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<https://doi.org/10.37099/mtu.dc.etr/17>

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IDENTITY AND RITUAL: THE AMERICAN CONSUMPTION OF TRUE CRIME

By

Rebecca Lee Frost

A DISSERTATION

Submitted in partial fulfillment of the requirements for the degree of

DOCTOR OF PHILOSOPHY

In Rhetoric, Theory and Culture

MICHIGAN TECHNOLOGICAL UNIVERSITY

2015

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This dissertation has been approved in partial fulfillment of the requirements for the Degree of DOCTOR OF PHILOSOPHY in Rhetoric, Theory and Culture.

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Abstract

This dissertation examines the consumption of crime narratives in America, from seventeenth century execution sermons to the contemporary genre of true crime. These crime narratives serve to encourage orientation of the community toward the figures involved, including criminal and victim, and adapt with changing cultural and social norms. In responding to situations that have disrupted communal order, the crime narrative functions as a restoration ritual that aids members of the community responding to and recovering from the presented threat: a crime or transgression of taboo. While early religious texts focused on the figure of the criminal, a community member that has been misplaced or given power that he should not possess, secular texts began to incorporate and establish the role of the victim within the crime narratives. These texts present us with the genesis of putting the victims' innocence on trial along with the question of the criminal's guilt. It relies on interpretative formats of the victims' biographies to support the criminal's actions and even earn them acquittals in court. Every aspect of the victim – from body to biography and including race, class, and gender – functions as clues and evidence to both identify the criminal and label the victim as complicit in his/her own demise. The ritual thus functions to reinforce preestablished notions of guilt, innocence, and justice.

The contemporary true crime genre, often thought to have originated in the twentieth century, instead draws on these historical texts, their orientations toward criminal and victim, and their function as restoration ritual, creating the true crime genre as the contemporary reenactment or response to communal upheaval. The attitudes present within contemporary true crime reflect the long history of the consumption of crime narratives on American soil. Best-selling true crime books such as *In Cold Blood* (1966), *Helter Skelter* (1974), and *The Stranger Beside Me* (1980) support this established communal orientation toward criminals and victims. The more recent *Green River, Running Red* (2004) serves as an example of how embedded these beliefs and orientations have become, proving their adherence to the ritual and reinforcing its role of affirming cultural beliefs in justice, guilt, and redemption, regardless of the criminal's or victim's individual identity or relative situation.

Introduction

On November 15, 1959, four members of the Clutter family of Holcomb, Kansas, were murdered in their home. Friends and neighbors mourned the senseless deaths of Herbert, his wife Bonnie Mae, their daughter Nancy, and son Kenyon, reacting to a crime committed in their own town. These murders, and the subsequent capture of two ex-convicts six weeks later, may have only impacted Holcomb, or perhaps the state of Kansas, except for the fact that Truman Capote read about them in his local newspaper. Capote went on to interview the captured criminals and publish *In Cold Blood*, first in the *New Yorker* in 1965 and then as a book in 1966. A movie version followed in 1967, and *In Cold Blood* went on to become the second-bestselling true crime book of all time. True crime enthusiasts frequently credit Truman Capote with inventing the genre.

Not every true crime account creates such lasting impact. Authors with diverse claims to authority construct narratives that respond to public outcry seeking why and how this could happen, why and how anyone could commit acts of such depravity. These authors work to shape the events into narratives that are palatable to the American audience, narratives that ultimately work to reassure citizens of their safety and restore order to threatened communities.

Historically this reassurance has taken place either on public platforms via delivered speeches or through written forms, such as newspaper articles, books, and pamphlets, in which an author who may or may not personally know the criminal shapes the narrative delivered to the public. The first evidence of a published crime narrative is a 1674 execution sermon that would have been preached to the community in which the

condemned criminal lived, directly prior to his being hanged (Brewin 136). Today's criminals can take their narratives and the act of publication into their own hands, writing or recording at will, creating documents to be placed on the internet or discovered after execution of the crime. This act of creating the personal narrative draws on a long history of American crime narratives' act of interpretation, especially the fact that, historically, American crime narratives center themselves on the criminal and educate audiences about how to orient themselves in relation to him/her.

Since the first published crime narratives, the criminal has been a set figure, with a stable narrative that has led to contemporary true crime being described as "murder by numbers" (Seltzer 35). The criminal – often male, often a murderer, and at narrative best a serial killer – is interchangeable with other criminals, with his biography and motives falling into a certain category of norms. The act of reassuring the American public through narrative depends on a specific kind of criminal and a specific way of presenting his story, a ritual that has been used for hundreds of years.

It is the victims who differ and change from narrative to narrative and crime to crime, and thus the victims who save one narrative from being exactly like another. While the criminal's story reflects static constructions of identity, the victims move and shift, causing judgment of the crime to rest on the identity of the victim. The narrative of crime is now complicated by recent insistence that we name the victims in lieu of focus on the criminal. I argue, however, that this phenomenon developed because it has been the criminal's story that orients us. It has been the criminal narrative that sets up and promises a reassuring end; a satisfactory set of expectations and stabilizing function. Historically, then, the victim's humanity was erased, if not the entire victim and even the crime itself,

while the criminal remains present conditions and the promise of resolution. The role of the victim's identity would emerge in forms that complicate audience expectations, particularly in light of gender, class, and race. Such investigations deserve more academic attention not highlighted in this inquiry. Instead, this dissertation project focuses on the stabilizing function of crime narratives and true crime, both through the stable characteristics of the criminal's narrative and the history of fluctuating, shifting representations of the victims.

Chapter One – American Crime Narratives, Past and Present

I was initially drawn to crime narratives via the story of Jack the Ripper, the mysterious figure who murdered anywhere from three to nine prostitutes in the East End of London in 1888. Although murder was common in the poor slums outside of London, the Ripper literally made headlines due to the surge in newspapers and newspaper sales, as well as the notoriety and fame achieved through the letters written to those newspapers, boasting of bloody deeds and giving the criminal his name. There are over one hundred books about the incident, many of them claiming to name the Ripper, and after the first, I was hooked.

Since Jack the Ripper's identity is indeed the focus of many of these texts, it was three years before I realized that this attention came at the expense of his victims. It is generally agreed that the Ripper did indeed kill five of them, poor prostitutes all, and each victim has hardly a paragraph or two to her name before ending up slaughtered on the cobblestones, carted off to a workhouse mortuary, and examined for clues, such as could be found in the Victorian era. Her identity as a living woman mattered only in the way that it caused her to cross paths with the Ripper and become evidence in the search for his identity. Once I realized that this was evident in so many Ripper texts, I began to look for similarities in other books in the true crime genre.

Contemporary true crime contains narratives of all manner of crime, including thefts and cons alongside murder, but the figure of the serial killer lends himself to an extended narrative. Any serial crime provides an author with the chance to dwell at length

on each incident, piecing together the crimes and legal action that, of necessity, take place over a longer timeline than apprehending a criminal after a single act. Serial crimes lend themselves to an extended mystery, with multiple opportunities for authors to discuss such generic staples as clues, evidence, forensics, and motive. The vast majority of serial killers are identified and apprehended before the narrative's publication, but Jack the Ripper was never identified, and provides nearly endless opportunities for authors to stake their claims and name his "real" name.

True Crime: An American Genre

Despite the era and country in which Jack the Ripper wielded his knife, true crime as a genre proved to be a century younger and mainly American, rising to popularity in the 1980s and concerning itself largely with the figure of the serial killer, only first labeled as such in the 1970s. Serial killers and true crime were thus seen as recent American developments, with historical figures like Jack the Ripper as outliers. America's fascination with crime, then, appears to be only a handful of decades old, steeped in blood of multiple victims for every murderer, and often declared a passing fad with little or no cultural value.

This was the representation I expected when I picked up Jean Murley's *The Rise of True Crime: 20th-Century Murder and American Pop Culture* (2008) and, as indicated by the title, is indeed largely the focus of the book. In her introduction, however, she casually mentions Puritan execution sermons as the genesis of American crime narratives with such a throwaway comment that, when I began this project, I assumed I would be able to summarize this history of the American crime narrative in a single chapter, drawing on

work I presumed had already been done by others as a foundation for my main argument. Murley's brief comment about execution sermons and trial reports made me think that a clear line had already been traced through the various forms of American crime narrative.

Further investigation showed that, while execution sermons and trial reports have indeed been the subject of academic study, scholars tend to focus on one form and confine their research to the timeline in which that form was printed. Karen Halttunen covers the transition from religious execution sermon to secular trial report, ending her timeline in the nineteenth century long before the American true crime boom. While she and other scholars have mentions here and there of the ways in which the texts they reference show similarities to twentieth century true crime, these comments are as offhand and throwaway as Murley's concerning execution sermons. Although connections between the various printed narratives have been acknowledged, no argument has been made for a solid connection through the various formats reflecting American approaches to crime narratives and their subjects and establishing the orientations and fascinations we see carried through to violent acts today. That is what this project sets out to address.

I propose that contemporary true crime books fulfill the same function as past printed crime narratives, including the execution sermon, the trial report, and newspaper articles, despite the differences between each printed form. This project argues that crime narratives act as restoration rituals within American culture, responding to events that have disrupted public feelings of safety and community. Although some of these causes have changed over the years, especially with the transition between religious and secular law, murder has remained a consistent threat to feelings of communal safety and requires attention from an authoritative community member – a minister, a judge, a reporter, an

author – to present the criminal act and resulting consequences in such a way that reassures the community and directs communal emotions about crime, criminal, and victims.

By tracing the American crime narrative from its first instance on American soil through true crime of the twentieth and twenty-first centuries, I examine the ways in which the restoration ritual following a crime changes to suit the contemporary culture, as well as the ways in which it remains the same. This includes questions of representation of the criminal and the victims; generic tropes within crime narratives that develop, change, continue, or are dismissed; and the ways in which authors wield their authority in shaping the narrative and directing the audience's response to it. I aim to show that many elements commonly associated with twenty-first century true crime have their roots in earlier centuries and have thus been part of American culture for longer than "true crime" has held shelf space in book shops and libraries.

Chapter Two, Rituals and Spectacle: The Origins of the Criminal in Crime Narratives starts at the beginning of the printed American crime narratives with the Puritan execution sermon. Since printing presses in New England were held in a monopoly in the seventeenth century, only religious texts were produced, and the execution sermon – preached to the local community before the sentence was carried out and published for wider distribution afterward – was the original means of addressing crime within a community. Because these communities were religious and close-knit, those listening to the execution sermon knew the condemned criminal and were often personally affected not only by the execution, but by the crime preceding it. Since the law in effect was religious law, crime and sin were interchangeable and all community members were asked to think

of their own sins and thus relate to the criminal, whose actions differed in degree but not in kind.

The execution sermon, on the surface, does not seem to have many similarities with contemporary true crime. It was spoken and written by a minister, who drew his authority from his position within the religious community, and addressed the criminal's spiritual life, not mentioning either the crime or the victims. The culture in which these crimes were committed and these sermons written had specific requirements for the restoration ritual, in which the criminal had to be reintegrated into the community s/he had harmed with his/her crime before his/her rightful execution. It was expected that the criminal would both confess and act as a model citizen during the execution ceremonies, playing the proper role for the established ritual. The execution sermon thus introduced the crime narrative's focus on the criminal and the need for such a narrative to restore feelings of order and safety to the effected community, two elements that have remained important in American crime narratives of all forms since.

Chapter Three, Evidence: The Role of the Victim moves forward in time, away from the religious execution sermon and on to the secular trial reports and newspaper articles. The culture in which these crimes and narratives take place has changed, since the authors are no longer ministers and their audiences are no longer tightly-knit religious communities. The introduction of the adversarial trial altered the American approach to crime, since criminals no longer regularly gave confessions and instead began to protest their innocence, even after trials had found them guilty. These changes to the judicial process were reflected in the trial reports and newspaper articles, written by people who gained authority by attending the trials in question.

Unlike execution sermons, these secular crime reports contained information about both the crime and the victims, even as they continued to center their focus on the criminal. Of special interest is the approach to the victims of these crimes, who were gradually portrayed in a more negative light. In the middle of the nineteenth century, two prostitutes – Helen Jewett and Maria Bickford – were murdered in separate incidents and their profession was emphasized in all reports. The young men ostensibly responsible for their deaths were acquitted, highlighting the class difference between accused criminal and murdered victim and introducing the figure of the prostitute as victim complicit in her own demise as a factor in restoring feelings of communal safety for readers who themselves had other forms of income.

Chapter Four, Power and Authority in Crime Narratives concerns itself with connecting the various crime narrative formats, despite their apparent differences, by focusing on the role of the author in shaping the narrative. Although the role of the author within the community changes from minister, to reporter, to author who may have a personal relationship with the subject, each has a particular claim to authority within the contemporary culture. Although audience members of the execution sermon may have personally known the criminal, it was the minister who could speak to the criminal's spiritual journey and present that narrative to the rest of the community. Those who wrote trial reports or newspaper articles witnessed the trials themselves and were able to disseminate that information to audiences who were not able to observe the proceedings. As crime narratives moved into the twentieth century and technology allowed audiences more immediate access to the courtroom proceedings, authors who personally knew the

criminal became more and more popular, being able to continue to offer insight into what the general public could not access themselves.

Despite the changing cultural expectations and author identities, authors of crime narratives have maintained control in what they present to their readers and how they choose to do so. This includes language choices meant to help direct their readers toward specific orientations to the criminal and the victims involved, carefully maintaining prescribed distances between audience and victims in order to continue to use crime narratives as restoration rituals. Even as authors began to draw upon expert testimony presented at the trial, this testimony continued to support the desired orientation to victim and criminal that had been established since the first appearance of these figures in print.

Chapter Five, Twentieth Century True Crime: Authors, Subjects, Audiences finally catches up to what many scholars consider to be the birth of the crime narrative and the beginning of so many tropes of the genre: Truman Capote's *In Cold Blood* (1966). Although Capote was the author to bring the crime narrative into the realm of respectable literature, many of his supposedly new generic inventions can be traced to the previous chapters and forms of written crime narrative. Capote, however, does introduce the personal relationship between the author and criminal, having spent hours interviewing his subjects after their arrests.

The other books discussed in this chapter – Vincent Bugliosi's *Helter Skelter* (1974) and Ann Rule's first book, *The Stranger Beside Me* (1980) – continue not only to use Capote's hook of the personal relationship between subject and author, but also continue the work of the restoration ritual with many generic elements from previous formats. The criminals continue to remain the focus of these narratives as authors direct

the readers' interest, while the victims are still presented as being at least partially at fault for their own deaths, keeping up the distance between victim and reader and therefore securing the readers' feelings of safety. Even when the victims in *Stranger* are college coeds and not prostitutes, Rule makes sure to emphasize the ways in which they allowed themselves to fall prey, thus allowing readers to feel secure when they make decisions to protect themselves.

The final chapter, **Twenty-First Century Crime, Twenty-First Century Victims** examines the ways in which the contemporary victim is limited via this history of crime consumption. I examine a later work of Ann Rule, who established herself as a major player and published more than twenty books in the two decades since *The Stranger Beside Me*. Her *Green River, Running Red* (2004) once again addresses a male serial killer who preys on multiple victims, but Rule attempts to address the issue of the nameless, faceless victims by providing photographs and short biographies of the identified victims. She even lectures herself – and therefore her readers – on remembering the victim's names instead of referring to them by number, resisting the generic constant of the victim who deserved her death and whose body exists purely as evidence to assist in the police investigation.

This attempt showcases not only one author's acknowledgement of the genre's tendencies to minimize the victim, but also demonstrates the strong pull inherent within America's history of crime consumption. Despite being an established figure of respect within true crime, Rule cannot manage to fully subvert the established crime narrative. Her attempt illustrates why saying the victims' names and silencing that of the criminal does not satisfy contemporary audiences.

Crime and Restoration: The Evolving Ritual

By tracing the American crime narrative through its various forms from execution sermon through contemporary true crime, I aim to show that the function of the writings remains the same – to perform a restoration ritual that reassures and reunites a community in the face of upheaval – and thus establishes the genre. A genre can and will adapt to changing cultural values and expectations and will persist as long as there is need and as long as the situation continues to recur. Crime continues to happen and serial killers have been presented as a looming threat, especially to young females, since they were introduced to popular culture in the 1980s. Although statistics reveal that it is highly unlikely the average woman will become a victim of a serial killer, the advice given through examples of what past victims has done wrong works to comfort readers in all manner of threatening situations. The serial killer thus represents the threat of the unknown through stranger killings, as opposed to domestic violence.

Despite the fairly recent entrance of the figure of the serial killer into crime narratives, representation of killers and victims relies on centuries of prior narratives that strive to perform the restoration ritual made necessary by criminal actions. A single crime committed between people who know each other is threat enough; multiple crimes between strangers adds to the uncertainty. As the threats change, the crime narrative adapts in order to continue to function as a restoration ritual and respond to the evolving fears and uncertainties within American society.

The criminal is thus an established figure within American narratives and American culture, a figure presented at the center of the crime narrative as both mysterious and

explicable. This orientation toward the criminal did not begin with technological advances that led toward faster communication and near-immediate dissemination of news, but has been embedded in American culture since colonial times. With the narrative of the criminal being so historically entrenched, further exploration of the roles of the victims is warranted in order to address questions of whether it will ever be possible to forget the criminal's name and ignore his story.

Chapter Two – Rituals and Spectacle: The Origins of the Criminal in the Crime Genre

The American true crime genre has been largely ignored in academia, perhaps dismissed, as Jean Murley suggests, for its “tabloid sensibility” in the hope that contemporary American culture’s apparent obsession with such narratives will quickly fade (2). After all, the genesis of American true crime is most often traced to Truman Capote’s *In Cold Blood*, first published in four parts in *The New Yorker* in 1965 and then as a book in 1966, cementing the American crime genre clearly in the twentieth century. If the American obsession with crime narratives – what Mark Seltzer calls “wound culture” and defines as “the public fascination with torn and opened bodies and torn and opened persons” – only began in the 1960s, then perhaps it is indeed a passing fad unworthy of academic attention (Seltzer “Wound Culture” 4). However, Wound Culture appears to willfully ignore identity politics in its obsession with the torn and open, leaving out discussions of gender, race, class, and identity. Although Seltzer places this limit on when Wound Culture began in America, I argue that contemporary true crime is merely the most recent form in a long-standing American tradition of crime narratives that themselves struggle with such representations.

Crime narratives and the American crime genre, including contemporary true crime, are occupied with identity politics in ways that dictate cultural attitudes towards distinct social groups, especially criminals and victims. These approaches evident in true crime of the twentieth and twenty-first century, far from emerging as something entirely new, draw on the history of crime narratives that already spanned centuries. These ideas

included the ways in which authors structured their texts in order to orient their audiences toward their subjects in the same way, normalizing discussions and opinions of their subjects. A historical survey of the American crime genre that looks past the 1960s origin presented by so many scholars indicates that the crime genre has long presented Americans with the expected attitude toward criminals and their victims, working as a normalizing function within society in relation to the criminal identity.

