[No Explanation Needed: Gendered Narratives of Violent Crime]

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ABSTRACT:

Men typically commit more violent crime than women which has led to the concept that it is a male offence. Consequently, there is a tendency to suggest that female offenders are so atypical and abnormal that they require explanation, rather than accepting that all genders are capable of violent behaviour. Women who kill tend to challenge conceptualisations of normative femininity. Accordingly, in an attempt to understand female violence, historians and criminologists have placed women who kill into explanatory categories. Female murderers have often been portrayed as 'mad', 'bad', or 'sad.' This framework is responsible for the infantilisation, monsterisation, and victimisation of violent women. It has also led to womanhood being put on trial; women are not only condemned for their crimes but also for failing to live up to feminine ideals. Nevertheless, the 'mad', 'bad', or 'sad' framework can be useful to historians as it is often the only narrative that survives. However, it needs to be recognised that while this framework allows historical perceptions of women's violence to be studied, women's narratives are often absent, distorted, or overlooked.

KEYWORDS:

1. Homicide
2. Gender
3. Punishment
4. Feminist Criminology
5. Historical Criminology
6. Narratives

Introduction

A shared observation within studies of violent crime, from both historians and criminologists, is that it is highly gendered. In virtually all times and places violence is more characteristic of men than of women. Violent crime is viewed as a male offence. Consequently, there is a tendency to suggest that female offenders are so atypical and abnormal that they require explanation, rather than accepting that all genders are capable of violent behaviour. Women who kill challenge conceptualisations of normative femininity. As a result, female murderers have often been portrayed as 'mad', 'bad', or 'sad.' This framework attempts to explain women who kill as either being insane, cruel femme fatales/bad women, or victims of a patriarchal society. An 'evil husband-murderer' could equally be seen as an act of 'self-defence against an abusive partner' or be explained away by insanity.

This chapter argues that the 'mad', 'bad', or 'sad' framework is responsible for the infantilisation, monsterisation, or victimisation of female killers. It leads to the dichotomisation of womanhood, and it condemns women not only for their crimes, but also for failing to live up to feminine ideals. This chapter begins by reviewing the sex ratios of suspects of violent crime from the middle ages to the present day, highlighting the male predominance. Secondly, this chapter reviews the issues with the 'mad', 'bad', or 'sad' framework which was created in order to attempt to explain female violence. Historicising the framework is a key contribution of this chapter. Finally, this chapter discusses work outside this framework, why the 'mad', 'bad', sad' framework can sometimes be useful for historians, and the harm caused if the framework is applied uncritically to the present day.

Sex Ratios in Violent Crime from the Middle Ages to Present

A key area of interest for social historians and criminologists alike has been the sex ratios of violent criminals. This led to the emergence of a shared observation that violence, in virtually all times and places, is more characteristic of men than of women (Godfrey and Lawrence, 2005). In the 1970s, medieval historians became interested in quantifying historic crime and criminals (Given, 1977; Hanawalt, 1979). These works sought to uncover patterns of crime and to profile the 'typical' criminal. For the first time the records of common law courts were used within their historical context as a source for social and economic historians to study crime. This new set of research questions meant that fresh methodologies were needed. As a consequence, these studies borrowed concepts, methods, and techniques that were first developed in the social sciences. Quantitative methods and statistics combined with criminological, anthropological, or sociological perspectives enabled socio-legal historians to contribute to the growing trend of 'history from below'.

Both Given (1977) and Hanawalt (1979) found that the majority of homicide suspects in medieval England were male. Hammer (1978, p. 14) also concluded that homicide in fourteenth-century Oxford was 'a man's affair' but failed to provide any further analysis, simply stating that the number of female killers 'was exceedingly low for whatever reasons.' Likewise, Green (1979, p. 138) described medieval homicide as a 'predominantly male phenomenon'. Early modern scholars have similarly found low numbers of female murder suspects. Beattie's (1975) study of crime highlighted that just 30 women were accused of murder at the Surrey Assizes from 1663 to 1802, out of a total of 334 homicide defendants. Likewise, in a monograph covering a 60-year

period in the seventeenth-century Essex assizes, Sharpe (1973) only discovered 49 women accused of murder compared to 261 men.

