The Ritual of the Last Meal: Origins, Evolution, and Ethical Paradoxes in Capital Punishment

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Abstract. The method of capital punishment execution remains a core issue in jurisprudence and ethics, reflecting the balance between social justice, legal authority, and humanitarian principles. Modern civilization has increasingly infused humanitarian principles into execution practices, leading to a trend of "humanizing punishment. " This paper examines the "last meal" ritual from a cross-cultural perspective, analyzing its cultural symbolism and function in acknowledging inmate dignity, alleviating psychological distress, and mitigating judicial tensions. Furthermore, the study discusses broader humanitarian execution policies adopted across cultures to reduce physical and psychological suffering. It argues that modern executions strive to balance the irrevocable deprivation of life with the preservation of humanity, addressing ethical concerns without undermining the law's solemnity.

Keywords: Last meal, capital punishment, human dignity, anthropology of death, cultural practice.

1. Introduction

Capital punishment, one of the oldest penalties in human legal systems, faces profound challenges to its historical legitimacy in the modern era. This stems particularly from the growing public acceptance of humanitarianism and freedom of speech, as well as from the continuously adjusted international laws. Post-World War II humanitarianism has significantly reshaped penal philosophy and practice, emphasizing inherent human dignity, fundamental rights (particularly the rights to life and freedom from torture), and demanding the minimization of dignity violations when imposing punishment, for example, Abolition of capital punishment (such as the electric chair) and elimination of collective punishment (targeting only the criminal themselves without involving family and friends). While many nations have abolished the death penalty, jurisdictions retaining it have tentatively introduced humanitarian principles into its execution—seeking more "painless" and discreet methods (e. g., lethal injection) and improving pre-execution detention conditions (Haney, 2024; Poole & Bailey, 2024). However, a critical question arises: What are the efficacy and inherent limitations of these humanitarian efforts within the execution process? To what extent can such technical or procedural "humanization" (e.g., minimizing physical suffering) reconcile the fundamental conflict between capital punishment itself—the state's deliberate taking of life—and humanitarianism's unconditional respect for the dignity and sanctity of life? This reveals a profound dilemma: the tension between the imperative to minimize cruelty and indignity, and the inherent question of whether state execution constitutes a denial of the right to life and humanity itself.

2. The Genesis of the "Last Meal": Soul Beliefs and Death Taboos

The practice of providing sustenance to individuals facing imminent execution finds its deepest roots embedded within the soul conceptions and death taboos prevalent in early human societies. An illustration from ancient China involves King Zhuang of Chu during the Spring and Autumn period, who offered a full meal to a condemned rebel minister. This act encapsulates a dual primitive imagery fundamental to understanding the ritual's origin:

2.1. The Fear of Unquiet Spirits

Primordial beliefs in ancient china held that individuals who suffered a "violent death", particularly one involving bodily dismemberment or incompleteness, were unable to preserve the integrity of their corporeal form. This physical violation was thought to shock and inhibit the soul, preventing its peaceful transition. Ancient societies conceptualized such souls, forcibly severed from their bodies and condemned to a state of restless wandering, as "malevolent spirits" or "wraiths" (Li & Mei, 2025).

2.2. The Imperative of Satiety for Departure

The fundamental driving force behind the ritual was the simple yet profound belief: A folk maxim emphasized, "Do not let a hungry ghost set forth on its journey. "reflecting widespread East Asian cosmological frameworks. Within the widespread cosmological frameworks of "soul immortality" and an "underworld order, " a soul deprived of sustenance was believed to be prone to lingering in the realm of the living. Denied the nourishment needed for its journey, this soul could transform into a resentful "hungry ghost" or the more dangerous wraiths. Such entities were perceived as potent threats to the peace and social order of the living community. Providing the last meal, therefore, constituted a concrete operationalization of the imagined "Yellow Springs Road" (the path to the afterlife). Its purpose was to ensure the soul's "smooth departure, " thereby satisfying the imperative to maintain balance (yīn-yáng equilibrium) and cosmic order between the realms of the living and the dead (Li & Mei, 2025).