Although research has been done on the American crime genre beginning with texts of the seventeenth century, few connections have been made between these varying forms, and those mentioned are in passing at best. While Jean Murley acknowledges that true crime of the twentieth century traces its roots back to the Puritan execution sermon and authors such as Karen Halttunen recognize that their work with execution sermons and trial reports resonates with contemporary true crime, there has been little effort, if any, to trace the continual arc of the American crime genre from its first appearance through today.

This may be because, at first glance, American crime narratives appear to be strictly divided between the religious execution sermons based primarily on religious law; secular trial reports that also served the purpose of educating the public on the adversarial trial; newspapers splashing lurid headlines and inaccurate details; and novel-length crime accounts that follow in the literary footsteps of Capote. Although each of these formats address crime in written form, they appear to have little else in common and therefore little upon which to base an argument to build this through-line over centuries. This dissertation, however, argues that the origins of the American crime genre – the Puritan execution sermon – functioned as a restoration ritual and established the crime genre's approach to

criminals, and that this ritual function and directed approach has been carried through to the true crime genre of today.

Defining Genre

In 1984, Carolyn Miller wrote her groundbreaking article that defined genre not based on content or on comparisons of form, but on social action. For Miller, “if genre represents action, it must involve situation and motive,” and must relate to repeatable occurrences (152). In this way, situations and genres feed off each other as genres first respond to, and then create, those situations. In some cases – and especially within the crime genre – these situations and responses include the idea of motive and desired outcome. Genres thus allow for the definition of all ranges of desired outcome and explain all culturally accepted motives and ends. Thus genres define these situations, as well as dictating culturally acceptable reactions to them.

For Miller, genres are not static and new genres emerge according to need, when “typifications already on hand ... are not adequate to determine a new situation” (157). She sees a very distinct interplay between culture, society, and genres to the point where genres adapt to reflect cultural norms and expectations and form to fulfill societal needs. The formation and recognition of a genre does not merely emerge to form a pattern, but to reveal “what ends we may have” (Miller 165). Genres both reflect and form the cultures in which they emerge in a cyclical give-and-take between culture and genre. “As a recurrent, significant action, a genre embodies an aspect of cultural rationality” that works to homogenize cultural belief and provide culturally acceptable responses to those recurring

situations that genres then create (Miller 165). For Miller, genres are intertwined with societies, social groups, and social norms and thus reflect social needs.

Karlyn Kohrs Campbell takes up Miller's definition of genre, emphasizing that "discourses alter and shape community norms; their effects extend beyond responses in a given historical moment" in that they are repeatable and can be taken up again when a similar situation presents itself (260). The repetition and recurrence Miller describes remains essential in situations that, for Campbell, "express values, attitudes, and beliefs" of the times and places in which genres recur (261). Campbell's approach to genre focuses more on the historical than does Miller's, suggesting that historical genres reflect contemporary cultures. Further, she posits that "[p]rimary genres are embedded in the local, intimate milieu in which they occur," emphasizing the connection between genre and society and the ways in which one cannot be interpreted without knowledge of the other. However, Campbell fails to address genres that influenced societies, instead of genres that arose from already-established social actions and beliefs. Although initial crime narratives may have arisen out of already-established communal responses to crime, those reactions went on to inform continued communal attitudes toward the subjects, including factors of race, class, and gender. In this way, genres may not merely reflect their historical situation, but may also come to form it through dictating beliefs and attitudes that may remain stable long after the original historical situation has evolved.

Campbell emphasizes her perceived connection between genre and historical moment when she observes that "form shapes response to content by giving instruction about how to perceive and interpret, which disposes the audience to respond in a certain way" (263). Genres dictate responses to the situations they reproduce and are thus a

normalizing function of society, engaging audiences and calling on them to respond in the same way. The study of genres does not merely indicate the possible reactions to a situation, but points to the socially acceptable reactions reproduced and disseminated through the normalizing function of genres.

Anis Bawarshi connects genre, social action, and rhetoric, calling genres “the rhetorical environment within which we recognize, enact, and consequently reproduce various situations, practices, relations, and identities” (336). This continues Miller’s idea of genre as social action, incorporates Campbell’s emphasis on the normative function of genres within societies, and brings forward the idea of shaping identities. For Bawarshi, genres “help us function within particular situations at the same time they help shape the way we come to know these situations,” further emphasizing the ways in which genres impact the members of society who are participants (340). Not only reactions and orientations but identities are dictated through genres that allow societies to respond as a group to recurrent social situations, increasing the homogeneity of the group and lessening chances of dissent. Genres function to orient groups of people in the same way, making them think the same things about the same subjects, and thus have the power to homogenize a culture.

Social action functions in two ways, both as an affirmation of the genre’s already-established beliefs, or as a new reaction against a genre’s interpretation of a previously established situation. For Bawarshi, genres and social action are inseparable to the point where “genres do not simply help us define and organize kinds of texts; they also help us define and organize kinds of social actions, social actions that those texts rhetorically make possible” because of those changes introduced through the texts and then taken up by a

community (335). There is this continual give-and-take between society and its genres as one responds to the other, causing a response in turn. This continual cycle means that genres, like the societies that produce them, are open to change, an aspect of genre that Bawarshi pursues in his 2010 book *Genre: An Introduction to History, Theory, Research, and Pedagogy*.

Their statement that “the way we encounter the same discourse changes” indicates the social changes that might lead to genres falling out of favor with a society because they are no longer found to be useful (Bawarshi and Reiff 19). For Bawarshi and Reiff, “success is dependent upon how the genre gets taken up and the social and rhetorical action that it performs,” which means that any genre fulfilling a no longer necessary social or rhetorical function would indeed be dismissed in favor of one that provides support for the changing culture (124). However, Miller and Campbell emphasize the interplay between genre and society, allowing for change on both aspects that allows genres to continue to be functional within adapting and changing social structures.

The adaptability of genres had already been addressed by Amy Devitt in her 2004 book, in which she states “if the readers or texts change, the genre must change” (182). She acknowledges that genres, if kept stable, would soon be out of line with the cultures that used and created them, and thus genres adapt along with their cultures in order to continue to do the necessary work required of them – that is, to continue to unite a community in the same beliefs and to orient entire groups of people in the same way towards the given subject. Devitt further states that “genres are associated with but not defined by textual form,” indicating that the format recognized in a genre’s initial instance does not need to

be maintained in order to connect appearances of that genre (Devitt 11). Devitt, like Miller, defines a genre by the social action involved and not by specific elements of a single piece.

Although many generic changes come about due to changing cultural norms and expectations, Devitt also acknowledges that “individual decisions not only encourage or inhibit generic change but actively create that change,” indicating that attempts by lone authors may effect change within the genre that relates and responds to an entire culture (135). This is not to say that every attempt will be incorporated into future iterations of the genre, but that it is possible for change to come not through social movements, but through single voices.

The subject of this dissertation, chosen to examine how genres perform social actions and over time, is that of the American written crime narrative, first present in the form of Puritan execution sermons that began to be published in the seventeenth century. The social action performed by this genre is that of the restoration ritual, and it is this social action that unites the varied forms and presentations into a single genre that also directs cultural opinion of the subjects within. The crime genre works to orient our culture in relation to criminals – generally with a reaction of fascination – and toward victims in a more negative light, feeding and refreshing these long-standing opinions even as the cultures holding these beliefs change. By approaching genre as serving a normative function within society instead of as having specific similarities, it is possible to trace the crime narrative from its first publication in Puritan New England to the true crime genre of today and thus to trace these social orientations to criminal and victim as they are renewed and reinforced across new generic forms and for new audiences.

Changes occurring within the genre of crime narratives have responded to multiple changes in the culture they served, including a shift from religious to civic law; changes in publication technology; shifts in perception of victims and criminals; and tendencies toward certain crime narratives as more lucrative than others – for example, the prevalence of serial killers in crime narratives since the true crime boom of the 1980s. The constant of these written narrative remains in their function as restoration rituals, although the specifics of this ritual also respond to changes in cultural approaches to crime, criminals, and victims. The purpose of the crime narrative remains steady: to ritually restore feelings of order and safety to the community after the occasion of such a disruptive crime.

Ritual, Taboo, and Restoration

Sigmund Freud declared that “the earliest human penal systems may be traced back to taboo,” to the control and consequences required when a member of a given community commits a forbidden act (23). The forbidden act – the taboo itself – is dependent both upon the given society and the status of the person within it. Although some acts, such as touching a corpse, are commonly taboo for all members of a community, other taboos are related specifically to a member’s position within the community, such as that of chief or priest. Breaking a taboo upsets the balance within the community and presents a danger to others.

Freud explains that “[a]nyone who has violated a taboo becomes taboo himself because he possesses the dangerous quality of tempting others to follow his example: why should *he* be allowed to do what is forbidden to others? Thus he is truly contagious in that

every example encourages imitation” and thus encourages the spread of taboo (38). The breaking of a taboo is dangerous because it removes the community member from his or her prescribed position and thus upsets the balance within the community. Although there is no necessary distinction between the taboos that make some things dirty and other things holy, it is this change in social position, along with the temptation present for other community members, that creates the threat.

Freud further posits that “there is no need to prohibit something that no one desires to do,” characterizing taboos as both sin and temptation (80-81). Even murder, perhaps the most universal of taboos, reflects a deep human desire that must be held in check. For Freud, then, taboo represents not only the communal response to certain actions, but also “throws light on the nature and origin of *conscience*” (78). Taboos, then, dictate actions and consequences whether those consequences show themselves in external action or through internal guilt.

Alfred Radcliffe-Brown points out that, just as earlier societies make no distinction between taboos that elevate or taboos that ostracize, they likewise do not separate between religious and secular taboo the way contemporary language does: “infractions of the rules of religion are sins, while the non-religious avoidances are concerned with good and bad luck” (136). Radcliffe-Brown uses the example of throwing salt over one’s shoulder after spilling it to enforce an everyday sense of ritual, in which there is the “belief that an infraction will result in an undesirable change in the ritual status of the person who fails to keep the rule,” whether this change comes in the form of excommunication or bad luck (135). Again, a taboo – breaking the rules of ritual – causes a change in social status that upsets communal balance.

Radcliffe-Brown emphasizes the communal aspect of both ritual and taboo, observing that “a society cannot exist except on the basis of a certain measure of similarity in the interest of its members,” a similarity held in check partially through ritual (140). The pressure for members of a society to conform to ritual and avoid taboo provides individuals with the common goal of working to prevent the danger inherent in taboo. The enacting of ritual allows a society to shape its individual members and “to cultivate in the individual sentiments on whose existence the social order itself depends,” allowing ritual to shape the goals and beliefs of a society so that each individual member will participate within the common goal (Radcliffe-Brown 146). Rituals are thus normative functions that strive to maintain the status quo and a united front.

Although rituals may indeed be secular, they are perhaps most obvious in the case of religion, as observed by Gordon George. He defines ritual as “a form of communication with profound social consequences” that may include defining the extent of a social group or defining exclusion through the ways in which the ritual makes external the deeply held values or beliefs of the community which enacts it (117). This external action allows all members of a community to come together and align themselves not only with the ritual, but with the beliefs behind it, uniting a community along shared goals and thought processes. As a Jesuit priest himself, George does indeed focus on the power of ritual within religion, although he brings in secular examples of ritual as symbol to expand his argument. For George, rituals are symbols, and a symbol remains potent “so long as ... we register its message, feel its power,” whether that power points to good or evil (120). As long as a ritual maintains its power as a symbol, it will impact society and cause this communally mutual reaction, whether positive – such as toward a respected religious

symbol – or negative, such as toward Nazi paraphernalia. Rituals for George perform this social function just as they do for Radcliffe-Brown, uniting members in similar beliefs while at the same time “build[ing] them into an ordered social structure” that allows for varying levels of status without upsetting the norms, like Freud (125).

The social function of ritual continues to be emphasized in the work of Catherine Bell, who argues that “ritual practices are produced with an intent to order, rectify, or transform a particular situation” within a specific social context (108). Bell makes it clear that a ritual is meant to do work and to produce a result beyond the action of the ritual itself, an action that functions to cause a change within a specific community. For Bell, rituals are always “*responding* to a place, event, force, problem, or tradition” and thus bound to a social group, a time, and a location (109). Rituals are not procedures that exist outside of everyday life and events, but are in continual conversation with both the mundane and the instances in which a community experiences disruptions, such as the breaking of a taboo. The ritual response, just as the taboo itself, is embedded within a society and that society’s beliefs and experiences.

Further, echoing sentiments of Radcliffe-Brown, Bell observes that “ritual is the means by which individual perception and behavior are socially appropriated or conditioned,” uniting individuals with a common purpose and worldview (20). Ritual functions thus not merely as a response to society and an attempt to cause change, but also as a normalizing structure that ensures much of this change is a return to the status quo. It works as a stabilizing function when a taboo has been committed or when other forces work to upset community balance.

Mary Douglas works specifically with rituals of purification and restoration, observing that “the ideal order of society is guarded by dangers which threaten transgressors” (3). Those who commit taboos – and become themselves taboo, and tempt others to commit the same transgression – find themselves confronted with rituals to restore them to their original communal positions. The threat of the taboo is neutralized by rituals which have been established to purify the actor and to restore him to the community, thus returning the society to a position of stability and order.

The rituals themselves must be embedded within the community and communal consciousness to the point where the ritual itself is expected and known, because, “if uncleanliness is matter out of place, we must approach it through order” (Douglas 41). The order of the ritual serves to counter the chaos and temptation introduced through the commission of a taboo, instructing a community how to react in such situations and assuring them that, while chaos may have ensued, order can indeed be restored. Ritual assures a society that “we are capable of confronting anomaly” and that this anomaly is only temporary (Douglas 39). The restoration ritual, then, is an established response to Freud’s and Radcliffe-Brown’s observations of taboo that functions as a normalizing structure within society. It reacts against taboo in a way that shows consequences for the person who committed the act, while at the same time reassuring and reordering the community.

For the purposes of this dissertation, while taboo might be referring to transgressions of a religious or secular nature, it will most often be concerned with the enduring, seemingly universal religious taboo of murder. Such transgressions within a community require a response that performs the work of the restoration ritual, documenting

consequences for the taboo action and restoring order to the given community. In this dissertation, the restoration ritual will be explored within the form of the written crime narrative as a response to the commission of a crime, often murder, exploring the work such narratives perform through American history since their first publication in the seventeenth century. Although communities and thus social reaction change over time, the need for a restoration ritual has remained and is still present within written crime narratives today.

American Crime Narratives

Although Seltzer, Murley, and others who have written about true crime narratives tend to focus on those that originated since the 1980s, with the obligatory references to *In Cold Blood* and the self-proclaimed best-selling true crime book, *Helter Skelter* (1974), the author-subject-audience orientations that became more fully entrenched with the establishment of the true crime genre as a separate, categorical entity were not the result of Capote himself. Instead, as Murley briefly references in the introduction of her book, crime had been the subject of printed narratives on American soil since the first printing presses were put to use in New England.

In order to understand the pull and fascination true crime has for contemporary audiences, I propose that the history of the ritual behind the crime narratives must be examined. The act of discovering a crime and a criminal is upsetting to the community, and rituals have been established in order to restore communal order, as well as to give a community the language to talk about a crime, which in turn dictates a communal orientation to that crime and those involved, including the author, subjects, and audience.

These rituals change with the community that supports them, although their purpose remains the same, uniting the genre across centuries.

Communicating About Crime in Early America

Genres arise within a culture in order to tell communities how to act and what to think. They are repetitive in that they both respond to and create social situations that reflect cultural values and reinforce those same values. True crime and crime narratives certainly fit into this category, reflecting and reinforcing American, and specifically Puritan, cultural values and morals. The first instance of the printed crime genre on American soil, the Puritan execution sermon, addressed transgressions within early American societies, using a religious approach to react when a member of the community committed a sin punishable by execution – a category that began broadly, with the Biblical tenants, and gradually narrowed to severe transgressions, such as murder. Because sins were so disruptive to these new communities, the response, led by the minister, sought to restore the balance that had been disturbed. Such a response is still evident within contemporary true crime works that seek to restore that same balance, although true crime as a genre has been largely ignored and its restorative functions generally overlooked. Although true crime does include nonviolent crimes, such as forgeries and thefts, the main focus of the contemporary genre lies in murder, with a focus on serial murder and serial killers as the most popular subjects. True crime plays a large role in orienting contemporary audiences towards criminals and victims, and – although the genre has gone through cosmetic changes over the centuries –

still works to restore balance within the disturbed community and reassure audiences that such disruptions are temporary, manageable, and can be brought back under control.

The American narrative approach to criminals and crime, as distinct from the British orientation, began when the Puritan execution sermon was “brought to New England by the first English settlers” and adapted for use in the new colonies (Bosco *The Puritan Sermon in America* lxxvi). Whereas execution sermons in England were given by prison chaplains and rarely attended, hardly the scene for directing popular opinion, the Puritan execution sermon in New England reached an entire congregation and beyond. Further, since many new occupants on American soil left their homes because of issues with the church and religion, the approach to both on this new continent – especially when no longer under the direct rule of a monarch, when individual settlements and towns were isolated – addressed new fears of disruption within the community on a much more individualized basis.

Wayne C. Minnick suggests that audiences for execution sermons ranged between 550-850 people, adding that “the pews were usually jammed and additional auditors stood about the walls and windows,” not counting the further numbers that assembled around the gallows (79).¹ The earliest printed execution sermon can be traced to the 1670s as the earliest literary reactions to crime on American soil, and the relatively few changes to the printed execution sermon over the next hundred years suggest that the format of the sermon was already established long before they began to be printed (Cohen *Pillars* 41).

¹ Although it is not possible to confirm such numbers, Minnick is able to support this claim through the records of those execution sermons that were printed afterward and then sold at an inexpensive rate in order to reach an even larger audience.

There are further arguments that the Puritan execution sermon had widespread influence. First, culturally, “reading a sermon in private for the Puritan [was] a sufficient occasion for noticing the stirrings of grace within the individual” (Bosco “Lectures at the Pillory” 158). In a religiously-based community centered around God’s grace, individuals sought as many encounters as possible in order to assure themselves of their position within both the community and God’s eyes. The fact that reading such a sermon was as holy a moment as listening to the minister preach the sermon allowed individuals and families to experience events for which they were not present, including events outside of their own community, with the reassurance that act was encouraged and enlightening. Second, Minnick categorizes the surviving texts in order to draw conclusions about whether or not the sermons themselves were read. He notes sixty-seven separate execution sermons, written by forty-nine individual ministers, with the further observation that “several sermons went through more than one edition ... [which] suggests these works had a certain attractiveness for the public” (80). This is supported by Karen Halttunen’s accounts of sermons that had been carefully repaired and rebound, presumably for further reading. Finally, Minnick also indicates that, of his forty-nine authors, not all of them were Puritan ministers: “three were Presbyterian, two Episcopalian, one a Baptist, and two were missionaries,” showing that the influence of the execution sermon stretched beyond religious borders (78). Presumably the non-Puritan authors recognized the popular influence of the execution sermons and wished to exert the power shown by authors such as Increase Mather, Samuel Willard, and Cotton Mather, all of whom had shown that the printed sermons could reach far beyond the scope of their individual churches.