However, the application of quantitative methods and statistics to premodern court records in order to better understand crime was heavily criticised by proponents of traditional legal history. The socio-legal scholarship of Given (1977) and Hanawalt (1979) was criticised for using 'radical approaches' which were perceived as a threat to the rigor of the discipline of legal history. The new methods were labelled as 'fun' and 'fashionable', and their scholars were dismissed as 'playing with computers' (Powell, 1981; Post, 1987). Consequently, the use of social science methodologies in order to study premodern crime fell out of fashion with historians.

Nonetheless, since the turn of the twenty first century, social historians have once again used quantitative methods for studying crime. Butler's (2001) study of medieval spousal homicide found that over 80 per cent of the suspects were men. High levels of male-perpetrated homicide were also found by Thornton (2014) in his study of the fourteenth-century Northamptonshire coroners' rolls. In 240 entries of homicide, Thornton (2014) found that there were only 7 female suspects or accomplices. Likewise, Kilday's (2015) *Women and violent crime in Enlightenment Scotland* showed that only 57 women were indicted for homicide at the Justiciary Court from 1750 to 1815. Most recently, Brown (2021) found that 98 per cent of the suspects named by Yorkshire coroners from 1345 to 1385 were male.

Historical criminologists have observed that a male bias is typical in criminal statistics from the thirteenth to the twentieth century (Gurr, 1981; Eisner, 2014). Furthermore,

the imbalance in the sex ratios of suspects of violent crime is not limited to historical data. Modern criminologists also have to contend with small numbers of violent female offenders, especially when compared to men. Despite a huge demographic and geographic expansion compared to the historical studies, there was an average of just 57 women per annum indicted for homicide and manslaughter over the last decade in England and Wales (Elkin, 2019). Wiener described it as a 'cliché of criminology' that men were more likely to be violent than women (Wiener, 2004, p. 1). Similarly, Jordan argued that 'when we think of killing, our minds flick more readily to images of men: men as hunters, soldiers, terrorists, serial killers, and wife murderers (Jordan, 1998, p. 96). Due to the prominence of male suspects, there has been a tendency to accept that criminality is a masculine category, and this leads to the assumption that male violence is 'normal' (Walker, 2003). Violence is an accepted element of masculinity (D'Cruze et al., 2006). As suggested by Messerschmidt (1993) masculinity requires dominance and control, thus when men fail to exercise this, it is acceptable for them to resort to violence.

In the face of numerous studies all concluding that men are more likely to be prosecuted for violent crime, it could appear that little remains to be said on gender and violence. However, a traditional binary discourse of gender has led to the conclusion that if violent behaviour is expected, or even accepted, for men, then the opposite must be true for women. Connecting violence to masculinity and 'macho' culture means that when women kill it is seen as a greater problem for society and their actions are viewed as aberrant (Berrington and Honkatukia, 2002). After all, women are supposed to be the 'kinder and gentler sex' (Kruttschnitt and Carbone-Lopez, 2006, p. 322).

As a result, the image of a female killer is not as prevalent in the social consciousness (Jordan, 1998). Normalising women's violence 'endangers traditional scripts about women's appropriate place in society and gendered social boundaries' (Kruttschnitt and Carbone-Lopez, 2006, p. 322). The concept of a woman who kills can seem 'repugnant, unnatural, and unthinkable.' (Jordan, 1998, p. 96). Such views are a product of outdated beliefs regarding the purpose of female bodies. The notion of a female killer has often been difficult to accept because the supposed purpose of women is to create, bear, and nurture life. Women are not conventionally assumed to be responsible for ending life; homicide sits outside of the traditional composition of female roles (Knelman, 1998; Jordan 1998). Conventional concepts of gender have led to the conclusion that female criminality is perceived as aberrant and there must be something 'wrong' with a woman who kills. Therefore, a sane and rational woman could not conceivably commit fatal violence (Jordan, 1998).