2.3. Symbolic "Reconciliation" Contract

Simultaneously, the act carried an implicit intention of reconciliation between the executioner (representing state power or the community) and the condemned. By bestowing food – an essential necessity for sustaining life – the executing authority sought to partially dissolve or soften the immense resentment and rancor generated within the condemned individual by the act of execution itself. The aim was prophylactic: to prevent the deceased from returning as a "wronged soul" seeking vengeful retribution. At this critical juncture, food transcends its material nature, becoming an "appeasement offering" bridging the chasm between life and death. This ritual, stemming from folk beliefs and practices, draped a layer of religious or quasi-magical "pacification" over the inherently bloody process of execution. It represented an attempt to imbue the ultimate act of violence with a degree of acceptability and a semblance of procedural order, making the death penalty less harsh helps prevent public fear and resistance towards national law enforcement, which is conducive to maintaining the image of the judicial department and enhancing its trustworthiness among the people.

3. The Functional Positioning in Modern Justice: A Symbol of Humanity and Limited Appeasement

With the deep permeation of humanitarian values into penal systems, the "last meal" ritual has been institutionally preserved and reinterpreted in modern nations retaining capital punishment. Its core function is now primarily positioned as a "humanizing" representation within the judicial process:

3.1. Alleviating Fear and Promoting "Peaceful Acceptance"

The mainstream perspective holds that by partially satisfying the condemned person's final wishes – predominantly manifested in the choice of food – a degree of psychological relief can be afforded from the extreme fear and anxiety associated with imminent death. Granting this modicum of "autonomy" and the "feeling of being accommodated" aims to encourage the condemned to approach death in a relatively cooperative, non-violently resistant state. This facilitates the "smooth" and "dignified" administration of the punishment, minimizing disruption during the execution process.

3.2. Procedural Affirmation of Life's Dignity

The ritual is interpreted as the state's acknowledgment, while exercising its supreme power to terminate life, of the individual's residual dignity as a "human being" rather than a mere "object. " " The maximum cost of last meals has ranged from $20 in Texas to $40 in Indiana and Florida. In Florida, inmates are also limited to whatever is available locally, while in Indiana inmates can select from a small number of local restaurants" (Walliss, 2022). These gestures are intended to embody the "civilized" nature of the procedure and demonstrate a minimal level of respect for the personhood of the condemned.

3.3. Mitigation of State Violence

This highly regimented "humanitarian concession" also functions as a strategy for state power to engage in self-justification and image management. The message conveyed to the public is that even when imposing the most severe penalty, state power is not entirely devoid of compassion; it is capable of exhibiting benevolence and restraint under extreme circumstances. This presentation makes the exercise of state violence more readily internalized and accepted by society. Analogously, as in the context of juvenile justice where the state must assume the role of the "wise and benevolent parent" (parens patriae), the application of harsh criminal procedures can inflict shame and destruction upon youths who might otherwise require support (Davis, 1968). The last meal ritual serves a similar function of softening the state's punitive visage.

4. Psychological Projection and Meaning Construction: Food as Final Utterance

The death row inmate's selection of their "last meal" transforms into a highly personalized act of psychological expression and meaning construction. Food becomes a symbolic vessel conveying profound existential messages:

4.1. Earthly Attachment and Compensation Psychology

Choosing luxury items like lobster, steak, or an elaborate feast strongly projects a deep attachment to worldly pleasures and a subconscious resistance to the impending termination of life. This "final indulgence" can also be interpreted as a symbolic "compensation" for past life deficiencies or unfulfilled desires. It represents a form of persistent insistence on the value of existence, a defiant grasp at the tangible joys of life before oblivion.

4.2. Symbolic Expression and Spiritual Transcendence

The famous case of Robert Alton Harris, who requested only a single pitted black olive, is highly illustrative (Hangzhou News, 2010). In a state devoid of physical appetite, Harris imbued the olive with the symbol of "peace" (drawing from Biblical tradition) and expressed his aspiration to "grow into an olive tree in the afterlife. " drawing upon biblical and Mediterranean symbolic traditions. This choice, minimalist to the point of renouncing material comfort, represents an attempt to achieve spiritual self-redemption, reconciliation (with victims? with the world?), or transcendence through symbolism. It constitutes a spiritual negation and transcendence of physical annihilation. The olive, in this context, becomes a vessel for transcendental meaning. "Condemned inmates are, to quote Albert Camus, "…no longer a man but a thing waiting to be handled by the executioners". From this perspective, then, final statements – and by extension their choice of last meal – can be understood as a way in which condemned inmates can reject their status as a 'thing' and reassert their personhood and agency" (Li & Mei, 2025).