The importance of communicating with such a large audience was based partially on the subject matter and the severity with which Puritan communities reacted to occurrences of murder and other capital crimes within the local communities. These reactions were based not only on local religious beliefs, but also on the community structures. Because towns were so small, individual citizens were likely to have interacted with each other prior to the revelation of the crime, and thus the community would be faced with the execution of one of its contributory members. Further, since the community interacted with the condemned in such close quarters on a daily basis, and yet were unable to prevent the crime from taking place, it is easy to see how “communal failures were the affair of every man” (*Puritan Sermon* xxii). Not only would a gap in the communal commerce be opened with the execution, but those who knew the condemned could feel guilt for their perceived role in the crime by not having recognized that another had strayed.

One role of the execution sermon, then, was to address the many concerns of local citizens, including their own stake in the sentencing and execution, making use of the fact that “rhetoric is a mode of altering reality” in order to present the situation in ways that were useful to both the minister and the community (Bitzer 4). Instead of reassuring audiences and perhaps assuaging their guilt, as we might expect today, ministers “drew on instances of alleged impious behavior of the audience” while listing all confessed behaviors of the condemned, reminding audiences that they, too, had sinned, if not to the same degree (Minnick 83). Ministers who preached execution sermons could rely on the reasoning that “individual crime, sin, or transgression is a sign of communal crime, sin, or transgression” without fearing that audiences would protest this reasoning (*Puritan Sermon* lxxv). Listeners at the sermon itself, preached the Sunday or the morning before the

execution, were the most immediate audience of the sermon, and the most in need, since many would be local community members listening to a minister inform them that the crimes of one of their number, generally seated in the front row, reflected on the crimes of the community. A single crime indicated that something had gone wrong and needed to be righted in such a way that the execution successfully “move[d] audiences both to identify with the sinner on the scaffold and to accept the inherent justice of the sentence” (Schorb 294).

The execution sermon, as well as the execution itself, functioned as the ritual to restore the balance in a community. As such, execution sermons addressed the concerns of the audience, as well as their sins, and were delivered by a single authoritative voice in a “one-way transmission” from the pulpit – or the pamphlet – to the audience (Brewin 140). Ministers were responsible for the delivery of information as well as held a monopoly on printed crime narratives through strict control of the printing presses, ensuring the homogeneity of messages and approaches throughout New England. The execution sermon as a ritual was clearly religious and carefully controlled so that there was little variance in its focus, message, and function.

A minister who found himself in the position to preach an execution sermon would have been aware not only of the many issues at hand surrounding the crime, but of the fact that he was likely to be preaching it to the largest audience of his life – larger still if his words were then sent out to be printed and sold as pamphlets. The minister would thus be aware of the popular mood surrounding the situation: a broken law, either civic, religious, or both; a known community member having confessed to that crime; the sentence for that crime being death; and the execution being public. His sermon needed to address each of

these transgressions and dictate how audiences should react emotionally and spiritually to each in order to restore order.

Execution sermons were based on the Bible and Puritan beliefs of the day, including original sin, which then shaped the direction in which sermons themselves were formed. The construction of sin within Puritan beliefs meant that no man, woman, or child was free from sin, and – since all had committed sins due to the burden of original sin – there was no need to ask why the condemned had committed a capital crime. The question of motive, so popular in the twentieth and twenty-first centuries, had no place within the execution sermon, and the reason why the condemned had committed the final crime was not discussed (Halttunen 14). The criminal’s lifetime of sin would be listed, presumably first by the condemned to the minister in private, and then by the minister in public, to display the increasingly horrific path the criminal had chosen, but again, no explanation was needed. Each sin, from a lie to murder, was the result of original sin, and that was that.

Just as the execution sermon held no place for a discussion of motive, so there was no room for a discussion of the final crime. Presumably audiences who had gathered in person to hear the sermon were acquainted with both the condemned and the crime, but execution sermons, even in print, did not share the details of the final event that brought the condemned to the gallows. Even when pamphlets expanded to give more information than what was held in sermon alone, printer William Bradford argued that “The ‘truth of ... historie’ may require acknowledgment of crime and the execution of criminals, but the ‘truth of ... historie’ does not require all the gory details” (in *Puritan Sermon* lxxvii). The roots of the American crime narrative stayed away from details of the crime and even the execution, instead focusing on the spiritual state of the condemned.

The Execution Sermon's Approach to the Condemned

Just as an individual's sin was felt as communal sin, so could an individual's return to grace be raised up as an example for the entire community, and this was the main focus of execution sermons: the criminal him- or herself. Although the final crime would not be discussed, the major spiritual events of the criminal's life would be, generally focusing on the negative prior to the final crime and arrest, and then – in the case of model criminals – relating the discussions between the criminal, the minister, and other upright members of the community in order to document the criminal's return to grace prior to the rightful execution. One restorative aspect of the execution sermon was to return the criminal to a position of God's grace, supported by testimony of the minister himself, and therefore to the possibility of being once again accepted as a community member.

As the focus of the execution sermon and the execution itself, "[t]he early American murderer was regarded as a moral representative of all of sinful humanity and was granted an important spiritual role in the New England community," one in part fulfilled by this return to grace (Halttunen 9). Through both the commission of and confession to the crime, a criminal removed him- or herself from the community and became an untouchable, soiled Other. Although the minister and other community members could offer support and spiritual guidance, the criminal's own actions were required in order to allow for the ritual of restoration through the execution sermon. The criminal may have been responsible for this fall, but s/he was then also responsible for the return to grace. A criminal might also reject the offers of the minister and the community, in which case the execution sermon

took on a different tone entirely, condemning the criminal for this lack of participation within the execution ritual. The power of the ritual was so strong that, for example, “when John Ury was executed in New York, in 1741, for a part he insistently denied in ‘the late Negro-Conspiracy,’ he nevertheless played the expected role for the public” – an accused man protested his innocence and still followed the expected spiritual steps of the condemned, confessed criminal (Boudreau 257). Whether a right or a responsibility, the criminal was certainly expected to play a role and fulfill his or her part within the execution ritual.

This role began with a confession to all past crimes and, at the very least, the appearance of repentance and a desire to return to God and a lawful position within the community. These acts could take place privately, between the condemned and a single minister, or publicly, if there were time before the execution in which the condemned might be taken into homes of various community members and further exposed to the glory of God’s grace. Even if the condemned chose the first option, the confession would be made public through the execution sermon itself.

The sermon, “sometimes preached at the request” of the condemned, took place either the Sunday before the execution or directly prior to the execution, and a criminal conforming to the expected role was present and attentive in the front row (Minnick 77). Even when present for the sermon, a criminal could undermine the restorative ritual through irreverent behavior, and this position of prominence would make such a personal reaction clear. Although the minister, as the voice of authority, might declare that the criminal had repented, the community also expected to see this change within the criminal him- or herself. Although they listened to the minister’s words, the community also paid

attention to the one of their own who had strayed without giving a sign in order to see evidence of the minister's claims.

The criminal was further "a crucial focus of discussion and attention" during the journey to the scaffold, either later in the week or directly from the church (*Pillars* 6). Ministers and audience members alike might speak with the condemned on this final journey, asking questions of faith in order to reassure themselves that the criminal had indeed reformed, or perhaps in an attempt to reveal that the apparent conversion was only an act. Boudreau contends that "it is clear from all accounts that the behavior of a dying sinner was staged," from the behavior in the church through the last words on the gallows, and it was in the best interest of the criminal, the minister, and the community that the criminal follow the prescribed actions (258). By appearing to fulfill the role of the repentant, acceptant sinner, even if the criminal were only following a script, then that criminal allowed for the ritual of the execution to be played out in full and thus to fulfill its function.

Whatever doubts arose about the criminal's sincerity between the confession and the execution, the criminal's final speech could assuage them. Although not included in the first publications, the criminal's final words were added to later pamphlets that included narratives beyond the text of the sermon itself, including biographical information about the criminal and the criminal's own confession. The power of the ritual was clearly evident when the condemned, "who, more often than not, was a young servant or a slave, a person of little or no education and low social standing – could eclipse the rhetorical grandeur of the elite, Harvard-trained minister-orators" (Counquergood 345). The lowest of the low could be raised to position of rapt attention during the final moments before the execution,

with an audience ready to record what they had to say, above and beyond the words of the minister. Because the ritual “help[ed] Puritans find security in the midst of pervasive evil,” listening to or reading execution sermons helped “relieve their fears” in the face of the Lord’s judgment, and thus the ritual was both expected and closely followed (Seay 22). The execution ritual was so strong and so cemented as the proper reaction to a capital crime, defined by Biblical law, that those criminals who followed it could break free from societal restraints of class and gender.

Exploiting the Role of the Criminal: Esther Rodgers

Perhaps the most notable of criminals to make use of the execution ritual structure above and beyond expectation in order to draw attention away from the ministers is Esther Rodgers, a young servant woman first apprehended under suspicion of infanticide. The child was a result of Rodgers’ affair with another servant in that household, not only a man of low status but also a “*Negro man*” (*Pillars* 62). Rodgers herself was white, and thus the revelation of an extra-marital relationship came not only with murderous connotations, but with those of race, as well. Community members may have reacted strongly against the idea of such a relationship, but they were also able to comfort themselves in that the events had indeed come to light shortly after the child’s birth and death. Rodgers, however, felt moved to confess a further sin that had not yet come to light: this was her second infanticide, and the first had taken place after a similar relationship with another Negro servant in her previous place of employment. This first pregnancy and resultant murder

had not been previously suspected and, if Rodgers had not confessed, she could have literally gotten away with that murder.

During her imprisonment, Rodgers was visited by multiple ministers, and her published execution pamphlet names seven to be memorialized as partially responsible for her conversion (*Pillars* 61). Concerning Esther Rodgers, this was indeed the case: the names of the ministers were secondary and the men themselves could only claim importance because they were associated with Rodgers, instead of the other way around. While some condemned criminals may have been proud to secure a certain minister to preach the execution sermon, these ministers could boast because they were part of the spiritual team that surrounded Esther Rodgers.

In this case, not only the named ministers but the whole town of Ipswich could be associated with Rodgers as a point of pride, since she often took meals with community members while she was imprisoned, purportedly learning just as much from the average citizen as from the clergymen. Certainly Rodgers' public behavior changed markedly after she was condemned to death, starting with her confession, and when her narrative appeared within a set of three printed execution sermons, "much of the publication is given over to her conversion" (Boudreau 258). There is no need to dwell on her past sins and crimes beyond the fact that she willingly confessed to some of which she was never suspected, so Esther Rodgers' story – like those of many of the criminals who are subjects of execution narratives – revolves around the repentant sinner in the figure of Esther herself.

The execution sermon and the narratives it relates were used to "construct and enforce a set of carefully proscribed meanings to public executions" and, having been raised within the community that created and made use of execution sermons, criminals

like Rodgers would have been well aware of the meanings that the ministers would construct and hope the audience would take away (Brewin 151). Since executions were recurring situations and execution sermons had been constructed in order to address them, the role of the prisoner was clear, as well as the role of the minister. Ministers were respected members of the community, especially the religious community, and were well-educated white men, generally middle-aged or older. Congregations gathered on a regular basis to receive instruction from their ministers and obeyed religious commands and doctrines outlined by the ministers. It was natural that communities would listen faithfully to what a minister might have to say.

Esther Rodgers, on the other hand, had none of these attributes in her favor and “had to depend on others to create the text we have today” (Lewis 39). She was female, a servant, unmarried, and young. In the course of day to day life, it is hard to believe that anyone would listen to what she had to say, and difficult to imagine that anyone would take religious instruction from her, especially when Rodgers herself participated very rarely in religious life. She might have lived out her entire life without ever being a citizen of note, except for being suspected in the second infanticide. Because Rodgers confessed not only to this crime but to previous unknown crimes, and because she became publicly penitent, the ministers directed attention toward her during the execution sermon and the subsequent walk to the gallows. Rodgers, however, took control of the situation and “exploited the very structure of the drama to hold the spotlight and steal the show” from the community’s leaders, assuming a position within the community she would never have otherwise held (*Pillars* 64). The uneducated condemned criminal had the perfect responses to harsh spiritual questioning as she walked to the gallows under her own power, and – according

to the pamphlet published after her execution – gave a stirring, emotional speech pleading with audience members not to stray as she had strayed.

Each of these elements were clearly established in the ritual, although Rodgers did bend some of them so as to fit her own designs: the execution sermon within the church; the procession to the gallows, usually within a cart; the condemned's speech; and the final words prior to death. While Rodgers was limited to speaking within these given moments, she took more time than was expected of her and spoke prepared words that resonated with her religious community above and beyond what a woman of her class was expected to be able to produce. These steps were carefully planned and choreographed so as to both comply with audience expectations of the event and to “protect the message” that the ministers wished the rest of the congregation would learn (Brewin 151). In order to fulfill her role as reformed sinner secure in her faith and accepting of her fate, Rodgers was not given free rein to speak when and where she wished, or to say whatever she liked. While the replies she gave to the men who interrogated her on the way to the gallows were considered to be the right answers, they were also clearly prescribed. While the condemned criminal was indeed allowed to speak, there were limitations to what the criminal might say while still maintaining the role of reformed penitent.

By knowing the answers and behaviors expected of her, Rodgers “proved an ideal spectacle for the gathering crowds and for those who would return to the scene in its printed form,” whether or not she honestly believed in the words she spoke (Boudreau 257). The prisoner's role, which Rodgers assumed masterfully, was to convince the community that, although she had strayed, redemption was indeed possible through faith, with the help and guidance of others, specifically the clergy. Although a wrong had been committed by

turning away from God, the prisoner's words and actions, accompanied by the words of the sermon itself, assured audiences that this wrong could indeed be righted while at the same time warning them that any one of them could be the next to sin. Audiences believed Rodgers in both her words and her apparent spiritual strength, demonstrated by the fact that she walked to the gallows under her own power and bore up stoically without begging for mercy or a reprieve. This appearance, however, was carefully choreographed, especially in the written crime narratives in which the ministers had full control over what was presented to the reading audience, and how.

From the Pulpit: The Power of the Minister

As influential as the condemned criminal could be through both words and actions on the day of execution, representations within the printed narrative ultimately lay in the control of the authors themselves: the ministers. The construction of the narrative presented within the execution sermon, focusing on the criminal's litany of past sins followed by the admirable reformation, lay not in what the criminal may have said to the minister during private conversations, but in what the minister reported to the wider community. The minister held not only a respected position within the community that lent him unquestioned authority, but was also involved in a unique relationship with the criminal in that the respected criminal was said to have confessed every wrongdoing to the minister, allowing the minister to know all that the criminal knew. Further, it was the minister who led the criminal through this path of reformation, acting as the expert guide. It is also the minister's agenda that dictates what is revealed to the larger audiences, when, and how –

indeed, “Puritan ministers assisted the community covertly by reading and interpreting the life of the individuals, much as they did scriptural texts,” having full control over the presentation given to the congregation (Madden 233).

With such a monopoly on information, the minister thus had immense control in guiding his congregation in their relationship with the recently revealed criminal, and this was no easy task. Despite the deeds that lead criminals to the gallows, “criminals still maintain ties of affection either with loved ones or with those who might for other reasons sympathize,” and many of those present to hear an execution sermon would have known the condemned (Boudreau 254). Those who knew the criminal before the revelation of the crime would have looked to the minister for direction as to how to relate to the criminal now, especially with the criminal’s impending death. In his execution sermon, a minister had to carefully balance sympathy, pity, and mercy in order to keep the criminal at the center of the narrative while at the same time maintaining the mood of the crowd so as to accept the execution and not protest against it.

Although Boudreau claims that “[c]onventional criminal narratives depend on readers’ limited identification with the criminal,” Halttunen, Daniel Cohen, and Conquergood all disagree (263). It was in fact the role of the minister to position his audience in such a way as to relate to the criminal and “identify deeply with the condemned as fellow sinners” (Conquergood 351). It was to be acknowledged that sin was present in everyone, and that any of them could end up on the scaffold themselves. The ministers therefore had to cultivate sympathy for the criminal, so that sympathy would lead to the understanding “that the devil lays snares for us all” (Boudreau 255). The man or woman on the scaffold was a member of the community and could not simply be dismissed as a

stranger, nor could the past be entirely ignored. This sympathy and relation to the criminal meant to caution audiences from pride or from feeling that the criminal was separate from the community, or Other, because of the magnitude of the sin that had been committed.

Sympathy and pity were both encouraged reactions toward the condemned in the form of Christian love, because a “lack of Christian love for the murderer, far from being a stamp of righteousness, showed a failure of Christian faith, suggesting the damnation not of the condemned criminal but of the spectator of the scaffold” (Halttunen 16). This presentation and expectation of Christian love played a strong role in the execution ritual because it allowed communities to pull together instead of dividing them in the wake of the disruption caused by the crime and the execution itself. Boudreau argues that pity and sympathy was meant to be directed toward the community instead of toward the prisoner, a sentiment not supported by other scholars, but a valid point all the same (256). Because the transgression of the individual reflected the transgression of the community, and because an entire community felt the consequences of the crime, one concern of ministers preaching execution sermons would certainly be maintaining a unified public.

This unity could be expressed through sympathy and pity, but the execution ritual avoided ideas of mercy. It was acceptable for audiences to identify with the condemned criminal and to feel the loss of a life that should have followed a righteous path and been far more productive within the community, but these emotions could not spread to the idea that perhaps the criminal should not be executed, after all. Because religious and civic law were so intertwined, to refuse to follow through with an execution where one was dictated would be “to fail to pronounce the sentence provided by God and man” (Minnick 84). The minister could lead audiences to identify with the criminal in order to steer them away from

such sins themselves, but he must also enforce the ideals of religious law, showing his congregation that the consequences of sin were firm and could not be appealed by mere men. The condemned had bought and paid for their fates and the congregation needed to be reassured not only that sin would out, but that the noose would indeed await them if they committed the same crime.

This approach and these reassurances functioned within a society that was generally united through religious beliefs, including that of original sin, and a common acceptance of the authority of ministers and of religious law because “ritual plays a crucial role in practice” since it lends that authority (Kelly and Kaplan 141). Execution sermons focused on the criminals, but more specifically on the spiritual state and conversion of the criminals. While execution sermon pamphlets originally solely included transcripts of the sermon itself, popular demand called for additions: the criminal’s biography, including the mundane as well as the religious; the criminal’s behavior on the way to the gallows; descriptions of the execution itself; and further details about the final crime that had led to the sentencing. As Puritan religious belief faded and American approaches to crime changed, crime narratives adapted, as well.

The Rise of the Secular Crime Narrative

Although crime literature in New England initially consisted solely of execution sermons, other forms of print crime narratives began to emerge around the 1730s (*Pillars* 10). These took on the forms of newspaper articles, single page broadsides, and trial reports. Of these, trial reports were most similar to printed execution sermons – and the

most relatable to late twentieth century true crime books – because they were individually printed, longer accounts of single criminals, available to the public in an inexpensive format that was therefore largely accessible.