Studies of female killers show that their victims are often their husbands or children, which challenges the 'traditional' roles of women as wives and mothers (Seal, 2010; Johnson, 2018). In the nineteenth century, there were moral panics concerning the corruption of the domestic sphere and the 'uncontrolled women wreaking havoc on their families' (Nagy, 2014, p. 215). Women who killed men, especially their husbands, 'evoked fears of sexual anarchy and decreasing patriarchal authority' (Robb, 1997, p. 177). When women killed their husbands, particularly if they entered into a new relationship afterwards or if they killed alongside a lover, they were undermining the sanctity of marriage (Watson, 2010).

If violence is part of masculinity, then it follows that a violent woman ‘violates norms of femininity’ (Seal, 2010, p. 1). Consequently, when accepting the idea that violence is not a female trait, this leads to a propensity to suggest that the offences of women are so atypical and abnormal that they require explanation, instead of acknowledging that all genders have the capacity to commit violence (Walker 2003; Brown 2021). As outlined by Flower (2003) and Putallaz and Bierman (2004), scholarship on violence has often embraced this gender binary and cast men as perpetrators and women as victims. Accordingly, to try to understand female violence, historians and criminologists have placed women who kill into explanatory categories. Mitigating factors have often been readily assumed for homicides with a female perpetrator or suspect, such as accidents, self-defence or even that the action was ‘hormonally induced’ (Jordan, 1998, p. 96).

Myers and Wight (1996) argued that the idea of criminalising women is connected to anxieties concerning the breakdown of society and the abandonment of traditional gender roles. As a result, excessive storytelling is needed to explain away violent women. There are three recurrent discourses that were constructed in order to make sense of female violence. These are psychopathology, deviance, and victimisation (Africa, 2010). This framework is more commonly referred to as ‘mad’, ‘bad, or ‘sad’ (Noh et al., 2010; Weare, 2013; Mathieson, 2020). Shapiro (1996) argued that in order to understand modern assumptions made about women’s violence one must fully study the history of the discourses surrounding female criminality.

Mad, bad or sad framework

This chapter now explores the three narratives of ‘mad’, ‘bad’, or ‘sad’ in turn, beginning with the narrative of madness. It has been shown that female violence can be easily explained away through a judgment of insanity (Mathieson, 2020). This narrative offers an ‘appropriately feminine rationale’ for violence committed by women. The concept of madness is centre to beliefs concerning femininity and women (Potts and Weare, 2018). As outlined by Henderson and Thornicroft, ‘women…are determined by their biology and their physiology. Their hormones, their reproductive role, inexorably determine their emotionality, unreliability, childishness, deviousness etc. These facts lead to female crime’ (Henderson and Thornicroft, 2009, p. 112). In her 1992 monograph, *Woman’s madness: Misogyny or mental illness,* Ussher shows how the diagnosis of female killers as insane serves as a way to perpetuate traditional gender expectations. As violence or aggression are at odds with femininity, the narrative of madness can offer an explanation; violent women are not in control of their senses. If female killers have to have ‘an inherent psychological defect’ this ‘forever equates femininity to madness’ (Ussher, 1991, p. 172).

The narrative of madness often appears in cases of infanticide. It can help to explain the ‘unexplainable’, why a mother would kill her child. This crime was viewed as so abhorrent that it could only be understood via insanity (Allen, 1987; Wilczynski, 1991). A woman accused of infanticide is likely emotionally and physically exhausted, and ‘feelings of guilt, fear of discovery and shame often compound the trauma’ (Wilczynski, 1991, p. 76). However, as explained by Wilczynski, ‘it is fallacious to equate the undeniable emotional and physical upheaval of the birth with mental illness, or even temporary insanity’ (Wilczynski, 1991, p. 76). Similarly, through invoking the notion of battered woman syndrome in cases where a woman killed an abusive partner the

narrative is fixed on ‘mental imbalance or illness… rather than a rational agent acting in self-defense’ (Pelvin, 2019, p. 351). It has also been argued that ‘by excusing rather than justifying their violence’, ‘women are denied agency, and lose the self-determination they were trying to gain in committing the act’ (Pelvin, 2019, p. 351).