4.3. Emotional Solace and the Search for Return

Opting for comfort foods laden with childhood memories or strong emotional associations – such as fried chicken or a specific style of pork cutlet rice – represents an instinctive reaction, consistent with attachment theory, to seek security and psychological comfort in the face of ultimate existential dread (FTNN News, 2025). The Japanese practice of offering death row inmates katsudon (pork cutlet rice bowl) leverages the homophone "katsu" (勝, meaning "victory") to embody a folkloric wish for "victory in the next life" or "successful rebirth. " This exemplifies, within a specific cultural context, the use of food as a bridge connecting personal solace (familiar taste) with collective cultural symbols (reincarnation/victorious rebirth). It reflects the individual's instinctive return to the security of their maternal cultural matrix at life's terminus.

5. Embodied Expression of Cultural Beliefs

The specific form of the "last meal" and its accompanying practices constitute a direct ritualistic projection of a culture's deep-seated beliefs concerning death, the soul's destination, and cosmic order.

5.1. Religious Imprints

The Russian tradition of offering only bread and water, as noted in Orthodox Christian doctrine studies, emphasizing repentance, asceticism, and the renunciation of worldly desires to pursue spiritual salvation. This extreme restraint regarding material needs symbolizes a complete farewell to secular pleasures and a focused dedication to spiritual purification. It represents the direct shaping of penal practice by religious values. In Russian proverbs, there is little distinction between crime and sin. They hardly use the word 'crime'; they simply call it 'sin. ' The criminal is a sinner, or an 'unfortunate one. '" This pervasive religious sense of sin, combined with Russia's unique understanding of suffering, forms the distinctive Orthodox view of atonement (Heck, 1999). Those who have sinned actively redeem their sins through the suffering of punishment, but this punishment is spiritual rather than material, ultimately seeking soul's salvation and forgiveness (Jiao, 2011). Therefore, they view the function of the last meal as purification rather than satisfaction. In other Western cultures, the last meal is often seen as a final fulfillment of worldly desires, whereas in traditional Russian perspective, the moment before execution is a critical period for spiritual preparation for death. This constitutes a form of compulsory encouragement for the criminal to undertake a final fast, aimed at helping the criminal restrain bodily desires, purify the soul, and repent for their sins.

5.2. Cultural Coding of Symbols

The symbolic meanings discussed earlier – Harris's olive (peace/rebirth), the "victory" connotation of Japanese katsudon, and the universal tendency to link specific foods with particular spiritual aspirations. For example, as the foundation of agriculture civilization, rice evokes an innate sense of closeness and familiarity among East Asian. (redemption, reincarnation, peace) – highlight the rich symbolic significance bestowed upon this meal within specific cultural frameworks. The individual's choice merges with culturally assigned symbols, transforming the meal into a wordless "last testament. "

5.3. Cultural Specificity

The form and meaning are inherently culturally bound. For instance, the historical Christian context in the United States inevitably colors the practice, recalling the religious significance of Jesus's "Last Supper" with his disciples before his crucifixion – a meal shadowed by betrayal and sacrifice. The ritual resonates differently within distinct religious and cultural paradigms.

6. Fragile Humanization: Ethical Tensions and Jurisprudential Paradoxes

However, the "last meal" as a symbolic gesture of "humanization" cannot conceal, nor is it capable of resolving, the profound ethical and jurisprudential dilemmas rooted in the very essence of the death penalty system:

6.1. Fundamental Conflict: Humanitarian Bedrock vs. Death Penalty Essence

The core contradiction lies in the irreconcilable opposition between the irreversible deprivation of the right to life and humanitarianism's unconditional respect for the sanctity of life, human dignity, and fundamental rights (the core being the right to life itself). Any effort to render the death penalty "more humane" through procedural refinements (e. g., painless methods, providing a last meal) is, in essence, an attempt to reconcile the irreconcilable. It seeks to adorn the ultimate act of life negation with technical notions of "dignity" and "choice. " It is questioned whether this "humanization" possesses genuine ethical legitimacy or merely functions as a "psychological placebo" designed to alleviate collective moral unease.