Trial reports rose as a response to the emergence of the “highly competitive, lawyer dominated proceedings” that came with the implementation of adversarial trials (*Pillars* 29). The advent of such trials upset many of the common beliefs of the execution sermon, shifting authority from religious to civic law and from a single minister – or a group of ministers working together toward a common cause, such as in the case of Esther Rodgers – to the members of the courtroom: judge, prosecution, and defense. By introducing two lawyers into a courtroom, one responsible for arguing for the accused criminal’s guilt and the other for his innocence, authority became divided and the truth disputed. In part because of this uncertainty, trials and the reports documenting them developed a “growing reliance on forensic evidence” in order to determine guilt (Cohen “Beautiful Female” 281).

The adversarial trial introduced doubt into a process that had functioned on certainty and confession. Even when a man was falsely accused in the age of Puritan executions, such as the above-mentioned John Ury, more often than not he assumed the proper role of the condemned, repentant criminal, confessing and performing in the manner that had been established as a stabilizing ritual within religious law and religious life. “This shift from a religious to a legalistic and literary discourse marked a gradual but permanent change in how Americans thought about the figure of the murderer” – subjects of execution sermons, especially the printed narratives, were often held up as examples of proper pious behavior, not contesting their sentences and even looking forward to the glories awaiting believers after death (Black 781). Accused criminals who had the audacity to protest their

innocence were pitied not because of a wrongful sentencing, but because they had not made their peace with the Lord before the sentence was carried out.

The adversarial trial eliminated this appearance of certainty, offering a better outcome not for those who confessed their guilt but for those who contested innocence. Since a confession of guilt does not lead to a trial – which therefore does not lend itself to daily installments in newspapers or a separate purchase of a trial report after the fact – the subjects of trial reports might skew the perception of how many sentenced criminals thought that the court had wronged them. The reports themselves were not suppressed to avoid outrage that the American court systems were faulty. Indeed, for a successful trial report, Daniel Cohen argues that there needed to be “(1) an appropriately ambiguous death; (2) an effectively adversarial trial system; and/or (3) a sufficiently conflicted social or political setting,” all of which seem to point to the trial report as a site of uncertainty or resistance (“Blood Will Out” 49). Instead, trial reports, like execution sermons, had a stabilizing function of their own.

Since “genre is a function of format, and format is a function of the circumstances under which the reading will take place,” the trial report reflects the changing circumstances surrounding both crime and the discussion thereof (Freadman 5). Instead of generating these protestations of innocence, trial reports grew out of the growing number of condemned criminals who insisted that the new adversarial trial had treated them unfairly and resulted in a wrongful conviction. Trial reports “purported to be transcripts which recorded all testimony, the closings of counsel, the judge’s instructions to the jury, the verdict, and, when the defendant was found guilty, the sentencing,” presenting readers with the entire process of the trial itself (Halttunen 96). By walking readers through each

step of the trial, the report fulfilled the function of informing the reader about the crime while at the same time educating readers about the process of the trial itself. Instead of allowing the voice of the minister or the criminal to be the only presentation of what had transpired, such as in execution sermons, trial reports were presented as unbiased records of what had actually happened.

By walking readers through the trial proceedings, trial reports were able to show readers how the courtroom drama unfolded, including the new structures that made up an adversarial trial. The lack of a confession meant that guilt had to be decided – and, with the publication of the report, had already been decided – by jury, based on the arguments and evidence presented within the courtroom. Through the trial report, readers could evaluate and examine those arguments and descriptions of evidence themselves, in order to reach their own conclusions. If a trial report were well-written, then readers would end up reaching the same guilty or not guilty opinion as the jury had already declared, thus allowing for readers' faith in the American justice system.

Once again the criminal was central to the crime narrative. Trial reports, like the trials themselves, “did not assume the guilt of the accused murderer, but rather made that guilt [the] central problem,” using the words and actions of the criminal to judge the words and actions of witnesses called to testify and determine which parties were the more trustworthy (Halttunen 97). Instead of a single narrative presented by the minister, the trial and its subsequent report did not always present information in chronological order, and not all information agreed. The jury and the readers that followed were confronted with a minimum of two possible narrative outcomes: one in which the accused was innocent, and one in which he was guilty. Readers no longer simply absorbed the message within the

crime narrative but had to construct that narrative and make decisions of truth and falsehood as they read.

Active Readers

Readers of execution sermons paid for and utilized that printed material in order to participate in a religious act that was firmly directed outward toward them as a lesson to be internalized and accepted as part of a known ritual of restoration. Readers of trial reports did not consume them in such a simple and straightforward manner, or for the same reasons. Trial reports, which had no ban on gruesome details of the crime, invited voyeurism and curiosity while purporting to educate readers about the trustworthiness of the jury trial. Trial reports, like newspaper articles, carried the journalistic sensibilities of presenting readers with the facts and therefore educating readers instead of entertaining them, a stylistic choice that has carried through to true crime of today.

The education of the audience included an introduction to the detecting process as well as to the goings-on inside a courtroom. Because a trial consists of so many questions, asked of various witnesses, at various points in the proceedings, by various lawyers, who have various agendas, readers could no longer simply read transcriptions of what had been said with full faith in the narrative represented there. Instead, in order to come to a personal decision over whether the accused was guilty or innocent, audiences had to glean through “a welter of testimony and detail which lent itself to various interpretive treatments” (Haltunnen 104). As true crime and crime fiction – especially television shows like the popular *CSI*: – have taught modern audiences the intricacies of DNA testing and forensic

anthropology, so trial reports taught readers to follow a chain of evidence and form their own narratives based on the science of the day.

In the earlier execution ritual, and even in the extra details that accompanied later printed sermons, all voices agreed on the salient points: the accused had indeed committed the crime, had confessed to it, and had made his or her peace with God prior to accepting the sentence of execution. The criminal's biography or final speech did not contest what the minister had said, and outside voices were kept to a minimum and confined to those who had known the criminal. Since trial reports rose in response to criminals protesting their innocence, they inherently consisted of multiple voices, and while only a single person was on the witness stand at one time, even the testimony from a single witness required a "piecemeal reconstruction of events," which was further complicated by the addition of other such testimony, forcing readers to come to their own conclusions and make their own decisions if the report were to make any narrative sense (Haltunnen 100). The answers were no longer simply presented, which is one of the largest shifts in the criminal narrative brought about between the execution sermon and the trial report. Certainly the criminal would have already been sentenced by the time the report was published, but doubt had entered the narrative: was the criminal guilty, or had an honest man been wrongfully convicted?

The other looming question that faced audiences and that had not been present in the execution sermon – one that would not necessarily lead to the answer of guilt, but one that held sway with juries – was the question of motive. Motive, like guilt, was not addressed within execution sermons because it was understood, within the religious confines of the Puritan community, that all sin and therefore all crime was the result of

original sin, but this reasoning did not hold within civic law. If the various fragmented narratives presented within the courtroom could be pieced together to explain why a suspect would have benefitted from committing a crime, then juries and audiences alike could be swayed to understand how, in such circumstances, the perceived benefits could be seen to outweigh the risks. The crime narrative thus expanded further to include not only a retelling of the events of the crime, but also the events leading up to its commission, further distancing the trial report from the religious execution sermon and making them appear to be two very different approaches to discussing crime.

Changing Format, Continuing Ritual

Despite the many changes evident in the shift from execution sermon to trial report – from a single authoritative voice to many competing voices; from certainty to doubt; from a clear narrative to several fragmented, competing narratives; from a passive reader to an active reader; and from religious to civic law – two elements remain stable in the genre: the narrative’s stabilizing function and the focus on the criminal. Although the genre adapts to changing social constructions, both execution sermons and trial reports provide audiences with the language and orientations expected and accepted at the time, allowing them to discuss crime and criminals in a socially accepted manner. Some elements change drastically over time, while others become repeated elements in the true crime genre as it emerges and stabilizes in the twentieth century. One of these repeated elements is this focus on the criminal within the crime narrative, as opposed to a focus on the crime itself, the legal processes set in motion by the crime, or the victim.

From the first printed crime narrative on American soil, audience identification lay with the criminal. Ministers did not ask their congregations to look at the condemned and to see themselves, labeling themselves as exactly the same, but they were asked to view the condemned criminal – a member of their own community – on a spectrum with themselves. Ministers pointed to the criminals' fates as a potential in anyone's life, reminding audiences of their own sins and arguing that the difference was not in kind but in degree. The repentant criminal was held up to the community as a sign of hope for all and an example for those who had strayed, and the following execution was not a brutality to be protested but an allegiance to the law of God.

Modern true crime has less in common with the execution sermon than it does with trial reports, but the focus is still the same: on the criminal. The desire to know the criminal's biography that began as an addendum to the printed execution sermons and was incorporated more fully into the trial report is presented in the true crime novel of today often starting in Chapter Two, which tends to open by informing readers that the criminal was born in his hometown on what date. Even though readers have been asked to work harder since the execution sermon, this fascination has endured and has become a hallmark of successful true crime.

Although the identification with the criminal within the trial report is not nearly as emphasized as in execution sermons, the criminal remained the main focus of the narrative with the purpose of understanding his actions and his motives. This understanding, aided through the criminal's biography and the narrative explaining his motive, helped to reassure the community in two ways: first, that such criminal actions may indeed be preventable by denying children the same biography, and second, that justice had indeed

been enacted with the sentencing because the criminal was clearly guilty despite his protests. The trial report restores a sense of order to the community, completing the restoration ritual, not by reintegrating the criminal prior to his sentencing, but by reassuring the community members that such criminals will indeed be caught and brought to justice within the newly established adversarial trial system. Although the responsibility for keeping order has transferred from religious to secular law, the trial report continued to document the justice and consequences awaiting citizens who committed taboos, especially that of murder.

This enduring focus on the criminal leads to an imbalance of representation within the crime narrative. The more time and effort goes into the criminal, his biography, and – especially in the twentieth century – his psychology, the less space is left for other aspects of the narrative, and other people within it, including the victims. In recent decades, with true crime’s focus on serial killers and with the prevalence of male serial killers who prefer female victims, this imbalance is gendered, granting the most space to the single killer and relegating his victims to a supporting role that denies them agency. It is not only recently that murder victims have been portrayed this way, however, and my next chapter details the emergence of the victim within the crime narrative and the role that victims have come to play.

Chapter Three – Evidence: The Role of the Victim

The previous chapter describes the emergence of the written crime genre on American soil as a communal restoration ritual, first in Colonial New England with the rise of the Puritan execution sermon and then through the trial report, which rose as a response to the establishment of the American adversarial courtroom drama. The focus of these two forms, as well as the focus of my second chapter, lay in the treatment of the criminal at the center of the ritual narrative. The amount of information revealed about the criminal grew and changed during the transition from execution sermon to trial report, as well as the main concern about the criminal shifting away from religious salvation, but the criminal still remained of central concern and his ultimate fate remained essential for the completion of the restoration ritual.

Even in cases of murder, the victim within the execution sermon, as well as the final crime, was never mentioned. With the main focus being on the spiritual condition of the criminal, and later on the trial where the living criminal was present but not his homicide victims, the crime genre has skewed toward placing attention on the criminal. First conspicuously absent, victims did begin to emerge within the crime narrative, first as innocents whose bodies were used as evidence against the accused murder, with growing use of images to represent not only the location of the bodies but the condition in which they were found. These bodies, fragmented by their murderers and then through piecemeal visual representation, functioned as forensic evidence and nothing more.

As the nineteenth century continued, however, the victim became portrayed as less and less innocent. Women especially were presented as complicit in their own demise,

earning their murderers lesser sentences when they could be proven to have been prostitutes or have otherwise engaged in sex outside of marriage. The sexual female thus emerged as the accepted victim: one who would earn a retroactive death sentence from the jury and the public, releasing the accused from the full consequences of his actions because of his victim's biography, presented as evidence against her at her murderer's trial.

Although the first American crime narratives did not include reference to the victims, the victims did begin to emerge as part of that story by the end of the eighteenth century. The criminal, however, has always occupied the central position of the crime narrative and been the focus of sympathy, whereas the victim is rarely presented in such a way as to engage the reader's emotions. Instead, every aspect of the victim, from her body, to her clothing, to her biography, functions as a clue either to identify her murderer or to exonerate him.

First Glimpse: The Emergence of the Victim Within Crime Narratives

When the victim arrives within the crime narrative, that victim is always already dead, in fact and most often in the first encounter between victim and reader. In twentieth century true crime, this encounter generally takes place in the first chapter, introducing the reader to the crime scene, including the evidence in the form of the victims' bodies, and using the corpse discovery scene as the hook to bring the reader into the narrative. The first use of the body discovery scene as the introduction, however, occurred in the *Beadle Narrative*, published in 1783.

The Beadle *Narrative* functions as neither trial report nor execution sermon because, after murdering his wife and four children, William Beadle then committed suicide. This removed any possibility of Beadle confessing to the murders, repenting of them, or explaining the reasons for his actions. The Beadle *Narrative* therefore not only introduced the body discovery scene, but also began the work of drawing the reader into the narrative and asking the reader to reconstruct what had happened based on presented evidence, giving the reader the role not of passive observer but of detective in charge of resolving the crime and completing the restoration ritual.

First, the *Narrative* “opened up the Beadle home and its operations for popular inspection,” including information on household help – such as the maid Beadle sent off on an errand prior to the murders – and the interior of the private home itself (Halttunen 138). This allowed readers to peer voyeuristically into the life of another family at a time when ideas of privacy generally shut the doors to such inquisition, isolating the family unit from public view. Included were descriptions of the layout of the house, presumably unseen by many readers, especially where the bodies were found, in what positions, and where the blood was discovered. Of further interest were descriptions of the wounds on each body and the location of weapons found in the home (Halttunen 53). Ostensibly these descriptions were provided to allow the reader to “view” the evidence along with the law enforcement officials tasked with discovering the murder narrative and assigning guilt, so that the readers might draw their own conclusions. Despite the framing of this purpose, in actuality the *Narrative* allowed and encouraged fascination with the private lives and bodies of those involved. The presentation of the narrative and its descriptions, however,

softened the taboo of such intense curiosity about and scrutiny into their neighbors' – or even strangers' – private lives.

Part of this inquiry into the familial home included descriptions of the corpses of Beadle, his wife, and his children, descriptions deemed to be so important that they opened the *Narrative* and displayed Beadle's "almost fastidious care in the disposition of his family's remains" before focusing on Beadle himself (Cohen "Homicidal Compulsion" 746). This is not to say that William Beadle, as criminal, was not the central focus of the *Narrative* and other publications about the crime. Halttunen, Cohen, and Grasso all take the time to explain Beadle's religious reasons behind the massacre, all agreeing that religion and his family's shifting wealth played a role in the final outcome, differing only in emphasis on each reason and when the contemporary audience was made aware of them. Despite discussions of Beadle's actions, his reasons, and his guilt, the bodies of his victims were clearly on display from the opening pages of the *Narrative*.

Even extended discussions of Beadle's reasoning bring his victims into play, since such attempts to understand his actions focus on his desire to murder his wife – not presented as a fully rounded character in any accounts, but presumably not a woman deemed to deserve such an end – and his children, innocents because of their youth. Although Beadle wrote many letters, only two brief excerpts appeared in print, and no mention was made of what Lydia Beadle or her children might have done to aggravate husband and father (Grasso 51). The narrative explanation pieced together to explain this horrific act to contemporary audiences first presented them with the bodies of these victims before pulling back to the reason behind the murders, focusing on William Beadle himself.

Lydia and the children, then, were uncontested innocents in these texts, worthy both of civil justice and public sympathy. The fact that the *Beadle Narrative* focused so strongly on “try[ing] to explain why Beadle had done what he did” indicates that those close to the family could not come up with reasons why Beadle might have been driven to violence (Halttunen 54). If his wife had been unfaithful or his children had been unruly, the explanation could have been clearly presented and accepted within the communal structures of guilt and violence. Others would have been able to relate with negative reactions toward such acts and seen that Beadle’s response was overexaggerated, but the cause understandable. Instead there is no indication that either Lydia or the children may have done anything or displayed any characteristics to aggravate William and explain his violent outburst. Unlike victims of even a century later, Lydia and her children were considered entirely innocent in the crime itself, having done nothing to bring about their own deaths. These victims played no role in their own death, leaving Beadle’s motive unclear.

Even discussions of Beadle’s thoughts and reasoning lay no blame on his family. Cohen, taking a historical perspective of post-revolutionary life in early America, argues that Beadle fell victim to the freedom available to men of the day, the fact that Beadle would have been faced with “few remaining barriers to personal choice and achievement – and correspondingly few excuses for personal failure” (“Homicidal Compulsion” 727). This argument is based on Beadle’s loss of wealth alone, although Grasso argues that Beadle “seems to have fallen only from the ranks of the wealthiest ... to the middling sort,” not even approaching poverty (59). However, Grasso acknowledges that Beadle himself may have felt the loss of funds much more deeply than the numbers themselves indicate.

Indeed, although Beadle had earlier traded on credit, in the last years of his life he only accepted cash in his business, indicating either a loss of trust in his fellow men or his concern with his personal access to funds (“Homicidal Compulsion” 729). Initially, however, reports of the murders were concerned not with Beadle’s monetary concerns but his religious views.

Since most of the publications concerning the Beadle murders were printed in New England, they strongly carried the religious beliefs of the region, which were in sharp contrast with Beadle’s own beliefs, since it was reported that “[h]e attempts to attack all rulers in Church and State, [and] treats the Christian religion with a great degree of bitterness and bigotry” (Mitchell 16). Most of these beliefs, as well as his thoughts prior to the murders, were gleaned from letters he had written, and although Beadle must have spent time during his life defending his religious stance to others and personally mulling over his reasons for killing his family, “he did not ask that his letters be published” (Grasso 66). Beadle apparently had no wish to convert others either during his life or after his death, and his reasons for murdering his family were enough for him or perhaps too complicated to explain to a wider audience. In short, Beadle believed he had a God-given “right to self-destruction” that included all of his property and earthly goods, including his children, though he hesitated about the “propriety” of murdering Lydia, as well (“Homicidal Compulsion” 729). This final struggle eventually ended when he deemed it would be “unmerciful ... cruelty” to force Lydia to continue living with the rest of her family dead (“Homicidal Compulsion 745).

Although these murders occurred at a time when authority was shifting from the church, religious leaders, and religious law to the courts, the various court authorities, and

civic law, it still might have been understandable among the broader community if Beadle had acted in accordance with the region's Puritan religious beliefs instead of his own deist beliefs. The fact that Beadle apparently struggled with this religious mandate works in his favor. Grasso writes that Beadle committed "neither a crime of passion nor a fit of delirium," once again removing any guilt from Lydia or the children in causing the murders and assigning Beadle responsibility for his own actions, undertaken with full knowledge of the consequences (43). Cohen adds that Beadle set out to murder his family three times in November and December 1782 without being able to go through with it, highlighting the doubt that existed despite Beadle's conviction that it was God's will, allowing readers to sympathize with a man who was resisting the command of a false God ("Homicidal Compulsion" 730). Rev. Marsh's sermon, preached at the funeral of the murdered Beadles and published afterward, dwells at length on Beadle's apparent mental state and beliefs, including quoting from letters and diary entries he left behind and observing "[h]ad he left no written account of his intentions and views respecting the destruction of himself and family we should have been ready to consider it as the effect of a sudden and most vehement frenzy" (Mitchell and Marsh 19). Halttunen does not recognize these hesitations, although she indicates that Beadle had clearly planned for the event, since he sent the maid out of the house for the night. Despite being misled with faulty religious beliefs, Beadle was presented in contemporary texts as being fully aware of his actions and the consequences thereof, removing himself from the legal consequences through suicide and thus perhaps weakening the reassurance inherent in the restoration ritual.