An overreliance on the discourse of ‘madness’ neutralises the responsibility of female killers (Pelvin, 2019). The agency of women who kill is completely removed when their actions are explained as a result of ‘inherent cognitive or emotional defects’ (Ussher, 1991, p. 172). There are similarities with the discourse used in clemency petitions for black men which suggest that their ‘nature’ is responsible for their crime. This narrative infantilises the defendant removing their agency and responsibility (Seal and Neale, 2020; Brown, 2020). Moreover, using the defence of insanity also ‘sees violent women at the mercy of their hormones or their biology’ (Berrington and Honkatukia, 2002, p. 53). Employing a narrative of madness can also ‘obscure rather than explain’ the reason for the violence. Another consequence is that ‘there is no need to look beyond this [madness] to wider social and economic problems’ (Wilczynski, 1991, p. 84).

Before assessing the second part of the ‘mad’, ‘bad’, or ‘sad’ framework, it must first be highlighted that the narrative of insanity, especially the gendering of this concept, has changed over time. The connection between women and insanity was cemented in the nineteenth century with cultural and medical views that women were more susceptible to mental disorders (Tasca et al, 2012). In contrast, in late medieval England, the defence of insanity is rarely found in court rolls. While unusual in cases of homicide, the narrative of insanity was sometimes used in cases of premodern suicide. Nevertheless, the numbers were small, both in terms of the percentages of

cases which mention insanity and in the number of suicides overall. In late medieval England insanity was mentioned for just 13 per cent of the men and 17 per cent of the women who were indicted for suicide (Butler, 2006). Another trope of the insanity narrative, as seen above, is for it to be invoked in cases of child murder or infanticide. Butler argued that medieval jurors thought a mother who had committed child murder must be insane in order to violate the 'sanctity of the mother-child bond' (Butler, 2007, p. 76). However, Kesselring maintained that the majority of women in early modern England who were indicted for killing their infants were 'treated as murderers, pure and simple'. (Kesselring, 2015, p. 10).

The second explanation for acts of female violence is to classify them as resulting from 'bad' versions of womanhood. Due to the fact that women commit less violence compared to men, women's violence is newsworthy and thus often sensationalised. Female transgressions that were seen to be exceptionally heinous could be explained as the act of a cruel *femme fatale* (Seal, 2010; Weare, 2013). A female killer invokes a 'double fascination'; the crime both titillates and horrifies (Naylor, 1995, p. 80). The evil woman hypothesis outlines the notion of 'double deviance'; female criminals violate both gender and legal norms and will face harsher treatment by the criminal justice system (Visher 1983; Erez, 1992). Likewise, Berrington and Honkatukia (2002) explained that when committing acts of violence women are viewed as 'doubly deviant' and often demonised by the press. This is because violent women have not only broken the law, but they have also 'transgressed the norms and expectations associated with appropriate feminine behaviour' (Berrington and Honkatukia, 2002, p. 50). O'Neill and Seal (2012) argued that the narrative of 'double deviance' is heightened when a woman's offence is violent.

The narrative of the bad woman focuses on the failure to abide by traditional femininity. When female murder suspects are painted as ‘bad’ women, the prosecutors tend to highlight the unfeminine character of the defendant (Nagy, 2014, p. 217). Using bad language, being ungroomed, drinking, aggressive behaviour, and promiscuity were all tropes ‘associated with the stereotypical fallen woman’ in the Victorian era (Nagy 2014, p. 224). The ‘bad girl’ stereotype is often associated with aggression and masculine appearance (Van Wormer, 2010). This stereotype could be pushed to the extreme through the monsterisation of women who kill. The female murderer is ‘transformed into a monster’ and stripped of human agency; she is now ‘outside society threatening the mainstream, rather than one of its members’ (Morrissey, 2003, p. 25). These narratives confirm that ‘female aggression has no place in our culture’ (Naffine, 1997, p. 147).

