executions belong to the category of public theatrical actions is also confirmed by the fact that there are three components in the structure of public executions [7, p. 45] that are characteristic of all theatrical events. This is a certain script as the literary basis of the action, performers as subjects of performing arts and spectators, who in the process of public execution turn from passive observers into spectators and participants, without whom this specific action does not fulfil its social functions.

The ideological and educational function of executions and torture at the time occupied a leading place among other functions. After all, the emotional, psychological and ideological impact on the audience of their inherent means of expression is too strong and subordinated to a certain social idea. J. Huizinga draws attention to the instructive effect of the terrible spectacle: "The cruel excitement and rude participation caused by the spectacle of the scaffold were an important part of the spiritual life of the people. These are performances with edification. For terrible crimes, terrible punishments are invented." [8]

The information and communication function was undoubtedly also significant since such public events were a form of human communication and were aimed at the exchange of verbal and non-verbal information. Thus, before the burning of the heretics, a solemn ritual began, during which the preacher warned once again the people against the treachery of the Devil and his henchmen.

The compensatory function of public executions in the era in question is also clear - the naturalism of such spectacles caused emotional stress among the audience which served as a kind of active recreation and 'adrenaline-based' entertainment, which in turn was a kind of leisure and a means of restoring spiritual and physical strength after weekdays. Thus, the trip to the place of execution was a difficult test because the people did not miss the chance to laugh evilly and mock the convicts who went on their last journey.

The publicity of the death penalty brought stabilization to society, ensuring its controlled development, which was directed by ecclesiastical and secular authorities.

In public executions there was also a place for an aesthetic factor - the public space was artistically designed, a script, suitable music, costumes and paraphernalia were created. Thus, the auto-da-fe began in the morning with a crowded procession, in which all the clergy of the city took part. Ahead the clergy carried the large banner of the Inquisition. Convicts followed the procession. The convicts carried lit candles in their hands and were dressed in long yellow robes with a black cross. On the robes of those sentenced to be burned, devils were depicted throwing heretics into the fire of hell. The condemned wore high caps, painted in the same way as their clothes.

Cesare Bonesana di Beccaria wrote about the theatrical and entertainment component of public punishments and the different impacts of such actions on the audience already in the 18<sup>th</sup> century. The Marquis argued that the death penalty was a spectacle for most people. For some, it was a matter of sympathy mixed with indignation. Both of these feelings occupied the mind of the audience more than the redemptive fear that the laws intended to evoke. At the same time, on the contrary, in mild and prolonged punishments, this redemptive fear is the dominant sensation, since there is no place for other feelings there. Beccaria goes on to conclude that the influence on the audience is the main purpose of the execution and not the punishment itself [7, p. 51].

Using theatrical terminology, the executioner and the criminal can be attributed to the indispensable characters of the death penalty as a theatrical action. In ancient times, the duties of the executioner were assumed by kings of the Asian monarchies, the Roman consuls and tribunes, and among the Jews - the royal youths, military dignitaries, accusers, witnesses, relatives of the deceased, and sometimes just the people. Likewise, in medieval Europe, the death sentence was carried out by the society itself through its representatives, and sometimes one of the judges or a relative of the murdered or murderer [9].

Both in New Testament times and the Middle Ages, the traditional place of execution, which was carried out in public, was the city centre - the central square. The execution procedure itself was preceded by a series of events that can be interpreted as a specific script: to attract the widest range of spectators, heralds and trumpeters were sent out, or bells were rung.

The personalities of the criminals themselves added to the popularity of executions among spectators. In this sense, there was certain discrimination at the time. As noted by A.F. Kistyakovskii, "in the Middle Ages throughout Western Europe, the two ruling classes, the clergy and the nobility, enjoyed the privilege of exemption from the death penalty and other painful executions: the clergy was almost entirely an exception, the nobility to a smaller degree, were subject to removal in many cases and for many actions, for which persons of other classes were subject to the death penalty" [4, p. 140]. Gradually, with the development of jurisprudence in England, the privilege of exemption from the death penalty for serious crimes extended to secular people according to the following legal function: the ability to read was a sign of belonging to the clergy (first of all, only they could read) [10]. Of course, the execution of famous people attracted more attention from the audience. "Often noblemen were convicted, and then the people got even more pleasure from the execution of inexorable justice." [8]

The theatricalization of the medieval execution also consisted in the creation of certain set pieces and costumes. It is clear that the instruments of execution were necessarily displayed to the public for inspection, but at the same time, "the authorities tried not to miss anything to achieve the greatest impression from this spectacle: attention was paid to the details of the clothes of the convicts and the means of transportation during the delivery of the convict to the place of execution" [11]. For example, Voltaire described the headdresses of heretics: "... they were dressed in a san-benito and their heads were adorned with paper mitres...", which "... were painted with flames reversed, and with devils..." [12].