Although the victims had finally appeared within the criminal narrative, even to the point of opening it – a practice that is still found in true crime literature today – the victims

themselves are always already dead at the start of the narrative, both within the narrative itself and within the timeline of the audience. The readers already know the fate of the victims and, often, the fate of the criminal as well, and the fact that Halttunen dubs this opening “the corpse-discovery scene” means that, within the narrative timeline, the murder has already happened. The victims are thus not presented as living people, but as dead bodies that must be examined for evidence that will indicate the identity of the murderer. In this case, the bodies are of a married woman and her children, figures considered innocents who played no role in their own death. In the end, Beadle himself is held responsible.

Within the Beadle *Narrative*, the visual element was introduced through the layout of the household and location of the victims. The victims’ bodies themselves, however, were presented to the reader through written descriptions rather than sketched visuals, requiring readers to picture the bodies. The 1849 murder of Dr. George Parkman, however, was published in a trial report that introduced audiences to the victim’s body in a much more visual way, starting the trend that leads to the black and white crime scene photographs common in true crime books of today.

Dr. Parkman was a respected member of Boston society, presented as having qualities both good and bad: although his “only medical practice was occasionally to attend to the poor, to whom he dispensed money as well as medical care,” Parkman was exact in his business dealings and kept close track of the money he had lent those from whom he expected it back (Bailey 70). He was obsessive about money and obsessive about being prompt, the second of which led to his disappearance being reported when he was late for an afternoon meal. During the subsequent organized searches, Dr. John Webster came

forward to mention that Parkman's previous appointment had been with him, and it came to light that Webster had owed Parkman more than two thousand dollars (Christen and Christen 6). The fact that Webster came forward of his own accord worked in his favor, but it was also clear that Parkman's disappearance or death would greatly benefit Webster, and – despite the friendship between the men – suspicion began to grow.

Webster was observed by the janitor to have been in his office at unusual hours, and had refused to open the door when Littlefield knocked. Littlefield's suspicions were further raised when Webster, not known for acts of kindness, presented him with a Thanksgiving turkey for the upcoming holiday. Of his own accord, likely prompted by the handbills printed in the wake of Parkman's disappearance, Littlefield took it upon himself to investigate, going so far as to opening up a sewage tank in order to discover bone pieces inside. More bone fragments were discovered in Webster's own laboratory furnace. Initially it was thought that these were perhaps fragments from specimens that had been legally acquired, since it was a medical college, but the discoveries were not labeled in the manner of specimens.

According to both Bailey and Halttunen, the events over the next few days and leading up to the trial did not conclusively prove that Webster had murdered Parkman. Despite the nine published trial reports, one of which ran to 628 pages, Halttunen declares the case too complexing and confusing to result in full confidence in the rendered guilty verdict. Bailey points out that “[t]he verdict increased the public uproar, if that was possible,” since the case involved two well-educated men of good social standing, men who had been friends and who shared a number of mutual friends (72). Despite the fact that Webster had full access both to Parkman, thanks to their private meeting, and to two

of the locations where bone fragments were discovered, neither Halttunen nor Bailey is fully convinced that Webster actually committed the murder, or that those fragments honestly belonged to Parkman.

The difficulty in identification was felt in the courtroom, where the prosecution presented the jury with many visuals to aid in presenting the crime. Maps of the location of the discovered bodies had already been used in the Beadle *Narrative*, and although there was no complete body found, maps did display the locations of the bone fragments, clearly in relation to Webster's own office. The jury was even presented with a life-sized drawing of a skeleton, bearing Parkman's recognizable protruding jaw as an added touch, with the bones shaded in three colors depending on whether the specified fragment had been found in the furnace, in the privy, or not at all. While readers of the published reports had to make do with these drawings, sanitized through the use of legal and medial language, those present in the courtroom were able to view the bones themselves, displayed in a box for the jury to examine (Halttunen 71). The jurors were thus not merely presented with a sterile narrative or sketches meant for public consumption by the common man, but with the actual evidence itself, in the form of body parts.

A more recent article from the *Journal of Dentistry* presents a more detailed description of the visuals available to the jury during the trial, as well as a clear declaration of Webster's guilt. First, Christen and Christen mention that Webster "surreptitiously swallowed a strychnine pill" upon being taken into custody, a detail omitted by Halttunen and Bailey and one that certainly indicates an attempt by Webster to escape legal consequence (8). The more detailed evidence, however, comes from the testimony of Dr.

Nathan Cooley Keep, a dentist and friend to both the victim and the accused, published in reports of the trial.

Dr. Keep had worked to construct a set of porcelain teeth for Parkman in the months before his death, meticulous to the point where “he had preserved Dr. Parkman’s plaster models ‘in case of accident to the teeth’” (Christen and Christen 9). This mold, along with sketches of the work Dr. Keep had performed, were shown to the jury, along with the porcelain teeth discovered in the furnace. Because of the unique structure of Parkman’s jaw, and the fact that the teeth had also recently been filed down to allow more room for his tongue – a procedure documented by both Keep and his assistant – Keep testified that the teeth could not have come from anyone but Parkman and, added that “the porcelain teeth were apparently protected from a fiery destruction because ‘they went into the fire inside a persons head or some portion of it’” (Christen and Christen 10). Keep therefore not only presented the jury with sketches and the teeth themselves, but added this last information in a way that would spark the jury’s imagination as they debated what sort of man would put another man’s severed head into a furnace.

Christen and Christen therefore agree wholeheartedly with the jury’s declaration of guilty, reached after only three hours of deliberation, even if the contemporary public reaction revealed that the community was not likewise convinced. This was, Christen and Christen allow, perhaps the very first instance of forensic dentistry being involved in a case, and although bite marks and teeth comparisons would securely finger Ted Bundy as a murderer more than a century later, even then the methods were challenged. Although today consumers of true crime are used to forensic evidence and have come to expect it as part of the narrative, in 1849 Dr. Keep’s testimony was not enough to sway public opinion.

Despite being such a respected member of society, however, Parkman was not necessarily the same innocent as Lydia Beadle and her children. Bailey acknowledges that Parkman's close watch on his finances, especially when it came to lending, were referred to as "an aberration of mind" by some of Parkman's contemporaries (Bemis 163). While Webster may indeed have been in the wrong as he avoided paying off his debt or even offered up the same items as collateral for more than one such loan, there are these hints that Parkman may not have entirely been a saint. On the one hand, the fact that he was willing to lend money to friends may display a certain amount of generosity, but it also might indicate that Parkman was not adept at making the wisest money-lending decisions either in choosing his debtors or the amount of the loan. Christen and Christen, secure in Webster's guilt more than a century after the trial, further add that "Dr. Parkman pursued his debtor with unrelenting severity, badgering him repeatedly, in public, in private, and by mail" (9).

However, despite Parkman's class standing as a well-educated and respected member of the Boston upper class, these negative details concerning the character and actions of the victim had begun to appear within the crime narrative. While nothing was said against Lydia Beadle or her children – indeed, accounts seem to praise them for enduring the antics of William Beadle as long as they had – a darker side of Parkman is at least hinted at. His crimes were not egregious enough for audiences to determine that Parkman may indeed have deserved the death he was dealt, but they are at least mentioned in passing so that readers might draw their own conclusions about the motive behind Parkman's murder – if Webster did indeed murder his erstwhile friend, and if the bone fragments did indeed belong to Parkman.

The visual support for this narrative, providing evidence of its own, built upon the previous use of maps in order to orient readers as to the location of the crime and the evidence discovered therein, and further advances in printing technology allowed the distributed crime narratives to carry so much more than a rough sketch meant to convey death and often reused from pamphlet to pamphlet. Readers no longer had to rely solely on textual descriptions to help them picture the crime scene and aid them in collecting their own evidence and drawing their own conclusions. Those who purchased trial reports could come face to face with Webster's likeness without having to enter the courtroom, and were presented with two variations of Parkman: the first version being when he was alive, and the second as a skeleton with three variations of shading.

Unlike Beadle, Webster was alive when he came under suspicion and thus faced a trial in which Parkman's alleged remains played a key role as legal evidence. His body, both in the sketch and in fact as the bone fragments presented to the jury, functioned purely as objects meant to remove all reasonable doubt in the question of his murder. Despite being well-known and respected, Parkman's identity was erased in this transition from rightful victim to evidence. Medical language allows for the discussion of individual elements of the human body without reference to the name of the person, or that person's biography. While it was necessary to know enough about Parkman to see that Webster had both motive and opportunity, and it was determined that the argument made through the sketch of the skeleton would be much more convincing if the drawing had Parkman's protruding jaw, Bailey only mentions Parkman's character in passing and Christen and Christen make their declarations from a position of certainty that Webster murdered Parkman and that the pieces discovered had indeed come from Parkman. Within the

Parkman-Webster case, crime narratives expanded the aspect of visual retelling and presented the victim's body as evidence, while at the same time other contemporary cases began to do the same with the victims' biographies.

Helen Jewett and Maria Bickford: Mid-Nineteenth Century Prostitute Murders

The mid-nineteenth century saw a number of changes in crime narratives concerning the representation of the victim maneuvering away from the blameless victims such as Lydia Beadle and her children. Some of these changes are apparent in discussions of Dr. Parkman in that his negative traits were indeed common knowledge, albeit often presented in humorous accounts by friends, most of whom also occupied positions of respect in Boston society. The initial emergence of the victim, however, was limited in that the victim's body played a role in the crime narrative, but the victim's biography – beyond the last hour of life when victim encountered murderer – did not feature in the crime narrative.

The murders of Helen Jewett and Maria Bickford in New England prior to that of Dr. Parkman each gained newspaper attention in such a way that the biographies of the victims were introduced to both juries and audiences not so that others might empathize or sympathize with the victim, but so those biographies might be taken into account as evidence during the trial and sentencing process. While the criminal's biography had long been included in the crime narrative, from his litany of sins during execution sermons to his own words and even his protests against his trial and sentence, the victim had first

emerged as physical evidence and nothing more. While the Beadle residence had been sketched with locations of family members, and while Parkman had also been presented as a labeled drawing of a skeleton and physical bones during the trial, it was these prostitute victims and the crime narratives surrounding them that introduced and established the role of the victim's biography within the genre and thus within the restoration ritual.

According to Patricia Cline Cohen, one of the reasons the city of New York was rocked by the 1836 brutal ax murder of prostitute Helen Jewett was because the city was in fact safe for women of that occupation, especially those living in brothels under the watchful care of a madam (76). Jewett was discovered murdered in her bedroom in one such brothel. A fire had been started in the room, and her overnight guest was nowhere to be seen. That guest, nineteen-year-old Richard Robinson, was shortly tracked down, questioned, and arrested for her murder. The story of the murder spread to newspapers along the east coast, presenting sometimes garbled accounts of Jewett's history collected from friends who had known her in the city. As the story spread, Jewett's biography came into question, partly because so much of it was fabricated and partly because of the responses garnered from those who had known her. Further, there also lacked a "modern dissociation between feelings and reportage" and the published stories were free to engage in speculation and sensationalization (Wiltenburg 1382).

Helen Jewett was not her real name, and three separate biographies ended up being published in local papers in an attempt to discover who this beautiful victim had been (Cline Cohen 31). When the story reached Augusta, Maine, Judge Nathan Weston recognized himself mentioned in one such biography, and he and his wife immediately identified "Helen Jewett" as a former maid in their household (Cline Cohen 37). This

identification of Jewett, however, did not end the confusion, since the judge and his sons had not conferred before speaking to the press. While the judge insisted that Jewett had not gotten up to mischief while working in his household, his sons hinted Jewett had indeed perhaps had her sexual fall at quite a young age. It seemed clear that Jewett had not, as one story told it, been born into a wealthy upper-class family and fallen far, but it was also clear that, since moving to New York City, her addresses showed she had either lived in brothels or as a kept woman, so her sexual standing was clear and displayed for public judgment.

The combination of a beautiful victim – reported by *New York Herald* editor James Gordon Bennet as “a work of art perpetrated by her murderer” – with a mysterious past, horrifically murdered, piqued the interest of local and even national newspapers (Cline Cohen 15). Jewett was often depicted as beautiful, with good taste in clothes, despite or perhaps even because of her chosen profession. At twenty-three, she was four years older than Robinson and portrayed as clearly aware of the effect her sexuality had on men, and therefore predatory (Halttunen 70). Cline Cohen adds that, despite the disparities in the variations of such reports, both the judge’s sons and local residents agreed that Jewett was sexually active at a young age, and of her own free will. Newspapers quickly picked up on these details and focused on the “threat of female sexuality” they thought the case clearly displayed, exploring how young Robinson, himself married, had fallen under Jewett’s spell and been led astray (Halttunen 199).

The presentation of Jewett as a seductress of innocents colored reports of the trial, and “popular accounts ... suggested that Jewett’s death was the inevitable result of her sexual fall” (Halttunen 201). She was therefore corrupt as soon as she had her first illicit sexual encounter, apparently at a young age, and this first could only be followed by others

with no hope of regaining a respected social status. It was partially this belief – that a woman, once fallen, could do nothing but remain fallen – that contributed to the idea that the natural end of a prostitute was death, either through murder or by her own hand, and although it was indeed suggested that Jewett might have committed suicide with the ax, questions of the location of the weapon, as well as the origin of the fire in her room, proved problematic.

Despite the apparent certainty that Jewett had died because of murder, Robinson received a large amount of public support at his trial because the murdered party had, after all, been only a prostitute. One group of young men attending the trial began wearing the same cap Robinson himself had donned, ignoring the fact that this was “presumably to hide the bald spot by which the brothel keeper had identified him” and fingered him as the murderer and instead adopting it as a sign of solidarity (Halttunen 87). This was in contrast to Jewett, who did not have supporters calling for her defense.

Instead, those witnesses called upon to testify about Jewett and her relationship with Robinson, as well as witnesses on the night of the murder, were themselves prostitutes or former prostitutes, many of them residents of the same brothel in which Jewett had been murdered. In order to ensure a not guilty verdict for their client, the defense took to attacking the prosecution witnesses with arguments based on character, adding that, if Robinson had indeed committed the acts, it must have been while sleepwalking (Halttunen 202). Although the jury had trouble believing that a man could commit such acts while asleep, without realizing it or being legally responsible for them, they ended up returning a verdict of not guilty simply because they did not trust the evidence presented by prostitutes.

A decade later the trial of Albert Tirrell over the death of Maria Bickford caught the attention not only of Boston but of newspapers much further afield in 1846. The murder, which took place in 1845, looks very similar to that of Helen Jewett: Bickford's throat was slit and three fires had been set in the brothel in which she had been staying. Bickford's past was carefully scrutinized not only in newspapers but in competing biographies, some sympathetic, others not. Bickford had indeed been married but had left her husband, and one of these biographies "suggests that she had been seduced less by the lustful men in her life than by the material commodities that their sexual patronage allowed her to enjoy" – in other words, Bickford may have been a prostitute, but this was her way of funding her extravagant taste in clothing and food and not because of an obsession with sex (*Pillars* 237). Presumably her husband had not been rich enough to support her expectations and her needs, and this was why she had left him.

Haltunnen, however, presents this argument less as a sympathetic interpretation and more as motive, pointing out that "Bickford's extravagance, suggested Tirrell's defense, had driven him to justifiable homicide" (88). No matter the reason for her continued prostitution, Bickford was still a fallen woman. Even the fact that she and Tirrell had both travelled and lived together "as man and wife" throughout 1845 did nothing to redeem her (Alan Rogers 35). There had been a history between Tirrell and Bickford, certainly, but whatever relationship they shared was marred in the press by the fact that Bickford was a fallen woman. Instead of being an innocent woman who had perhaps fallen in with an unstable man, "some [accounts] portrayed the slain woman less as a sentimental victim than a sexual predator in her own right" (*Pillars* 203). This argument, along with the statement that Tirrell must have been driven to homicide through Bickford's lust for

expensive, extravagant possessions, clearly veers away from the depictions of Lydia Beadle as hardly worth a remark and the few comments that showed Dr. Parkman in an unfavorable light.

During his trial Tirrell was defended by “Rufus Choate, the most prominent criminal lawyer in Boston” and the trial was closely followed in the newspapers (Rogers 37). Bickford’s biography even played a role in the trial itself, since Choate was able to find a doctor who both argued that Bickford “could have slit her own throat and still had enough ‘muscular energy’ to throw herself from the bed where the fatal wound had apparently been inflicted to a spot on the floor several feet away” where her body and been found (Rogers 39). Tirrell could also have easily committed the sequence of acts – rising from the bed, murdering Bickford, setting the fires, and getting out onto the street – all while sleepwalking, with no recollection of the events and thus no guilt. Either act, according to the medical thinking of the time, would have been triggered by subconscious desires, and the somnambulistic explanation led to a verdict of not guilty for Tirrell.

The district attorney perhaps foresaw some of these issues with prosecuting Tirrell, because he “admitted that Bickford was ‘an unblushing harlot and an undisguised adulteress,’ but he reminded the jury that the law protected the ‘life of everyone, high and low, rich and poor, virtuous and depraved’” (Rogers 36). Bickford’s biography therefore clearly played a role in the public perception of the case, as well as the trial itself, since such details of her life were explicitly acknowledged by the prosecution. Attempts were even made to reconcile the legal perception of “victim” with the developing public perception, shown in the argument that Bickford should receive the same careful consideration as any other wronged citizen. By making this argument, however, the

prosecution admitted that Bickford as a victim was no longer comparable to Lydia Beadle as a victim, and that elements in her past may indeed have led Tirrell to murder her.

These cases share many similarities, especially the beautiful female victim revealed to be a prostitute, murdered brutally by a higher class gentleman whose defense argued both for suicide and unrestrained somnambulism, which led in each case to a verdict of not guilty. Each case merited not only local but also national headlines, in part due to the brutality of the murders, and in part due to other details. In each case, it was not enough for the crime accounts to simply describe the location in which the body was found or even to provide a textual description or sketch of the wounds inflicted. Both Jewett and Bickford had their biographies traced, reported, and – especially in the case of Jewett – traced further and reported again. The identity of the victim mattered in these cases in a way that Lydia Beadle and Dr. Parkman had not, meriting much more than a line or two of quick description. Bickford's biography was well enough known that even the prosecution felt the need to mention it and allow that they were prosecuting Tirrell almost in spite of what was known about Bickford. These two cases clearly mark the beginning of the victim's biography mattering – not because it sways the audience with empathy, but as evidence.

Evidence and Retroactive Sentencing: The Victim's Biography

The mid-nineteenth century saw a convergence of many culturally learned behaviors of thinking about crime, criminals, and victims. First, the criminal was at the center of the crime narrative, drawing the reader's attention and asking the reader to make a personal connection. Readers were asked to understand the acts of the killer, even if they

personally would not have chosen to do the same. Second came two questions that were not present within the execution sermon: guilt and motive. As society shifted away from the religiously-based process of the execution sermon, criminals found that they had voices and could protest the outcomes of their trials, as well as state their innocence. Further, this movement away from ideas of original sin meant that there was no clear explanation for the criminal's act and reasons for his crime – no longer his sin – had to be sought.