Women, especially when they have committed crimes, are often polarised as good or bad: ‘madonna/whore, the gentler sex or the more deadly species: Snow White/the Wicked Queen’ (Naylor, 1990, p. 5). If the homicide suspect was branded a ‘bad’ woman, they would receive harsh treatment, and a much worse portrayal than men, in the media (Naylor, 1990). Connected to the evil *femme fatale* is the narrative of the female poisoner. Whorton (2010) discovered that while roughly equal numbers of men and women were thought to have used poison when tried for homicide, there was a cultural anxiety surrounding the female poisoner. Suddenly, women are able to exercise power against men who are unable to protect themselves (Robb, 1997; Knelman, 1998). It was even thought that women were members of ‘poisoning rings’ where they could share recipes (Robb, 1997).

However, these cultural anxieties and the resulting narratives are era specific. The narrative of a ‘bad’ woman is absent in medieval coroners’ rolls and gaol records. In fact, the only time lengthy narratives appear in homicide cases in fourteenth century Yorkshire is in cases with a male suspect (Brown, 2021). Nonetheless, the dichotomy between good and bad women can perhaps be seen in the judicial outcomes. Women in premodern England ‘were seemingly completely innocent or wholly culpable’ (Walker, 2003, p. 143). Premodern women were either acquitted or executed; they were innocent or guilty – there was typically no scope for nuanced explanation (Brown, 2021). By contrast men could be pardoned, or after 1512 receive the lesser charge of manslaughter. This is because the narrative of self-defence was connected to masculinity and male honour (Walker, 2003; Brown, 2021; Brown, 2022).

The notion that only men can justify their violence has shifted. Feminist analysis has reversed the ‘mad or bad’ narrative by presenting female criminals as the victims of a patriarchal legal system and society. Edwards has argued that ‘most violent crimes committed by women are not an exercise in power but an exercise in helplessness’ (Edwards, 1986, p. 86). An alternative to the evil husband-murderer is an act of ‘self-defence against an abusive partner’; a premodern woman with few legal rights may have had no other option. Likewise, infanticide could be shown as the ‘concealment’ of an illegitimate child by a desperate, perhaps even destitute, mother. Suddenly the blame has shifted from the violent woman to the ‘society that would drive them to commit such terrible a crime’ (Johnson, 2018, pp. 91-107).

On the one hand, it is important to understand the context and society in which a crime is rooted; the motivations and circumstances of violent crime are of equal interest to historians and criminologists. However, holding society responsible for female violence not only removes women's accountability and agency, but also offers a tolerance that is not always afforded to their male counterparts (Brown, 2021).[1] Agency and victimisation are not compatible. Having agency means being able to act for oneself without oppression; 'you are an agent if you are not a victim, and you are a victim if you are in no way an agent' (Mahoney, 1994, p. 64). As reinforced by Africa (2010), the 'concepts of agency and victimisation oppose each other'. Accordingly, reducing women who kill to victims is to deny them agency and perpetuate the 'stereotypical notions of femininity which hold that women are passive and helpless' (Africa, 2010, p. 82).

Traditionally there has been a general reluctance among feminist scholars to recognise that patriarchal legal and social structures are not always to blame for female violence (Morrissey, 2003). This has allowed gendered narratives to continue to be reproduced in the courtrooms and newspapers. It has also contributed to the silencing of women. Kruttschnitt and Carbone-Lopez (2006, p. 322) highlight that 'few scholars have actually examined how women depict and characterize their involvement in violent crimes and even fewer have moved out of the realm of what might be considered the somewhat atypical act of violence'. The findings of their study were that the reasons for women's violence are diverse and much more complex than simply being the product of victimisation. Women's narratives highlight that it is

[1] Exceptions are in cases where the defendant is a privileged, white male, for can have their own 'excusing' narratives.

methodologically problematic to ‘essentialize stereotypic views of gender in the study of violence’ (Kruttschnitt and Carbone-Lopez, 2006, p. 321).