### ***3.2. Classification of European penal practices (M. Foucault)***

In the context of this study of public execution as a theatrical means of influencing society, the studies of the French philosopher and historian Michel Foucault are of interest.

Exploring the features of the transformation of the essence of European penal practices and considering the works of German scholars Georg Rusche and Otto Kirchheimer ('Punishments and Social Structure', 1939) [13] on the economic justification of punitive practices, Michel Foucault formulated the structure in the form of successive types of European penal practices, defining that each type was characterized by a certain act of criminal law and the reaction corresponding to this law [14].

Within the framework of the first type of criminal punishment, characteristic of the historical period under consideration, according to Foucault, the basic act of criminal law formulated as the prohibition 'do not steal' or 'do not kill' was accompanied by the then traditional punishment in the form of the death penalty, exile, corporal punishment or fine [14, p. 18].

According to Foucault, this type, distinguished by some executions and kinds of punishments aimed mainly at the body of the criminal, characterized the European punitive system until the end of the 18<sup>th</sup> century, "the archaic form of the penal order, the system we are familiar with from the Middle Ages until the seventeenth or eighteenth century" [14, p. 20].

Foucault also constantly pointed out the theatricality that was inherent in this type of punitive practice, citing as an example the Roman *poena cullei* ('execution in a bag'), which consisted in sewing the criminal into a leather bag along with a living snake, monkey, rooster and dog followed by drowning the bag in a body of water. The punishment was frankly symbolic: the offender subjected to *poena cullei* was likened to the corresponding animals [14, p. 23].

A similar example can be given in the case of punishment in the form of being torn to pieces by predatory animals. This type is mostly associated with Ancient Rome but this punishment was widely used in Europe in the 14<sup>th</sup> century (Perugia, Rome, Florence). Tommaso Campanella, in his utopia 'The City of the Sun' (1602), proposed the use of punishment in the form of throwing criminals to be eaten by wild animals.

There are many such examples, but in the context of this study, it is worth adding that, approaching the end of the Middle Ages, penal practices, according to Foucault, "had become more reticent" [15]. As for the end of the period of the first type of criminal punishment, Foucault accurately pointed out its timing, "By the end of the 18<sup>th</sup> - beginning of the 19<sup>th</sup> century, the gloomy festival of punishment was dying out, though here and there it flickered momentarily into life" [15, p. 14]. Punitive practices are gradually ceasing to be a theatrical spectacle and the transition from 'punishment of the body' to 'punishment of the soul' begins. Branding is abolished in England (1834) and France (1832). Only flogging is used in certain systems (Russia, England, Prussia). All this marks the end of the era of the dominance of the modulation of binary legality. The idea of penitentiary or moral-religious reformation as a systemic phenomenon was already present in Europe and America, starting with the adoption in England of the penitentiary act of 1779, the creation of the first truly penitentiary institutions in the United States, the first steps towards creating modern ideas about

probation (England, 1820s), which together created a bright and spectacular smoke screen of humanization.

#### **4. Types of public executions**

Having set the goal of analysing the spectacular component of public executions, it is worth investigating and systematizing the most widely used types of the death penalty for the period in question: crucifixion, burning, hanging, quartering, breaking on a wheel, beheading, and stoning.

##### **4.1. Crucifixion**

Undoubtedly, the most famous execution in the history of humankind was the crucifixion of Jesus Christ. The Romans were not the inventors of this type of execution, which was probably an invention of the Phoenicians. The executioners stripped the one who had been condemned to be crucified, leaving only a loincloth, tied them to a wooden cross, and beat with leather whips or freshly cut rods. Then the condemned had to carry the cross to the place of execution. Usually, it was a hill outside the city or just the side of the road. They dug the cross into the ground, lifted the condemned onto the crossbar with ropes, tied them to it, and then nailed the hands. The feet were sometimes only tied, and sometimes also nailed. The torture of the crucified lasted a long time, and then (usually in the late afternoon) their shins were broken, which led to an early death from suffocation. Breathing on the cross is possible only if one raises one's sternum somewhat, leaning on one's legs. Thus, this hastened the death of convicts and relieved them of the need to guard them while expecting their natural death from dehydration or heatstroke.