The murders of Jewett and Bickford caught and held public attention in the midst of these approaches to the criminal, and thus their role as victims had to be melded around the preexisting structures of the criminal within the crime narrative. The criminal himself already occupied the central role within such narratives, having been given a voice since the execution sermons and allowed to veer off the religious script within trial reports. The victim, then, could not overtake this central position, nor apparently even share it. Instead, the victim, presented either as evidence through the physical body or through the biography, became supplemental to the criminal's story in order to offer explanation as to motive and to complicate the question of guilt.

Because the criminal is already positioned on a spectrum with the reader in order to allow for empathy and his biography is told in support of this purpose, the victim's biography must occupy another role within the crime narrative. In the case of Helen Jewett, the pursuit of her biography includes both the attempt to ferret out the truth within the various stories she herself told, as well as the fascination with a maid who may or may not have had her first sexual experience while employed by a respected judge. Part of her biography, then, includes these multiple biographies, cobbled together from the stories she told various friends and acquaintances, and the question of why she may have been

compelled to lie in so many different ways. These questions functioned to stretch out the story on the front page of many newspapers, but they also worked to build an idea of the “real” Helen Jewett.

Bickford’s biography was also subjected to different points of view, including those who associated with her in the city and her husband, whom she had left in favor of what she perceived to be the city’s glamor. Again, there were multiple variations to her biography, allowing readers to pick and choose or perhaps come to their own conclusions. Both Jewett and Bickford had to be reconstructed through hearsay and the reports of others, because they were each dead before popular interest fell on them. While the killers were often left alive in order to provide their own explanation or claim innocence, murder victims could not speak for themselves.

Jewett and Bickford were not innocent wives or children like Lydia Beadle and her offspring. Although Bickford had indeed married, she had left that life in search of something others interpreted as much more extravagant. Jewett’s final paramour – and her accused murderer – was himself married, and thus she had encouraged Robinson to commit adultery. Although civic law had overtaken religious law as far as judgments passed and sentences rendered, women were still expected to refrain from sex outside of marriage and to respect their husbands. In the mid-nineteenth century, it might be excusable for a married man to seek out a prostitute for his own reasons, but the fault and blame lay with the prostitute herself: a fallen woman who then chose to continue to be sexually active, since she was no longer fit for marriage.

The fact that Jewett and Bickford were both uncontested prostitutes helped narratives address the question of motive in their murders. While Beadle may not have

been excused for killing his loyal wife, Robinson and Tirrell each escaped a guilty sentence through a questionable defense solely because their victims and those who spoke in her favor were involved in prostitution. Further, Jewett was presented as having seduced young Robinson, and Bickford, accustomed now to her lifestyle, expected Tirrell to pay so that she might continue to dress and eat accordingly. These were each expected consequences of a woman becoming a prostitute, since she must always find customers to pay for her services and, as an independent businesswoman, provide for herself with the income she received. Robinson and Tirrell may have stumbled and fallen into the arms of a prostitute, but first, prostitution was not their own means of employment, and second, the sexual fall was not nearly so devastating for men as for women.

Like Webster's debt to Parkman, the relationships between each of the defendants and their alleged victims provided narratives with a motive. Robinson was married and presumably honorably attempting to end his relationship with Jewett, while Tirrell had fallen prey to the sexual female and found himself literally unable to keep up with the costs. Each situation could therefore be twisted to show how the dead woman was herself guilty not merely of prostitution but of further provocation, and that the man in question had reached his limit and snapped. It was believed that premature death was the natural end for the prostitute, and in these cases this meant murder instead of suicide.

These explanations not only served to highlight the alleged murderers' motives, but also to complicate the question of guilt. In execution sermons, as in the Beadle murders, guilt was plain and simple: the criminal confessed to his crimes and gave his explanation as to why he had strayed so far into sin. In the case of the Beadle murders, the community did not accept Beadle's reasoning, but this in itself did not remove the guilt from his head.

He had committed the murders in false belief, but he had known what he was doing at the time. Robinson and Tirrell, however, were each found innocent in their resulting trials.

I propose that the reason for these not guilty sentences rests not on the skillful defense of the accused, nor on the reputation of the prosecution witnesses, but rather because the women's biographies, presented as evidence at the trial, provided audiences with enough information to retroactively sentence the victims to death. The lenience and even allegiance felt toward Robinson and Tirrell came not just because death was the natural end for a prostitute, but because the prostitutes these men had chosen to consort with had seduced one away from his marriage and threatened to bring the other to monetary ruin through her greed. Each man therefore found himself involved in a sexual dynamic in which he felt threatened and, I argue, the juries agreed. Jewett and Bickford were in positions to hold sway over these men and thus did. In response, the men reacted violently and murdered them. Audiences, trained to sympathize with the criminal, thus agreed: perhaps Robinson and Tirrell had responded too rashly, but their response could indeed be understood.

Victims' biographies serve to not only shed light on the criminal's motive behind the crime, but also to weigh and parse out blame. While Lydia Beadle was presented as a victim in every sense of the word, Helen Jewett and Maria Bickford mark a turning point. According to the civic definitions, they are still victims in that an illegal act harmed them and thus the justice system must respond in accordance with the law. Within the popular definition, these women are no longer victims but complicit in their own murders through the acts they performed while they were alive. Jewett and Bickford are guilty of prostitution, sexual seduction, and extortion, so juries and audiences are willing to lessen

the sentences of the men accused of killing them by agreeing that Jewett and Bickford deserved to suffer consequences for their actions and retroactively sentencing them to such punishment after their deaths.

Prostitutions and Fallen Women: The Emerging Preferred Victim

This use of the victim's biography as evidence to answer questions of motive and guilt addressed problems that had arisen during the transition between the execution sermon and the trial report. While motive and guilt were clearly answered within religious law, and while the ritual of execution was so firmly established that all members of the community played the prescribed role, the trial report allowed for more questions. Not only could the criminal present his own argument and declare his innocence, but the legal process itself seemed to be open for questioning. The adversarial trial meant that motive and guilt were not certain, with arguments made for each side, and the introduction of the victim's biography – especially the prostitute victim's biography – helped to bring stability to these questions.

Karen Halttunen fixes on this stability when she declares that “[t]he sexual ‘depravity’ of a female murder victim ensured the acquittal of her probable killer,” although, as seen in the Jewett and Bickford cases, this sexual “depravity” could be showcased in different forms, with different specific offenses (186). Jewett did not simply seduce a man, but a married man, and Bickford wanted money not simply for sexual favors but also to support an expensive lifestyle. The specific accusations could be tailored to each individual case, but the root of the issue was the victim's fallen state. If a woman were

sexually fallen, then she did not deserve to live. Further, if she were sexually fallen, she had few opportunities outside of prostitution in order to support herself, and the act of prostitution itself was an offense against any man swayed to give his money in exchange for favors. A prostitute already had so much against her in life, and the situation remained that way in death.

Jewett and Bickford mark the beginning of this narrative preference for a specific group of victims, a preference that has endured through the true crime of today. This group is not limited to prostitutes or even to gender. Steven A. Egger, professor of criminology at University of Houston-Clear Lake, proposes that murderers, especially serial killers, prefer to pick from “a devalued stratum of humanity” that includes transients such as the homeless, runaways, and prostitutes (Egger 80). Egger argues that such victims, having been “less-alive” during life, become “less-dead” or perhaps even “never-were” after their deaths. More than a century after Jewett and Bickford’s murders held headlines for weeks, Egger declares that “[v]ictims become those who ‘had it coming’ or whose fate is in some way preordained. We publicly abhor this violence while privately excusing the killer’s acts as utilitarian,” finding motives that ring true to us while agreeing that we would never murder in such a way (80).

Egger’s argument of the “less-dead,” first proposed in an essay in 1994, addresses trends he observed during the last decade of the twentieth century, but these trends were not new. The presentation of the victim as complicit in her own demise had already been established with the two highly publicized prostitute murders of the mid-nineteenth century. Indeed, the representation of Jewett and Bickford – and Robinson and Tirrell –

may well have played into both the true crime and crime fiction media that caused Egger to propose the preferred victim as “less-dead” in the first place.

By presenting the victims as fallen women – or runaways, homosexuals, street people, and so on – the crime narrative ensures that the vast majority of readers will not relate to the victim’s class or lifestyle. While care may be taken to describe the criminal’s troubled childhood and to provide the reader with an explanation for his violent acts, the victim’s life remains purely evidence and is not meant to sway emotions or perceptions. Instead of an explanation meant to gain empathy, the victim’s biography is presented in such a way that readers “come to see the behavior of victims, their lifestyles, as the central factor in their demise” (Egger 81). Because the audience does not relate to the “less-dead” or respond when such people are threatened, this allows the criminal, the serial killer in particular, to continue to prey on the “less-dead,” helped along by the determined way in which society ignores the disappearance of transient populations deemed distasteful to have around.

Although Jewett and Bickford were presented as beautiful, desirable women, their alleged murderers – the men who had paid to spend that last night with them – received not guilty verdicts based on the explanation that murder would be justified and, if either of them had actually done it, it had been during a period of sleepwalking. Instead of resulting in an outcry, these verdicts were met with cheers from the defendants’ supporters. There was none of the confusion that surrounded the Parkman murder trial, and, since both Robinson and Tirrell were still alive and presumably in their right minds, there was none of the horrified disgust that surrounded the discovery of the Beadle murders. There was, however, an understandable explanation of motive related to the victims’ biographies, one

that also transferred a measure of guilt from the murderer to the victim and established the use of the victim's past as a weapon to be used against her, after death, in favor of the accused murderer.

This articulated distance between audience and victim worked against any feelings of empathy readers may have had for the victims. Narratives presented the victims as different from readers in class and at times race, if not gender, allowing readers to feel a lack of association with the victims. If readers could not relate to the victims, they would not fear becoming the criminal's next victim and would thus not be distracted from the focus on the criminal's eventual capture and the enactment of legal consequences necessary for community restoration.

Victims and Belief in a Just World

The fact that the preferred victim within the crime genre takes the form of a prostitute, someone to whom the readers generally could not personally relate, is a move supported by Melvin J. Lerner's theory of Belief in a Just World. Lerner does not define a just world in the fairy tale sense of all evil receiving consequences and all good being rewarded, but explains that, even as adults, we develop communal responses to suffering that help us deal with the insecurity of living in a possibly unjust world in which bad things could happen to good people at any time.

Lerner's concept of justice, then, is related to culture in that any member of a particular society "comes to associate comfort and security with meeting 'cultural standards' and fear and anxiety with failure to meet them" (Lerner "Protect" 30). These

cultural standards apply not only to the self but also to others, and thus fear and anxiety may be produced by the news that others within the community have failed to conduct themselves properly. When one community member acts in such a way as to turn another into a victim, Lerner argues that it is our belief in a just world that causes our negative reactions toward that victim.

Because the victimization of a truly innocent person is a threat to a just world, Lerner argues that observers will derogate victims in order to restore a personal sense of order and well-being. Audiences who encounter the victim first as victim and learn of the injustice done to her will tend to engage in acts of “finding or inventing attributes which do provide a sense of appropriateness to an undesirable event, even though they are reprehensible or demeaning” – thereby inventing the victim’s backstory or history in such a way that makes the victim deserving of such treatment (Lerner *Fundamental Delusion* 127). The thought of injustice befalling an innocent person is such a threat to our personal beliefs of safety and security that derogating the victim becomes a natural response in order to allow our perceptions of a just world to continue unchallenged.

Lerner describes the approach to victims and their biographies as being backward, in the same way that many crime narratives present audiences with the bodies of the victims first before any attempts to recreate the victim’s past. More violent crimes result in more negative representations of the victim, because “the more undeserved suffering the more negative the evaluations of her character” (Lerner “Forms” 256). While murder is indeed a threat to justice within our culture, the mutilation of a corpse or torture of a victim prior to death – the intentional infliction of pain or degradation – is worse, because it indicates a

cold and calculated act instead of one committed in hot blood. The victim, then, must have done something terrible in order to have been killed in such a way.

A study conducted in Portugal and published in 2008 takes these judgments a step further by testing audience reactions to victims of different subgroups. Although all three groups were presented with the same videotape of a boy who had lost his arms in an accident, the first group was told he was Portuguese; the second, that he was Gypsy; and the third were not told his social group. As predicted, “participants who were confronted with an ingroup victim were more threatened in their belief than participants confronted with an outgroup victim” or an unidentified victim (Aguiar et al 56). It was much more difficult for a Portuguese group to justify the results of the boy’s accident when they thought he was one of them than when they were told he was an outcast and part of a social group their daily culture insulted and pushed aside.

In the case of the crime genre, the selection of prostitutes as the preferred victim echoes these sentiments. American culture, based on religious beliefs, has established that victims can easily be derogated based on their sexual history, especially if they are part of a profession that places them below the concern of many classes of society. Prostitution is framed as a choice freely made by these women, and it is this lifestyle choice that results in their victimization. Because audiences of the crime genre are generally middle-class, prostitutes are therefore in their outgroup and more easily justifiable as victims. If authors or audiences can present prostitution as the cause – “if it is possible to attribute the victim’s fate to something he did or failed to do” – then there is no threat to our sense of justice (*Fundamental Delusion* 21). Even victims who were not engaged in prostitution can find themselves derogated, because “in the absence of special efforts people will automatically

blame someone for bad outcomes” (Lerner “Forms” 253). Thus a woman who does not take special efforts to protect herself, whether this means carrying mace or taking self-defense classes, can be justified as a victim through her own failure to prevent the crime. Audiences who hear about her are thus able to reassure themselves that, even if the victim was part of their own social group, she functions as a warning that encourages all others to “actively seek out ways to insure that [they] will be more fortunate” (*Fundamental Delusion* 128).

This derogation of the victim effects representations of the criminal, as well. A 1972 study set out to test audience’s reactions to the subjects of photographs, comparing descriptions given when the photographs clearly showed victimization with reactions to the same photograph when cropped to remove indications of an attack. Although this study was limited in that the subjects chosen were generally white police officers as the agent and black rioters as the victims, the researchers concluded that “subjects who justified the agent’s attack rated him more highly than subjects who deplored the attack” (Lincoln and Levinger 209). Creating a history for the victim that allows her death to fit into our belief in a just world allows for a justification of her murder that becomes a reason for the attack in the first place.

Lerner makes one further point relevant to representations of victims in the crime genre when he argues that “Normal people *will* reject, or at least devalue, an innocent victim, if they are not able to intervene effectively to correct the injustice” (*Fundamental Delusion* 50). This reaction to victims, especially murder victims who are already irreversibly dead, is thus common and not deviant. Within American society it is thus common to create negative histories for victims, dependent on the severity of the crime

committed against them, in order to restore a sense of justice. Although Lerner also observed that victim derogation was reduced and even eliminated in studies where participants were explicitly reminded “how people are supposed to respond to truly innocent victims,” the crime genre generally avoids such instruction in favor of presenting the victim’s justifiable backstory and continuing these representations to support our belief in a just world (“Forms” 256).

The Standard Victim?

Although the crime narrative has continued to adapt to changing cultural beliefs, it retains its stabilizing function and continues to offer audiences a common insight and approach to the crime and those involved. Initially the victim had no role to play, and thus authors did not need to direct audiences in their reactions to them, but once the victim emerged as a figure, her role was set. Already dead, separated from the majority of readers by class and occupation, she functions as evidence that must be scientifically examined in order to fulfill the civic duty owed to victims of crime. This initial approach was not necessarily hostile toward the victim, despite also not being emotionally engaging or sympathetic.

The prominent deaths of Helen Jewett and Maria Bickford in the mid-nineteenth century marked a change in this thinking as their occupation as prostitutes was popularly judged to have played a role in their deaths and their former suitors and accused murderers were rewarded with verdicts of not guilty. The wide, frequent coverage of each case established that it was acceptable to bring in the victim’s biography in order to supplement

the accused murderer's plea of innocence by providing a socially accepted motive rooted within the female victim's sexuality. The victim is therefore the sum of the evidence provided by her murdered body and her biography, working together to pinpoint the suspect and then to lessen his sentence.

The test of whether or not this representation of the victim is successful comes in whether or not elements essential to the restoration ritual are repeated – reducing the victim to forensic evidence, and decreasing her death through negative interpretation of her life – in order to restore communal order and give all members of the community the same attitude toward the victims. Although Jewett and Bickford were the first prominent victims to be given such treatment, the question remains: does this representation of the victim endure? In the next chapter I will investigate the throughline of power, authority, and consumption in various crime narratives that make up one continuous genre with its expected representations of victim and criminal.

Chapter Four – Authors, Power, and Authority in Crime Narratives

Although twentieth century true crime seems to have little enough in common with the execution sermons and trial reports of earlier centuries – so little, in fact, that scholarship seems to isolate them into singular, individual accounts – authors of contemporary true crime find themselves negotiating the same ritual as authors before them. A crime interrupts perceived social stability by revealing a criminal from within the community, creating fear and displaying an offense that demands consequences and closure. Since the execution sermon, the printed narrative has been a means of effecting that closure.

The format and presentation of the crime narrative has changed, as well as the authority of the author, shifting from a community and religious leader to someone who has had the privilege of witnessing more than the audience, invoking authority through privileged knowledge. These authors have the power to construct a narrative out of the events surrounding the crime, the legal process, and the criminal's own biography in order to answer questions of guilt and motive within the text. At times this process of meaning-making involves the testimony of expert witnesses, most often with backgrounds in medicine or psychology, in order to provide specialized knowledge in the process of making sense of crimes and evidence.

Contemporary true crime authors, especially those writing during or after the boom of the 1980s, find themselves writing within a rather constrained genre that comes with specific expectations of plot, detail, and orientation to its subjects, but one important element of the true crime genre reflects the ritual of the execution sermon: the triumph of

justice through a verdict, if not confession, and a proper sentence of life in prison or removal to death row. The author's combination of representing victims in the past and at a distance to the reader, while keeping the criminal himself immediate and in the present, necessitates this final element so that order might be restored and audiences may be reassured that, now as then, the crime will out, and justice will be served.

Scholarship on crime narratives tends to limit itself by movements – the Puritan execution sermon as separate from the trial report, for example – or by century, focusing on a specific social condition. References to past narratives tends to come in short acknowledgements, such as Jean Murley's preface remark that contemporary true crime can trace its roots to Puritan execution sermons but rarely make the connections on a deeper level or with further explanation. Indeed, true crime of the twentieth century looks very different from previous crime narratives, in thanks partly to developing methods of publication and distribution, and partly because of developments in fields such as medicine or psychology. Despite these apparent differences, true crime of the twentieth century responds to crime in much the same way as Puritan execution sermons, continuing to use text and narrative to assist in completing the restoration ritual.