Criminological studies, such as, Kruttschnitt and Carbone-Lopez (2006) are able to progress the ‘mad’, ‘bad’, or ‘sad’ framework by interviewing women and examining their own views and experiences. This can reveal a plethora of reasons which enables scholars to move beyond rigid stereotypes based on traditional views of gender. On the other hand, historical data provides many methodological problems such as the inability to interview the offender, the lack of testimony, and issues with reported speech. In historical, male voiced sources there often is no opportunity to study women’s narratives of their offending. Premodern court records are often painfully brief, merely summarising the criminal, the victim, and the offence. There is very little commentary on motives and when this is included it usually appears in cases with male suspects (Brown, 2021). While it can be challenging to uncover women’s reasons and experiences, historical work still has value in exploring societal conceptions of gender and crime, many of which are still influencing the courtroom and the media today. For this reason, the ‘mad’, ‘bad’, ‘sad’ framework can actually be incredibly useful to both historians of crime and criminologists, albeit while adapting that framework in line with new criminological findings.

Nonetheless, historical criminologists are also able to move beyond the ‘mad’, ‘bad’, or ‘sad’ model by examining wider types of women’s violence. By using a feminist framework, Seal (2010) expanded the ‘mad’, ‘bad’, or ‘sad’ structure. Seal (2010) chose to focus on ‘unusual’ female murderers, that is women who killed friends, acquaintances, strangers, other relatives, or other people’s children. This allowed for

the study of female perpetrators who do not instinctively garner sympathy. Importantly, it also expanded the scope beyond women in heterosexual relationships, who are inevitably the subject when studies focus on women charged with killing their husbands or children (Seal, 2010). Both the narratives of ‘mad’ and ‘bad’ are typically connected to women who have ‘failed’ in their roles as wives and mothers and transgressed the traditional view of femininity. While it can be difficult for historical data to shed light on women’s views and experiences, our understanding of how social concepts of gender interact with perceptions of violence can be advanced by studying a diverse group of women and different types of female violence.

In summary, it is inescapable that men commit more violent crimes than women in virtually all times and places (Godfrey and Lawrence, 2005). Since men dominate statistics on violent crime, feminist scholars have argued that criminological methods were designed to study men, not women. Schram and Tibbetts (2013) outlined that as existing criminological research methods and theory were based on the idea that men commit violence crime, if female offenders are simply added without any modifications to the methodology or theory, then the result is the marginalisation of female criminality (Schram and Tibbetts, 2013, p. 299). Alternatively, the notion of constructing a new framework for female killers is equally problematic. The obsessive need to ‘explain’ female violence while accepting male violence as normal is harmful to all genders. As noted by Walker (2003), the link between masculinity and criminality had scarcely been addressed. Although it is statistically true to state that men are more likely to be prosecuted for violent crime than women, this statement raises more questions than it answers (Gartner and McCarthy, 2014). The study of crime can be best described with the observation that ‘masculinity is everywhere but nowhere’ (Tosh, 1994, p. 181). The

concept that male violence is normal or acceptable provides a level of toleration which is not afforded to women. It also removes male agency by implying that men cannot help being violent; that violence is in their nature, and they are powerless but to offend.

A focus on traditional gender binaries can also lead to a fix notion that men are perpetrators and women are victims. While there is empirical evidence to support that men do commit more violent crime than women, the potential for statistics to be shaped by societal notions of gender must also be considered. A recent report highlighted that positive discrimination and social constructions of gender are still distorting female involvement in violence. Despite estimates from the Office for National Statistics that up to half of the members of criminal gangs are female, the database of the Metropolitan Police lists 3,000 male gang members known to the authorities in London, compared to just 18 females. The former Children's Commissioner for England, Anne Longfield, said that girls were less likely to be stopped and searched by the police.[2] In addition, the 'Compass Programme' is seeking to address the fact the domestic violence against men remains underreported. Research lead, Sarah Wallace said this is due to the stigma of appearing 'unmanly' and failing 'to live up to masculine ideals'.[3] Due to gender stereotypes, men are often not believed when they report an abusive female partner (Dutton and White, 2013).