Crucifixion or hanging on the cross, popular among the Greeks and Romans for its duration and suffering, was rejected by the Christian peoples as a result of the pious reminder of the Saviour's death on the cross. However, sometimes in the Middle Ages, there were manifestations of such punishment. The crosses were of two types - oblique (two poles of equal length crossed, the ends of which are dug into the ground) and straight (traditional cross). However, the essence of them is the same - to make a person immobile and doom to a slow death [11].

##### **4.2. Burning**

Burning was actively used in many countries of the world and the Roman authorities punished many of the early Christian martyrs by burning them. However, this method became prominent in the Middle Ages and was used as a punishment for religious crimes [16].

The origins of this punishment are to be found in Byzantine law, where burning was meant for the stubborn followers of Zarathustra for their worship of fire. In 1184, the Synod of Verona issued an order that burning at the stake



should be recognized as an official punishment for heresy. By the 16<sup>th</sup> century, this order was implemented by many European countries [<http://ccconline.ru/>]. The most famous burning in Russia was the execution of Archpriest Avvakum, an associate of the schism. Execution at the stake in Russia was more painful than in Europe since it was more likely not burning but smoking alive on low heat [4, p. 102]. The most famous people executed in this way were Jacques de Molay (Grand Master of the Knights Templar), 1314; Jan Hus, 1415 and Joan of Arc, 1431.

We want to highlight a special type of burning - burning in the form of images, since these actions, for example, as political performances, occur in modern society. This is a kind of execution of a verdict in absentia. The essence of the punishment by burning in the form of images was not the burning of the criminal whose personal presence was impossible for certain reasons but their effigy or images [11]. Under such circumstances, the death penalty by burning takes on especially expressive features of a theatricalized public event. Indeed, in this case, the communicative function of the execution along with the educational component becomes particularly significant. The publicity of the sentencing and execution of the sentence ensured the broadest information dissemination among residents while achieving no less propagandistic and instructive and educational results. In the modern world, there are references to the past. For example, in 2012 in St. Petersburg, a group of social activists protested against the Belarusian president. Activists burned his effigy at the Church of the Saviour on Spilled Blood. The activists dedicated their act to the workers killed because of the political events in Belarus [*St. Petersburg: anarchists burned effigy of Lukashenko (video)*, 4.04.2012, <https://avtonom.org/news/sankt-peterburg-anarkhisty-sozhgli-chuchelo-lukashenko-video>].

A popular public spectacle was the burning of heretics - the auto-da-fe. Sometimes the public ceremony of burning at the stake was especially large-scale, with dozens of heretics being burned. Usually, the condemned was dressed in grey clothes, a quadrangular hearth was set up, for which whole carts of firewood were brought. Quite often, an iron gag was inserted into the throat of the condemned which did not allow the screams of the victim to drown out the sacred music that accompanied the burning. Thus, Giordano Bruno was burned with an iron gag in his mouth [17].

However, more often the executioner saved a person from the suffering of burning alive - the compilers of the execution looked after the hearth with the help of a hook for stirring, and, as soon as the fire started, they thrust it into the heart of the victim, so that the person instantly died.

The burning should have been preceded by communion and confession. However, the thirst for revenge sometimes led to things incompatible with Christianity. In France, a person doomed to death could be denied not only communion but also confession [18].

### **4.3. Hanging**

Hanging as a form of the death penalty has been used throughout the history of mankind. The death penalty by hanging was considered a particularly humiliating, shameful death and was applied to the military who went over to the side of the enemy. Such a death penalty was very common during military operations – prisoners of war, deserters, and civilians were hanged. People were hung when suppressing riots, uprisings, and peasant unrest.

### **4.4. Quartering**

Quartering is a form of the death penalty which had to include the amputation of limbs. As the name implies, the body of the convict is divided into four (or more) parts. To attract more spectators and prolong it in time, after the punishment, parts of the body were separately exhibited for public viewing, sometimes they were carried to four outposts or gates of the city. In different countries, there were different scenarios for quartering.

In England, the traditional punishment for women for treason or adultery was burning, and for men - quartering. There were two types of crime: treason against the supreme power - the king, and adultery against the lawful owner (including the murder of a husband by his wife). In England and then in Great Britain (until 1829, it was formally abolished only in 1867), quartering was part of the most painful death penalty - ‘hanging, drawing, and quartering’ - which was imposed for especially grave state crimes, such as treason or attempted murder of the king. Only men were executed in this way. Women were burned at the stake [19].