Despite the introduction of new narrative elements and new figures in play, the crime narrative has always been controlled by the author, who has been able to decide what events to reveal to the audience, which events to conceal or ignore, and how to direct the narrative to indicate guilt, innocence, or redemption. These narratives have expanded beyond the execution itself to use multiple voices, from friends and family to expert witnesses, and the author has been able to control the release of this information within the text, as well as to use language in order to support or cast doubt upon the speaker. Through

the telling and retelling of events, authors engage in the process of what Gordon Allport and Leo Postman called “leveling” and “sharpening” – the process of leaving out extraneous information while concentrating on the most interesting, most socially relevant details. In their observation of rumor and word of mouth, they found “that items become sharpened or leveled to fit the leading motif of the story,” and the same happens within the crime genre as authors conform their specific narrative to the genre’s structure and focus (Allport and Postman “Section” 75). Even with the true crime boom of the 1980s that led to very strict generic rules, the author has continued to play a major role in the crime narrative, shaping it in ways that continue to fulfill the ritual that appears in execution sermons.

Author, Authority, Ethos

Ministers who preached execution sermons and then edited them for publication were granted authority through the church and therefore through the religious community, which was not separate from legal aspects of the community. These men were already established figures of authority within their own communities, with titles that were respected throughout New England. Because each was already a minister with a loyal congregation that looked to him for guidance and advice, the minister-authors of execution sermons were trusted sources of information. They were already positioned as central members of the community prior to publishing an execution sermon.

Invested by the authority of God and supported by the Bible, these ministers were unchallenged when it came to their representation of events. This position was made

possible by the religious structure of their communities and the faith that God had indeed chosen them, and thus they would not lead their congregations astray with lies or false interpretations. In his work, a minister was able to interpret the will and teachings of God for his congregation, and execution sermons were simply another tool for teaching.

Although this facet of the minister's life was indeed enough to confirm authority of the sermon's presentation of events, the minister also engaged in a personal, spiritual relationship with the condemned who had played his part and repented. Not only might the criminal have come from the minister's community and his own congregation, but the work of the minister was to engage with the criminal after confession but before the execution in order to guide the criminal back to God. Through this process the minister held many conversations with the criminal, hearing confessions and the criminal's life story prior to his repentance. Although multiple ministers may have consulted with the same criminal, only one preached the sermon before execution and was thus able to convey this narrative to the public. Although the lag between the execution and the publication of the sermon often gave ministers time to edit their sermons, it was this initial contact that established the accepted, acceptable narrative of the crime with details already leveled and sharpened for the audience.

As in the case of Esther Rodgers, it was conceivable that members of the community could be involved with the spiritual condition of the prisoner before execution. In the case of Rodgers, the criminal performed her role perfectly, allowing the minister to make his declarations without the possibility that others might conceivably contradict him. In the cases where only ministers conversed with the criminals during their imprisonment, it was possible that no one else would have been able to speak about the criminals'

conversions or lack thereof. Because of the ministers' privileged positions and privileged religious knowledge, as well as their close relationships with God, it was unlikely that their narratives would have been challenged, but the execution ritual functioned to position the minister and the criminal in close proximity without interference or competing interpretation from other parties.

The shift from the religious execution sermon to the secular newspaper and broadside narratives meant that the authors, now newspaper reporters, no longer presented themselves with the established authority of the ministers. These were no longer authors who, by virtue of their occupation within a religious society, were automatically trusted narrators. The communities themselves had changed, moving away from those in which religious law and civic law were one and the same, decentering the ministers and introducing lawyers and judges as the legal authority within the newly established adversarial court system. Ministers were central members in their communities, speaking to large congregations at least once a week, dispensing advice and guidance in all manner of daily situations. Lawyers and judges did not occupy this same position in relation to the public. While church services and sermons were regularly presented for all who cared to attend, the courtroom process happened behind closed doors, to a limited audience, and was not familiar to the greater public.

This was where the trial report came into play in a style that still remains represented within newspaper articles to this day, instructing the public about the legal process while at the same time guiding readers through the arguments and toward the same conclusion as had already been reached at the verdict and sentencing. While the lawyers and the judge were indeed responsible for their speeches, they did not play a role in the

publication thereof. Rather, reporters stepped in to fulfill this role, transcribing what was said in the courtroom with apparent disregard for leveling or sharpening of testimony, providing readers with an almost overwhelming amount of details that they had to sift through themselves.

In these early days, the format of the trial report limited the information to just that: the trial. Unlike the ministers before them, reporters did not necessarily interview the suspects personally. The information presented within the trial report was meant to show readers what they would have witnessed had they been present at the trial. The inside information, then, was not through personal interviews with the suspected criminal, but through the reporter's presence at the trial itself and the purportedly word-perfect record of all that had transpired at the trial. While the printed execution sermon allowed readers to experience the spiritual elements of the criminal's redemption and read the religious message of the ministers, the trial report displayed the new, secular process in all its complexity with the goal of convincing readers that the verdict had been proven and earned.

Authors of trial reports struggled with the fact that the authority was not within them, nor within a single person involved within their narrative. The very introduction of an adversarial trial removed the execution sermon's element of confessed and repentant criminal and introduced two lawyers: one to argue the suspect's innocence, the other to argue his guilt. Presumably the truth would have been ferreted out by the end of the trial, leading to the verdict, but the fact that this verdict was often contested was the main factor in the initial publication of trial reports. In the move from religious to secular communities with religious and then secular law, the crime narrative lost the authority held by the minister and his relationship with the confessed, repentant criminal.

Changing Locus of Authority

Because the author of a crime narrative was no longer considered an authority due to his position within the community, new criteria had to be established. Where the minister accompanied the condemned on his or her spiritual path to the scaffold and was thus able to draw on conversations that had happened out of earshot of the audience, the trial reporter was witness to the trial itself and thus able to impart its sequence of events to those who were not present. As an outsider, ostensibly siding with neither the defense nor the prosecution, the trial reporter had no personal stake in the outcome and was thus unlikely to skew his presentation of the proceedings toward one verdict or the other. The verdict was, after all, already public knowledge, and the active role assigned to the readers encouraged doubt and critique in spite of the author. The author had simply been present for the given arguments and was thus entrusted with representing the adversarial trial accurately, for an audience who had not been able to witness it personally.

Thus the trial report, like the execution sermon, was not an account written for entertainment, but to educate the audience. Where the minister had educated members of his congregation and beyond about religious law and its consequences for all souls, the trial reporter had the task of educating Americans about the adversarial trial, its procedure, and its level of accuracy. Accuracy in outcome and sentencing were of utmost importance, because the public looked for the same reassurances present in execution sermons: that evil would out, all who committed crimes would be punished, and this would restore the community to order. Although these declarations of guilt and justice no longer came from

a single authorial voice, the readers themselves were being trained to follow the trials, the speeches, and the trails of evidence in order to come to – and trust – their own conclusions. A properly written trial report led its audience to agree with the judge’s verdict and thus led readers to trust the adversarial legal process, as well.

As time went on, however, the adversarial trial was no longer new. Generations were born into and grew up with the process, so it was no longer strange and mysterious. Reports of the daily events of trials could be read in newspapers or seen as a snippet on the nightly news. Any author who claimed authority solely through his or her presence at the trial was less and less likely to be believed as the twentieth century progressed. The ministers and trial reporters had been given access to events that the average citizen was not able to witness, in a time when there were no or few other trustworthy sources of news. As newspaper coverage expanded and radio and television were introduced, audiences had access to multiple platforms reporting on crime news with quick turnaround times that did not require an execution, a verdict, or even the time to set a story in print. While the American crime narrative began as a monopoly held by the ministers of New England, it developed into a competitive, multifaceted market by the first half of the twentieth century.

While newspapers, radio, and television began to allow audiences a look at trials on a level that made trial reports obsolete, there emerged a new form of true crime: the book-length single-subject narratives that developed in the twentieth century and rose to a peak in the 1980s with the true crime boom. In order to secure a better chance of writing a bestseller, these twentieth-century authors did not entirely ignore their own social standing and ethos. Truman Capote, for example, was already a well-known author of fiction prior to publishing *In Cold Blood* and thus already came with an established literary prestige.

Lawyers, both of the prosecution and the defense, have shared their experiences with famous cases from the Manson murders to John Wayne Gacy. Others, such as Ann Rule, had a prior acquaintance with their subjects, having known them as friends or coworkers before their names were attached to crime.

In crime narratives of the twentieth century, “insider knowledge” helped sell books. Even Capote, despite his lack of involvement in either the legal process or the criminals’ prior lives, conducted extensive interviews with the criminals after their arrests, mirroring the process undertaken by Puritan ministers. The authors of these book-length narratives achieve authority through their perceived ability to take readers behind the headlines, to answer questions about the criminals that were not already displayed in print, and to provide more of the background that true crime seeks to construct in its narratives. These authors ostensibly conduct extensive interviews with many of the people involved in the given case, whether as part of the legal process or during their own research, in order to give a more rounded, fuller picture of the events of the crime and the personality of the criminal himself. The criminal is lit from all sides by stories from his childhood in an attempt to construct a linear narrative from birth to crime that provides an explanation for how a child might grow up to commit such atrocities. This narrative of the criminal concentrates on the moments that were perceived to have had the most impact on the criminal’s personality and sense of morality, and is thus leveled and sharpened to highlight these instances while dismissing the more mundane life events.

Puritan execution sermons explained away motive and guilt through original sin, and trial reports concerned themselves with courtroom proceedings in which motive may or may not have been addressed, but did not pursue motive outside of the trial. The

development and progression of psychology and psychiatry introduced more academic and scientific approaches to studying childhood and past experience as relative and relevant to adult behaviors, presenting authors with ways in which to structure their narratives while at the same time avoiding discipline-specific language in order to present the narrative to a larger audience. Twentieth-century crime narratives not only made space for discussions of motive, guilt, and the underlying causes of the criminal's behavior, but also created space for the author to gain more control of the narrative construction and the presentation of the events, not only of the trial or the crime, but of the criminal's life.

Constructing a Narrative of Guilt

Because a true crime narrative necessarily has a relationship with real life – unlike crime fiction, for example – true crime is thus a narrative representation of factual events, presented in such a way as to educate audiences about the presence of crime and psychological deviants, but also with the reassurance that the contemporary American legal system, whether religious or secular, is equal to the task of apprehending, saving, and sentencing such sinners and criminals. Although the true crime narrative has outside referents in the form of the events themselves as well as their records, the fact that “we wish to give *real* events the *form* of a story” becomes problematic (White 8). Lives are lived not as narratives but as series of events that we then present and report as narratives. However, since “[i]t is the imagination, not reason, which gives us the correlation of cause and effect,” the retelling of any series of events is what imparts the narrative structure, and this retelling is highly dependent upon the author (Lamarque and Olsen 246).

In relating a series of events and constructing a narrative, the author controls the order in which the audience encounters events; which events are included; which are left out entirely through the leveling and sharpening process; and which might be left out at one point and then related at a later date. It must be remembered that “every narrative, however seemingly ‘full,’ is constructed on the basis of a set of events which *might have been included but were left out*” (White 14). This “leaving out” could happen for a multitude of reasons. Within narratives that include mystery, suspense, or surprise, the author will purposefully leave out information or events in order to facilitate a reveal. In other cases, the “left out” events are determined to be unnecessary for the narrative, or perhaps disruptive, in that mundane events are seen as having no place in the story. Within criminal mystery narratives, factual or fictional, it is much more likely that smaller events will have a larger impact later in the narrative. Regular readers of crime narratives are more likely to pay attention when such events are indeed included in the narrative, but the readers’ expectations must be considered by the author. If the author does indeed choose to indicate an event that seems unnecessary to the plot, the genre requires that this event play a larger role in the narrative’s ending and the solving of the crime. Red herrings, of course, are the exception, but they still must be explained away as such.

Because the narrator has such control over the presentation of events, the narrator must be trustworthy in order for readers to accept the given sequence of events as fact. Although true crime is written in a journalistic style that suggests the text contains the facts, “[d]etermining whether a narrator should be described as unreliable often comes down to questions of motivation” (Keen 43). If the narrator is not already a central figure within the community, then why has the narrator chosen to write about this specific crime story? What

does the narrator have to gain from the narrative – outside of the monetary gains from book sales? Are these gains religious, secular, or government-approved? Why has the narrator chosen to keep certain elements secret or not discuss them at all? And, perhaps: what does the narrator know that has not made it to print?

Some of the questions surrounding the presentation of the narrative can be answered not through individual authors' choices but through the established construction of the true crime genre. The corpse discovery scene, once introduced through the *Beadle Narratives*, became and remains the most popular opening scene for narratives of murder. Although the narrative thus begins where law enforcement encounters the crime, there are still past events that need to be explained in order to provide information concerning motive and the progression of the crime itself. The body discovery scene functions as the hook to intrigue the reader, and the narrative often moves into the criminal's biography, starting with his birth. The narrative must then include the capture of the criminal, because the genre introduces the reader expectation that, once named, the criminal must be caught by the end of the book in order to maintain the genre's sense of restored order and continued reassurance of safety.

Although "the imaginary nature of closure is a necessary condition of existence for the production of narrative" in all cases, this is especially true for true crime so that the genre might complete the same ritual function as crime narratives of centuries past (McQuillan 20). No matter how horrible the crimes nor how numerous the victims, the criminal is caught and brought to justice through legal means. The narrative ends with the criminal jailed for life without parole or dead – in either instance, no longer a threat to the public. Very few cases are left unsolved, and of these cases, the events either happened in

a country other than America, or long enough in the past that the unidentified criminal is unlikely to be a threat.² The vast majority of true crime narratives identify, catch, and neutralize the criminal, thus restoring order to the community.

In order to reach this expected ending, the author must construct the narrative in such a way that the criminal's guilt is established, whether or not he confesses. In order to continue to show that the American justice system works to protect American citizens, criminals must be apprehended and neutralized, but only after all reasonable doubt has been removed. Just as escaped or unidentified criminals threaten the stable nature of society and the trustworthiness of the justice system, so do wrongly sentenced innocents. The criminal's biography, not present in the execution sermon when confession was a given, serves as a means to convince readers not only of the criminal's guilt, generally of repeated crimes, but also to establish motive and thereby make his crimes explicable. There must be a reason why certain members of society break both law and taboo, and any explanation – from religious mania to madness to a troubled childhood – comforts and reassures readers that that these are special circumstances, not likely to occur with anyone the readers knows personally, a distancing tactic that is inherent to the contemporary genre of true crime.

Authors, Identities

The development of a genre as a type of narrative creates a category which in turn develops an expectant audience that anticipates the narrative tropes and moves within that

² Examples of criminals who were not identified include Jack the Ripper in London, 1888; the Monster of Florence, Italy, 1968-1985; or the Zodiac Killer, California, USA, 1960s-1970s.

specific representative text. Some of these expectations, such as the opening corpse-discovery scene, the lengthy criminal biography, and the identity of the victims, have been covered at their first recorded appearances in chapter three. Although these may not have been standard expectations of crime narratives in the eighteenth and nineteenth century, Jean Murley argues that true crime of the twentieth century developed with these strict expectations, and Mark Seltzer has further concluded that true crime is “writing by numbers” in which authors must follow the given formula to assist their chances of success (*True Crime* 35). Indeed, it would seem that authors who do not comply with generic expectations will merely disappoint the already-established true crime audience, and thus would fail to sell.

Audience expectation plays a large role in the presentation of the crime narrative, because narratives are “a version of reality whose acceptability is governed by convention and narrative necessity rather than by empirical verification and logical requiredness” (Brunner 1991 4). While Puritan ministers and trial reporters were present for exchanges which the readers could not witness, either through extensive counseling of the condemned or witnessing the trial itself, twentieth century true crime authors show their audiences moments at which they themselves were not present. The author’s authority in representing the moment of the crime, especially murder, comes partially through the research that author purports to have conducted.

The private consultations between author in the form of Puritan minister and condemned criminal regained importance in the twentieth century. Trials became more publicly accessible through radio and television, allowing frequent updates for events that need not be local to the audience. In order to sell, book-length crime accounts needed to

offer audiences something they were not already experiencing through another medium and, despite true crime's journalistic approach to the subject, these books and their authors advertised their ability to "go behind the headlines." One means of offering audiences more information was to emphasize the author's relationship with the subject, implying that the criminal has revealed more to the author than has been printed elsewhere.

This new approach indicated that even those present at the trial, or those who had faithfully followed various news accounts of the events, could still be better educated about the "real" sequence of events or perhaps about which events deserved special attention through the sharpening process. The adversarial trial that had given rise to the trial reports continued to offer multiple narratives of the crime, introducing possibilities of both guilt and innocence, while providing more and more commonly socially acceptable explanations for each, using childhoods, parents, and psychology to explain deviant behaviors. The true crime author, however, suggested that whatever had been presented in court was only the beginning of the story.

Some authors, such as Truman Capote, extensively interviewed the criminals after they were apprehended, looking for more information about their childhoods or perhaps searching for a single moment in which the presumably innocent babe turned into the criminal monster. These authors encounter their subjects after they have already been accused, and at times after the trial and subsequent conviction. The criminal, then, has already been in the public eye, and has already likely been judged informally even if the trial has not already taken place. It is rare for authors in these cases to argue against the court for the criminal's innocence – indeed, contemporary true crime is more likely to tell the narrative of the wrongfully arrested criminal only after new evidence has arisen and

proven that innocence. This new evidence generally comes in the form of scientific breakthroughs, such as DNA, which were not available at the time of the trial, thus still attempting to reassure readers that justice is always done to the best of the court's ability. Perhaps the most famous crime narrative of innocence, John Grisham's *An Innocent Man: Murder and Injustice in a Small Town* (2006), documents the release of a prisoner who had spent eleven years on death row, thanks to DNA evidence. Grisham further documents the mental and psychological damage done to the innocent prisoner during this prison stay, especially when the prisoner came within a week of his execution date before it was stayed. These tales of wrongful imprisonment, however, do not generally appear in book-length accounts within the true crime genre, because they display instances in which the legal system has failed to protect the community. Like the trial report, the contemporary true crime book works to reassure audiences that justice has been done and to present them with the feeling of safety and of order restored..

Other authors have closer relationships with the criminal. Some, like Vincent Bugliosi, are lawyers who either prosecuted or defended their criminal subject. Even if the crime narrative closely echoes a trial report, it is not written by an outsider who observed what the audience could not personally attend, but a key player in the trial's events and arguments. These lawyers can presumably offer audiences insider knowledge of the cases, including information that may have been kept out of court and only discussed in private. Those who prosecuted criminals might express frustration at the court proceedings, even if they are satisfied with the conviction, while defense lawyers then have the opportunity to explain why they took the case, including their thought process in their own argument and their personal trials and frustrations. The role of the lawyer as specialist implies more

specific, focused knowledge, and the autobiographical bent of the crime narrative lends credence to the presented narrative as being more complete and more factual than the account of an outside observer.

One final form of author, beyond the researcher of past events and those involved with the legal process, is the unwitting friend of the criminal. While the researcher must come across an interesting case and pursue it before others get ahold of it, and while lawyers have the “luck” of being assigned to cases that then become famous, this final author finds him- or herself in this position completely by chance. The first, and perhaps best-known, instance of the friend-turned-author comes with Ann Rule’s *The Stranger Beside Me* (1980), her first true crime book and the start of a lucrative career. Rule recounts how she was assigned to write the story of the “Ted case” before realizing that she knew the Ted in question. Her narrative recounts her own life and experience alongside the crimes, a format that earned her criticism for exaggerating her personal role and even for betraying the trust of a friend. While other authors in more recent years have offered up their own interpretations of criminals from before they turned murderers, Rule’s case is unique because of the timing: she began researching and writing while the serial murders were still happening, before there were suspects and the main suspect turned out to be a former coworker. Still, like the other authors, Rule’s narrative was written and published for an audience who already knew her subject’s name and associated it with his crimes.