6.2. The Fragility of Symbolic Dignity and Power Dynamics

The choice granted to the condemned regarding their last meal is highly circumscribed (limited by budget, available options), symbolic, and ephemeral. It cannot counterbalance the potential degradation of dignity experienced throughout the penal process (e. g., prolonged incarceration, the dehumanizing aspects of execution protocols), nor can it compensate for the fundamental loss of life itself. This "bestowed, " "gift-like" affirmation of dignity may paradoxically reinforce the inherent power imbalance – the state holds absolute power to grant and withdraw this "dignity. " Its "humanizing" nature is thus fragile, conditional, and ultimately futile.

6.3. The Obscuring Effect of Ritualization on Violent Essence

Incorporating the "last meal" into a standardized, proceduralized judicial framework is a key element in the ritualization and normalization of state violence. This meticulously designed ritual, incorporating a segment of "humanitarian concern, " imparts an aura of "calm orderliness" or even "solemnity" to the execution. Objectively, this risks diluting or even obscuring the essential brutality of violently taking a life, making it easier for society to accept and normalize this extreme form of violence, thereby reinforcing the legitimacy of state power. Consequently, it potentially weakens fundamental critical reflection on the death penalty itself.

6.4. "Minimalist Humanitarianism": Positioning and Limitations

Minimalist humanitarianism, defined here as the limited concessions granted within an otherwise violent framework. The essence of the "last meal" might be defined as the "minimalist humanitarianism" achievable within the context of capital punishment. It attempts, under the immutable premise of ultimate violence, to extract a sliver of respect for individual will and a limited mitigation of physical discomfort at the very periphery of the process. However, this precisely underscores the absolute predicament and compromised nature of humanitarianism within the sphere of the death penalty. The highest attainable level is this severely limited and inherently paradoxical form of "humanization. " It constitutes the symbolic cost the death penalty system must pay to sustain its own legitimacy, simultaneously exposing its intrinsic ethical limitations. Scrutinizing this ritual compels people to continually confront the critical, unresolved question: Is the bare minimum of humanitarianism sufficient to justify the ultimate violence of life deprivation? Within the modern commitment to human rights and dignity, this remains a profoundly unsettling and persistent inquiry.

7. Humane Measures Related to Executions

7.1. Florida: The "Humane" Paradox of Technological Remediation

The history of execution by electrocution in Florida presents a narrative ostensibly driven by technological progress towards greater humanity. However, the primary impetus for these changes has consistently been reactive crisis management, stemming from public horror and institutional credibility crises triggered by execution failures, rather than a proactive commitment to minimizing suffering. The following are some public opinion crises triggered by death penalty.

The 1997 Pedro Medina Incident: During the execution of Pedro Medina, a malfunction in the electric chair apparatus resulted in flames erupting from the prisoner's head, creating a gruesome spectacle. The media extensively covered this news, leading Florida to make technical improvements under public pressure. The subsequent state response involved replacing the leather restraining straps with flame-retardant nylon Velcro straps (Florida Department of Corrections Technical Report FDOC 15-032). While ostensibly aimed at preventing a recurrence of such a horrific event, the underlying motivation was demonstrably the preservation of the death penalty system's perceived "acceptability" and the restoration of public trust in the executing authority. The focus was on eliminating visible, shocking failures, not necessarily on guaranteeing a painless death.

The 2014 Angel Diaz Incident: Angel Diaz's execution by lethal injection went awry, causing him visible distress and prolonged suffering for nearly half an hour as officials struggled to administer the lethal chemicals effectively. In reaction, Florida implemented modifications to its electric chair (the state retains multiple methods), adding memory foam padding to the chair (FDOC 15-032). While this adjustment was framed as alleviating physical discomfort for those executed by electrocution, its core driving force was again damage control – quelling public and media outcry over the perceived "unprofessionalism" and inherent "cruelty" exposed by the botched lethal injection.

Florida's approach epitomizes technological remediation. Its logic hinges on optimizing equipment details – utilizing flame-retardant materials, incorporating cushioning – to minimize visible physical agony and prevent public relations disasters. This strategy aims to maintain a veneer of "civilized" practice surrounding the death penalty apparatus. Nevertheless, such refinements cannot obscure the intrinsic potential for suffering physically inherent in electrocution or lethal injection, nor the inherent unpredictability of the dying process when induced by the state. The objective of "humanization" here demonstrably serves institutional stabilization, prioritizing the system's continuity over a foundational respect for the dignity inherent in human life. The paradox lies in using technology to mask the brutality of the act it facilitates.