The person sentenced to quartering was carried along the streets of the city to the place of execution stretched out on a wooden frame. Then the person was strangled, but not to death, and hung on the gallows for a short time. Then the person was brought down from the rope and disembowelled, his stomach ripped open. Only after that was his body dismembered into four parts, the reproductive organs were cut off, and then the head. For repentance and as a sign of royal favour, the script could be modified - the criminal could be quartered, cutting off the head first, and then the limbs. As a rule, five parts of the body (limbs and head) were put on public display in different parts of the city or “where the king deems necessary” as a warning [20].

In France, quartering was performed with the help of horses. The convict was tied by the arms and legs to four strong horses driven by the executioners. The horses ran in different directions and tore off the limbs. In fact, to perform this quartering procedure, the convict’s tendons had to be cut to speed up the execution. Then the body of the convict was thrown into the fire. Tearing, as a rule, was preceded by torture: the torturers tore off pieces of meat from the convict’s thighs, chest and calves with forceps [21].

In Russia, perhaps, it was practiced the least painful method of quartering: the convict's legs, arms and then the head were chopped off with an ax. This punishment was used for insulting the king, for attempted murder, sometimes for treason, and also for imposture [4, p. 254]. This is how Stepan Razin (1671), Emelyan Pugachev (1775) were executed - the latter's head was first cut off, and then his limbs. This was the last quartering in Russia.

#### ***4.5. Breaking on a wheel***

Breaking someone's limbs on a wheel was one of the types of torture and later punishment. The scenario unfolded as follows: a cross, like the cross of Saint Andrew, made of two logs, was tied to the scaffold in a horizontal position. Two notches were made in each of the branches of the cross, one foot apart. The victim was undressed, tied to the cross by the arms and legs to the boards of the cross so that the offender lay face up. Each limb lay on one of the branches of the cross, and at each joint was tied to the cross. The executioner then hit the wrists, ankles, elbows, knees and thighs with a large hammer or iron quadrangular crowbar or iron-bound wheel, breaking bones that lay just above the notch. Thus, the bones of each limb were broken in two places. This process was repeated several times, while the executioner tried not to inflict fatal blows. The execution ended with two or three blows to the abdomen and a fracture of the spine. A bloody spectacle appeared before the audience - a living heap of human flesh [18]. It was a very cruel punishment; due to his cruelty, judges often ordered the death of the convict before breaking his bones.

After hanging, breaking on the wheel became the most common (and at the same time the most brutal) form of execution in Europe from the early Middle Ages to the early 18<sup>th</sup> century. Together with burning at the stake and quartering, it was the most popular in its theatricality of the death penalty, so it was performed in all squares in Europe. Hundreds of noble people and commoners came keenly to watch the wheel, especially if women were executed [22].

#### ***4.6. Decapitation***

Decapitation is the severing of the head of a living victim. Usually, the means of execution for the executioner was a large knife, sword or axe. Decapitation was considered a 'worthy' form of execution for nobles and people of noble birth who were warriors and had to die by the sword. If the executioner chopped off the person's head with one blow with a well-honed axe or sword, then decapitation was painless and quick [1, p. 248]. As a rule, the convict gave the executioner a monetary reward so that the latter did everything quickly. When the head was cut off, the executioner raised it and showed it to the crowd. It was believed that the severed head was still alive for about ten seconds, and thus, the person's head was raised so that it "looked at the crowd" [19].

#### 4.7. Stoning or lapidation

Undoubtedly, the direct active participation of the audience required punishment by stoning or lapidation. When the condemned was led through the city, the bailiff walked along with a spear in his hand, on which a banner fluttered to attract the attention of those who could act in his defence. If such a person was not there, then the convict was stoned. Stoning was carried out in two ways: the accused was either simply stoned or raised to a high point and one of the guides pushed the accused down, and the other rolled a large stone onto the accused. This type of punishment is mentioned in the Bible.

### 5. Conclusions

In general, executions were considered nationwide occasions. Both the wheeling and quartering of state criminals, and the burning of heretics by the Catholic Inquisition were held on certain days to commemorate state holidays.

The study confirmed the hypothesis that medieval public executions had signs of pageantry to strengthen the influence of the Church and state on the social and spiritual state of society.

During the Enlightenment, the abolitionist movement against the death penalty gradually gathered support. At first, only the solemnity of the situation around the scaffold was eliminated, and uncrowded places and, if possible, morning hours of the day began to be chosen for the execution of the sentence. That is, executions lost their feature of publicity and, in fact, ceased to be a form of mass spectacle.

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