While it is important not to universalise the male experience, employing stereotypical gender roles when studying, or prosecuting, crime is problematic. The compulsive

[2] https://www.bbc.co.uk/news/uk-47952075
[3] https://www.bbc.co.uk/news/uk-wales-47252756
https://www.southwales.ac.uk/news/news-2019/work-usw-researchers-guiding-support-male-abuse-victims/
https://www.telegraph.co.uk/news/2018/11/22/growing-number-men-reporting-domestic-violence-police-ons-figures/

categorisation of women who kill stems from the perceived need to explain female violence. Criminologists and historians often compartmentalise crime as either ‘male’ or ‘female’. Offences that are typically labelled as ‘female’ crimes include property crimes, scolding, infanticide, and witchcraft. By labelling some offences as ‘feminine’, the remaining crimes are implicitly ‘masculine’. The predominance of men in statistics of violent crime seems to support its classification as ‘male’ crime. However, the binary gendered categorisation of crime is fundamentally flawed. As shown by Walker, women were more likely to participate in ‘male’ rather than ‘female’ crimes. For example, for every woman indicted for infanticide or scolding in early modern Cheshire, ten women were charged with assault (Walker, 2003, p. 4).

Summary

The fact that few women appear in the criminal justice system in connection with violence compared to men has led to the idea that when women do appear in statistics of violent crime that they are somehow ‘out of place’ and require explanation (Worrall, 1981; Walker 2003; Brown 2021). As a consequence of the alleged necessity to explain female violence, the ‘mad’, ‘bad’, or ‘sad’ framework has emerged. This chapter has reviewed the numerous issues with this framework such as the infantilisation, monsterisation, or victimisation of women. Also, by creating a separate framework for female violence, one overlooks the fact that ‘expressions of male and female offending share many similarities’ (Kruttschnitt and Carbone-Lopez, 2006, p. 345).

A distinct ‘female’ framework has resulted in femininities being constructed in court (Scheppelle, 1988). There is not just a binary discourse between male and female

killers, but an additional divide between ‘good’ and ‘bad’ versions of womanhood. (Nagy, 2014, p. 226). In a courtroom or the newspapers, the ‘bad’ woman is perceived as stepping outside of acceptable female roles; she deserves to be treated punitively for not living up to feminine ideals (Worrall, 1981, p. 91). In opposition, the women who are able to have their crimes excused through narratives of madness or victimisation can still be viewed as ‘good’ women and be treated sympathetically (Wilczynski, 1991, p. 84). Female killers are dichotomised: good/bad, madonna/whore, fair/deadly (Heidensohn, 1985, p. 90; Edwards, 1981, p. 49).

This dichotomisation of ‘good’ and ‘bad’ women has real consequences today. While all persons are supposed to be treated equally before the law, ‘contemporary normative gender ideals are still part of the legal narratives of women accused of murder’ (Nagy, 2014, p. 225). Moreover, it has been argued that the criminal justice system has allowed society to have greater power over women through ‘patrolling and controlling the boundaries of the female gender role’ (Morris, 1988, p. 171). Conversely, although the ‘mad’, ‘bad’, or ‘sad’ framework has its problems, it can also be extremely useful, especially for historians of crime, if it is analysed for its historical meaning. It is often the only narrative that survives and reveals legal, social and cultural attitudes. However, it is vital to remember that what is being studied is historical perceptions of women’s violence, and not female motivations for offending. Premodern and Victorian sources are typically male voiced. Therefore, they can help the historian to gain an insight into socio-cultural perceptions of female violence, but women’s narratives can easily be absent, distorted, or overlooked.

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