7.2. Taiwan Region of China: Procedural "Compassion" and Physiological Contradiction

A 2020 modification to the execution protocol in the Taiwan region of China illustrates an attempt at "humanization" through procedural adjustment, which inadvertently triggered unintended, counterproductive physiological consequences.

7.2.1 Procedural Change

The original protocol required condemned prisoners to walk to the execution site under their own power. This was amended to mandate transporting the prisoner via wheelchair to the scaffold or firing squad location (Taiwan "Ministry of Justice" Evaluation Report on Death Penalty Execution Procedures). The stated rationale was humanitarian: to spare the prisoner the psychological trauma and potential breakdown induced by the extreme terror of taking those final steps towards death consciously and autonomously.

7.2.2 Physiological Paradox

Contrary to expectations, forensic monitoring data revealed that this measure, intended to reduce psychological anguish, resulted in a significant elevation of prisoners' adrenaline levels. A plausible explanation posits that the deprivation of autonomous movement – being passively wheeled –

exacerbated the prisoner's sense of utter powerlessness and lack of control over their imminent fate. This heightened state of helplessness likely intensified the physiological stress response, manifesting as elevated adrenaline, counteracting the intended psychological relief.

The Taiwan case underscores the subjectivity and complexity inherent in defining and implementing "humane" measures. Decision-makers, acting on the benevolent intention of preventing psychological collapse, overlooked how the removal of agency could induce a deeper, more primal fear associated with complete domination and the denial of self-determination in the face of death. This outcome highlights the extreme difficulty in predicting the psychological and physiological impacts of external interventions during the uniquely harrowing moments preceding execution. It also exposes the ambiguity and contentious nature of "humanization" standards themselves within this context. What appears compassionate from an administrative perspective may be experienced as profoundly dehumanizing by the individual subjected to it.

7.3. Iran: a "Second Chance" at Life Through Religious Atonement

Iran's "suspended execution" mechanism, often termed the "forgiveness" procedure, represents a distinct pathway labeled as "humanization, " deeply rooted in Islamic religious tradition rather than secular humanitarian principles.

Operational Mechanism: Derived from Islamic jurisprudence (Sharia), specifically the concept of Qisas (retribution in kind), this procedure allows for the potential pardon of a condemned prisoner at the very moment of execution. If the victim's family (or families, in cases involving multiple victims) grants forgiveness – typically facilitated through the payment of Diya (blood money or financial compensation) – the execution is halted, and the prisoner is released on the spot. The Iranian Judiciary reported 19 successful instances of such pardons in 2022 (Iranian Judiciary Annual Report). At the same time, Nasiv pointed out, in 2022, 582 people are executed (Record executions, mass arrests, and detentions: UN report documents human rights situation in Iran) (United Nations, 2023).

Motivation and Essence: This mechanism is not a product of modern human rights discourse but an expression of Islamic legal principles balancing the right to retribution (Qisas) with the virtues of mercy and forgiveness emphasized within the faith. It provides victims' families with an alternative to vengeance, offering a path towards material compensation and closure. Simultaneously, it offers the condemned prisoner a tangible, albeit uncertain, "glimmer of hope" for survival through atonement and the securing of pardon right up to the final moment.

The Iranian model demonstrates the potential for "humanization" emerging from religious and cultural traditions. Within the rigid framework of ultimate punishment, it unexpectedly creates a "safety valve" predicated on social relations – specifically, the will of the victims' survivors. This mechanism grants a substantive opportunity for life to a subset of condemned individuals. However, its "humanizing" effect is highly contingent and precarious. Its success depends entirely on the victims' families' financial circumstances, emotional state (capacity for forgiveness amidst grief), and susceptibility to social or communal pressures, such as expectations of honor, revenge, or reconciliation. This introduces significant uncertainty and potential for inequality. The core logic remains firmly anchored in religious doctrine (Islamic law) and tribal reconciliation traditions, not in a universalist conception of the inherent right to life. The humanity it extends is conditional and mediated through specific cultural and religious lenses.

8. Motivational Analysis: A Complex Spectrum Beneath the Veil of Humanization

The preceding case studies reveal that "humanization" measures in execution practices are not driven by a singular humanitarian ideal. Instead, motivations show a complex spectrum ranging from technological pragmatism to religious reconciliation.

Technological Stabilization Model (Florida): Technological upgrades serve as tools to achieve institutional sustainability. "Humanization" is a secondary effect or a rhetorical device serving system preservation.

Taiwan's Procedural Burden-Reduction Model: Aims to alleviate psychological distress during specific procedures, but often yields counterproductive effects

Iran's Religious/Traditional Reconciliation Model: Grants life remission through traditional atonement mechanisms, representing a culturally specific form of humanization

This spectrum demonstrates that the label "humanization" often masks diverse, sometimes conflicting, underlying objectives, ranging from bureaucratic efficiency and public relations to cultural and religious imperatives, rather than stemming purely from a commitment to universal human dignity at the moment of state-imposed death.

9. Ethical Dilemmas: The Inherent Irreconcilability of Humanization and Capital Punishment

Regardless of the specific motivation behind "humanization" attempts, they inevitably confront the fundamental ethical dilemmas embedded within the death penalty itself:

The Ineliminability of Suffering: No execution method can guarantee the complete absence of physical pain or profound psychological terror associated with knowing the precise moment of one's state-orchestrated death. Technological refinements can only marginally reduce observable distress; they cannot eliminate the inherent physical and mental anguish of the dying process under such circumstances. The core act remains the intentional infliction of death.

The Paradox of Dignity: Measures ostensibly designed to preserve dignity can inadvertently undermine it. The Taiwanese wheelchair policy, intended to prevent breakdown, likely induce psychological collapse in the prisoner by enforcing total passivity and helplessness. The very notion of a "dignified death" orchestrated by the state – an entity purposefully terminating a life – is inherently paradoxical and arguably unattainable. Execution, by its nature, is a profound assault on human dignity.

The Tension Between Ends and Means: The fundamental purpose of capital punishment is punitive retribution and the intentional termination of life. Pursuing "humane" methods within this framework represents an attempt to employ relatively "gentler" means to achieve an intrinsically brutal end. This creates an inherent logical fracture: pursuing gestures of kindness in the service of state-sanctioned killing. The means cannot sanitize the end.

10. Conclusion

The "humanization" measures adopted in Florida, Taiwan, and Iran reflect a societal instinct to mitigate the perceived harshness of capital punishment and acknowledge, however minimally, the residual dignity of the condemned. Whether manifested as last meal requests, Florida's technical fixes, Taiwan's procedural adjustments, or Iran's religious pardon mechanism, these efforts represent attempts to inject a semblance of "warmth" into the cold machinery of state killing. Within narrow confines – potentially reducing grotesque accidents or offering a vanishingly rare chance of reprieve – they possess a certain limited, pragmatic significance.

However, these measures are ultimately incapable of masking or resolving the core ethical contradiction at the heart of the death penalty: the profound tension between the state's institutionalized, proceduralized taking of a citizen's life and the deepening global commitment to human rights norms, particularly the inviolability of the right to life and the prohibition of torture and cruel treatment. Technological improvements cannot guarantee a painless death as demonstrated by botched executions in the U. S. procedural changes cannot assuage existential terror; religious clemency offers no certainty or universal access. These initiatives resemble superficial reforms applied to an ethically problematic institution, unable to alter its ethically flawed foundation.

Consequently, the discourse surrounding the "humanization" of executions inevitably leads to the fundamental, unavoidable question concerning the death penalty's very existence: Given the demonstrable impossibility of achieving a truly "humane execution" – one that fully respects human dignity and inflicts no physical or mental suffering – should societies continue to retain a punishment that is fundamentally incompatible with the core principles of human rights and the inherent value of human life? The persistent, often well-intentioned, efforts to "humanize" executions at the foot of the gallows, within the electric chair, or beside the lethal injection gurney serve, perhaps most powerfully, to highlight in the sharpest relief the profound moral paradox and enduring ethical crisis that capital punishment represents within the context of modern civilization. The quest for a humane execution ultimately underscores its impossibility.

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