The audience expectation is thus set: the criminal, whose name is already known, has been sentenced for his crimes, either for life in prison or execution, in order to complete the restoration ritual. This fact assists in providing the communal comfort that the criminal is no longer a threat to readers, who begin the true crime book knowing the criminal’s name

and his guilt. The true crime book is not an armchair mystery that asks for the identity of the criminal in the vein of Miss Marple or Sherlock Holmes, but a narrative consulted in order to learn the reason why. All contemporary true crime authors, regardless of their own identities or relationships to the criminals, are confronted with the generic expectations of labeling their work “true crime.”

Prescribed Distance: Audiences, Victims, and Criminals

Although the timeline within the true crime narrative is generally established with the opening corpse discovery scene, a flashback to the criminal’s biography from birth, continuing through the commission of the crimes, cross-cutting the legal investigation, merging in the trial, and ending with the sentencing or criminal’s death, this narrative timeline also interacts with the lived timeline of the reader. Although the events within the narrative’s timeline refer to past events, “[s]tories report the past in terms of the present for a future audience,” and in doing so, do not relegate every narrative element to the past (McQuillan 3). Narrative elements that remain in the past are inconsequential to the reader; elements kept in the present show themselves as urgent and important to the reader, even if the narrative only concerns itself with events in the past.

The victims in a majority of true crime books are relegated to the past, even though “[w]hat happens *here* and *now* is of greatest interest and importance to the perceiver” (Allport and Postman 1947 73). Murder victims are dead before the narrative is written, and often dead at the start of the narrative. The true crime narrative does not work to reanimate the dead victim or recreate her life, but to present the victim as evidence useful

to both investigators and audiences in discovering the identity, guilt, and motive of the criminal. The contemporary true crime author works to present victims within these constraints, drawing connections between audiences and the criminal – who is indeed considered to be *here* and *now* – but not between audiences and the victims. The crime narrative takes pains to avoid drawing connections between readers and victims in order to coniate to allow the function of “*explaining and relieving emotional tensions felt by individuals,*” (Allport and Postman *Psychology* 64).

Victims were not present in execution sermons, allowing ministers to complete the ritual by focusing on the criminal and restoring that criminal to society before the execution – also a required ritual element. This restoration of the criminal to society in order to restore societal order has never bled over or expanded into restoring the victim. Indeed, as seen in Chapter Three, closure with the victim generally includes a retroactive death sentence that lessens the crime of murder and enforces the feeling of distance between victim and audience. Authors compose their texts with the assumption that their audiences will not relate to the victims because of class disparity or other moral objections, especially with the establishment of the preferred prostitute victim. Even when victims are from the middle class or higher, such as the college coeds that Bundy killed, the author still works to distance the audience from the victims. At the time of her death, the victim is always guilty of her own crimes or sins. While these are usually sexual in nature, such as in the case of a prostitute or a woman who was purportedly well-known to be more sexually active than society expected, it is also possible that the woman may have taken a risk – for example, walking through a certain part of town at a certain time of day, or hitchhiking – or that she had failed to properly defend herself. All of this victim description from the author comes

with the unspoken reassurances: if the reader is not a prostitute, does not take such risks, and prepares herself in self-defense, then this same fate will not befall her. She is not nearly as reckless nor as stupid as the victim, and thus needs not concern herself with the victim's fate beyond the evidence that will point to the serial killer.

The criminal has, on the other hand, been the central figure within narratives since Puritan execution sermons as authors direct audiences' attentions to their subjects. Murderers, unlike their victims, may well be alive for authors to meet and interview in order to uncover information that can be incorporated into the narrative as motive. In this aspect the author must be careful about speculation, since "the plot of the historical narrative ... has to be presented as 'found' in the events rather than put there by narrative techniques," but the evolution and popularity of twentieth century true crime has, with the evolution of psychology, developed a number of biographical elements that are expected, or at least accepted, as explanations for why a criminal became a criminal (White 24). The question of motive, which was explained in execution sermons by man's propensity to sin, now requires a more complex answer, supported by experts in their fields.

Authors and Borrowed Ethos: Expert Witnesses

Even if the author has an ethos established beyond presence at events the audience did not witness, whether simply the trial or for personal interviews, the contemporary true crime narrative relies heavily on testimony from other science-based experts. While execution sermons were written by ministers who held authority of religion within religious communities and religious law, the adversarial trial first required and then demonstrated

the need for multiple voices within testimony. When a criminal was willing to confess and could be thought to have left nothing out of his own narrative, there was no need for witnesses to corroborate character or evidence. With guilt and motive in question, not only did authors have to begin to piece together a single, “true” narrative from the given testimony, but they also needed to present scientific knowledge shared by experts with the common public.

As medical knowledge advanced, autopsies and autopsy reports became common occurrences after suspicious deaths, and all manner of medical personnel who had contact with the body were called upon to present their findings. As the twentieth century progressed toward the true crime boom in the 1980s, the practice of calling upon expert witnesses became more established, and many witnesses, either of their own volition or through examination, simplified their testimony for the average citizen who does not hold a medical degree. Authors may choose to quote this testimony, summarize it, or further explain or emphasize salient points – all moves that direct the narrative for the audience in order to steer readers toward opinions of guilt or innocence. Authors can further frame the testimony of experts by undercutting or emphasizing their ethos, using these methods to encourage readers to trust the experts whose testimony agrees with the trial outcome, while creating doubt about the opposing viewpoint.

While the medical experts generally offer testimony of evidence that leads to the criminal’s identification and capture, experts in psychology tend to work alongside the accused’s friends and family – those who have chosen to remain loyal to the accused, despite the charges – to explore the criminal’s motive. In the negative, a psychologist might diagnose a criminal with a disorder that means the criminal should be removed from society

for safety's sake. In the positive, testimony might present elements from the criminal's biography that lead toward lenience in sentencing by creating a narrative of childhood abuse, deprivation, or abandonment that led to the criminal act. When presented in this way, the argument is not for innocence, but for understanding.

Once again the criminal is placed in relation to the audience in such a way that readers should be able to understand the reasoning behind the crimes and see parts of themselves in the criminal, the way Puritan ministers presented criminals to their congregations. While the victims are relegated to the past and thus distanced and ignored, the criminals are established in the audience's present. True crime narrates the events in such a way that it becomes important to know the criminal and relate to him on some level, if not completely, so that readers might be made aware that such criminals exist and be able to recognize them if they should encounter any. Because of the official narrative that criminals can be anticipated through childhood behavior and that certain childhood acts or occurrences are indications that someone may tend toward violence, the background of an accused criminal becomes important as evidence of its own. Authors may shape this testimony in such a way as to frame it as evidence of a violent personality and reason for severe punishment, or as an explanation for the violent act in an attempt to gain more empathy and secure a less severe punishment.

In the case of any witness, the author of the crime narrative has the same decisions available in other aspects of the narrative: whether to recount fully or in part, at which point in the narrative to reveal the information, and how to frame the reveal so that readers are led more toward acceptance or rejection. Like the authors of the trial reports, contemporary true crime authors tend to frame their narratives so as to align with the sentence handed

down at the trial, aiming to convince readers of criminals' guilt while building up a narrative around their pasts in order to clarify motive.

“Writing by Numbers”

Mark Seltzer and Jean Murley have both written about the formulaic nature of true crime. This formula both limits the expected presentation of the crime narrative, while at the same time ensuring that the given narrative conforms to the expectations of the established audience and functions to complete the restoration ritual and reassure readers of safety and order. In order to conform to generic expectations, true crime must cover several steps, such as opening with a crime; the criminal's biography, with a focus on his parents and any romantic relationships; descriptions of the crimes and crime scenes; the legal pursuit of the criminal, including expert testimony; and the trial and outcome. The narrative is generally presented in this order as well, identifying the criminal after the initial hook, since the criminal's identity is rarely a mystery. Most contemporary true crime narratives are presented as giving the audience the story behind the name, rather than revealing the criminal's identity.

While the corpse discovery scene has been a popular narrative opening since the Beadle *Narrative*, even narratives concerning serial killers need not necessarily begin with the finding of a body. Although it is certainly an attention-grabber, and Vincent Bugliosi uses the discovery of the murders of Sharon Tate and her guests as his starting point in *Helter Skelter* (1974) because it begins the legal investigation, Truman Capote starts with a description of the quiet Kansas town about to be torn apart by the crime. Indeed, in *In Cold Blood*, the victims in the narrative are still alive at its start. Ann Rule opens *The*

Stranger Beside Me not with one of Bundy's murders, as might be expected, but with his emergence in Florida after his second prison escape. While Murley presents the opening corpse discovery scene as a hard and fast rule of the twentieth century with no apparent historical ties, Capote himself – named by Murley as the father of contemporary true crime – chooses an alternative opening for his narrative. It is indeed the author's decision, but contemporary true crime more often than not draws upon the eighteenth century *Narrative* and the subsequent crime narratives that proved the corpse discovery scene as an effective, enduring popular trait of the crime narrative.

Just as the corpse discovery scene often opens the first chapter, the second chapter of the book-length crime narrative tends to open with the sentence "Criminal was born in place on date." While one crime has already been revealed, it is frequently not the only crime, since serial killers are popular subjects for such books. Although the true crime genre does have space for instances of single crimes committed in hot blood, serial criminals offer the opportunity for an extended narrative and multiple instances for gathering clues. When considered with a serial criminal, the author may open the narrative with the last or the most gruesome crime in order to catch reader attention. The rest of the crimes, however, must wait for later in the narrative, since the criminal's life must be examined, indeed from birth.

Within these criminal biographies, authors often look for the cause of criminal behavior within childhood, developing the argument of nature versus nurture in such a way that reassures audiences that they themselves will not raise such criminal monsters. Parents are fully investigated, with mothers as more of a target for blame – when fathers are found guilty, it is for their absence, not their presence. The circumstances of birth are noted,

especially in cases similar to Ted Bundy or Charles Manson. Each was born outside of marriage and, for the first few years of life, believed that their grandparents were their parents, while their mothers were presented as their older sisters. Each was then told the truth and taken away from his (grand)parents, to be raised solely by his sister-mother in a new city. Jeffrey Dahmer, on the other hand, was raised by both parents, although his father was distant and his mother either too cruel or too concerned with her own physical and mental health to pay much attention to him. When his parents divorced, Dahmer was already nearly finished with high school, and his parents argued over custody of his younger brother, but not Dahmer. This apparent abandonment – first by his father, then by his mother – is used to help build up the case that Dahmer’s home life was partly responsible for his adult actions.

When possible, true crime narratives investigate not only familial relationships, but also friendships. Family members generally incur blame for how they raised the criminal, while friends are grilled in order to determine whether someone should have noticed something “wrong” with the criminal, even at a young age. Was the criminal a loner or did he have a small group of friends? Did he play with them outside of school or was he isolated in his own home? Should someone – if not his classmates, at least his teachers – have noticed the warning signs? Perhaps most importantly: *were* there warning signs?

This close examination of childhood, present in many contemporary true crime accounts, attempts to reassure audiences on two counts: first, that they can avoid these parental failures that lead to a criminal lifestyle; and second, that they would be able to recognize the budding criminal in other children. In an updated version of the Puritan belief that “sin will out,” the FBI even presented the idea to the public in the 1980s that there

were three clear indicators that a child will grow into a serial killer: bedwetting past the normal age; starting fires; and the torture and killing of small animals. If the criminal can be identified almost literally in infancy, then the crimes themselves can be prevented before they have ever been enacted. If the budding criminal can be identified, then attentive and aware audience members can prevent themselves from becoming victims and thus feel safer even knowing that such criminals may exist.

As the criminal ages, his romantic relationships are also open to scrutiny. Since a number of killers include sexual elements in their crimes and gain sexual pleasure even from acts that are commonly considered not to have a sexual component, curiosity begs the question of whether they are capable of having “normal” sexual relationships. Ted Bundy’s girlfriend not only dated him for years, but also appreciated his help in raising her daughter. She not only reported Bundy to the police as fitting the description of the “Ted” they were looking for, but also gave a long interview in which she described their relationship, including his desire to choke her in bed and the times she awoke to find him under a blanket with a flashlight studying her body, along with descriptions of his car and the various tools that were occasionally present. Jeffrey Dahmer and John Wayne Gacy both preyed on younger male victims, indicating that they preferred homosexual relationships, although Dahmer was never involved in a romantic relationship and Gacy was married – and divorced – twice.

The wives of serial killers, especially those who were married for a lengthy amount of time and during their husband’s active periods, are objects of both respect and curiosity. While Bundy’s long-term girlfriend, who fits this description outside of a marriage license, had her suspicions, reported her boyfriend, and went to the police for interviews, many

wives and ex-wives are largely left alone by true crime writers, neither accused of knowing what their husbands had been doing nor completely exonerated. Indeed, this disparate treatment offers up an unsettling premise: that it is possible to know someone the way readers know their spouses and yet not realize that said spouse is committing serial murder. Although there is reassurance in the narrative of the criminal's childhood that such deviance can be noticed and therefore stopped, once a criminal matures into sexual relationships, the issue becomes trickier. While ex-wives have removed themselves from association with the criminal and may reassure readers that such oddities may indeed be eventually noticed and avoided, those still married to – or romantically involved with – criminals at the time of their arrest tend to keep to themselves, refusing interviews, and authors seem content to let them refuse comment in order to avoid expanding on situations that might encourage fear and a lack of resolution within the narrative and within the readers. A wife who does not personally appear within the crime narrative is therefore more dismissible and more easily labeled as an anomaly, thereby reassuring readers that, while it happens that some women discover their husbands are monstrous criminals, it would not happen to an intelligent reader. Avoiding focusing on spouses of criminals allows the genre to continue to placate and reassure readers, constructing a perception of order and justice.

After opening with a crime and then backtracking to pick up the criminal's biography, the true crime narrative must discuss the entire sequence of crimes that the criminal is suspected of committing. The *Beadle Narrative* and the Parkman-Webster murder of the eighteenth and nineteenth century helped established the ways in which these crimes should be presented, including maps of the important locations, when applicable, and illustrations or photographs depicting important evidence. These descriptions and

images of the crime scene as discovered work together to allow readers the feeling of examining the important evidence themselves in order to come to their own conclusions as to what happened and who might be responsible. A true crime narrative must include these descriptions in order to offer up the reasons why the criminal was arrested and sentenced, thus justifying the legal consequences that function within the restoration ritual to reassure and comfort.

Many true crime narratives also offer descriptions of the crime in action. While the opening corpse discovery scene tends to follow the above crime scene description, later crimes described in the narrative might be presented as they are happening, with the narrative following the violent actions of the criminal as the crime takes place. This leaves little room for questioning how the crime scene got to look the way it did upon discovery, as well as little doubt as to the identity of the killer, since the reader “witnesses” the criminal committing the crime in action. Some true crime narratives include both the crime scene description and the narrative of how the crime took place, such as *In Cold Blood*, which separates the two elements from the discovery of the Clutter family bodies and then traces the pursuit of the suspects, eventually recounting the confession. Other narratives, such as *The Stranger Beside Me*, only show the crime scene while speculating what must have happened in order for the victim to incur such wounds.

Whether or not the criminal is depicted as having been the one to enact the crimes, eventually the criminal must be named. Just as the scene of the crime is presented to readers as evidence, with explanation provided from perceived experts as to the meaning behind the shape of the blood splatter, for example, or the type of weapon that might have been used, the rest of the legal process that pinpointed the criminal is also presented. Police

conjectures and processes are part of the crime narrative as the author allows the reader to see presumably all of what went on leading up to the criminal's arrest, functioning similarly to a trial report since this segment of the narrative ostensibly opens up the entire legal process to the audience, including leads that fizzle out or suppositions that end up being wrong.

In some narratives, such as *Helter Skelter*, the legal process of collecting evidence and discovering information about the suspects forms the main through-line of the narrative, since the author himself belongs to that legal process. At times the lead detective might be represented as a hero for breaking the case and securing the arrest of a dangerous criminal. At other times the lead detective only succeeds by disobeying orders and pursuing a hunch that luckily plays out. In other narratives, there is no one single person responsible for an arrest, but an array of officers who managed to piece together all of their information and work together. However this legal pursuit plays out, the vast majority of American true crime narratives end in an arrest and a trial.

The arrest is a major component of the ritual of the crime narrative that has endured from the time of the Puritan execution sermon, because the isolation and detainment of the suspect allows the community to return to its original state of safety. The trial and sentencing, which have already taken place by the time of publication, reassure readers that evil will out, and that the American legal system is more than a match for criminals of any sort.

Ritual and Resolution

The resolution following the crime – the restoration of order – has been an element of crime narratives in American history since the execution sermon. These sermons had the advantage of an already-confessed criminal who had shown him- or herself to be repentant, thus earning the endorsement of the ministers and other community members who had conferred with the criminal prior to death. When the execution ritual was closely followed, the repentant criminal was able to perform in such a way that his or her repentance and return to both God and the community was widely accepted, and the ministers invited their congregations to recognize themselves in the criminal. Sin was equated with sin, and although the criminal had sinned to a greater degree, ministers invited their audiences to acknowledge that they, too, had sinned, and that it was not impossible for them to find themselves on the scaffold one day. The model criminal went to the scaffold repentant and even welcoming of the consequences for his or her crime to fulfill a ritual that restored order to the community.

Trial reports differed in that they were born from contention. The author's job was no longer to report what had happened in a narrative that resonated with the religious community and explained the meaning behind the events, but to defend and explain the American adversarial court system in the wake of numerous complaints of injustice. The locus of authority shifted from the minister, the clear head of a religious community that adhered to religious law, to an author who had witnessed the events of the trial. The author's goal shifted from placing the events within religious contexts to appearing to

simply present the events in such a way as to convince audiences that the legal decision and sentencing were accurate and deserved.

True crime authors of the twentieth century find themselves following the already established ritual in which guilt requires consequences accepted by a community in order to restore that community to its place of safety and security. The crime itself upset order within the community, and in part the threat comes from the fact that an apparently average-seeming citizen would be capable of committing such a sin or a crime without being noticed or stopped. Puritans had their ministers to counsel both the condemned and the community that had raised and unknowingly harbored such a person. In contemporary true crime, authors complete the ritual of restoration by recounting the criminal's arrest and sentencing.

The author reassures the audience all along, allowing for a sense of safety and distance, first attempting to explain the presumably presentable reasons why the criminal became a criminal, then offering up instances meant to show that such criminals should indeed be identifiable to an intelligent acquaintance. The trial and sentencing offer assurance that, even if the average citizen has trouble recognizing criminals, the legal system will always catch up with the criminal and remove him from society, negating the threat. Within the Puritan execution sermon, the criminal was returned to his or her place within the community before the execution, and this returning was an essential part of restoring order. In the twentieth century, order is restored by removing the criminal from society cleanly, neatly, and completely. Although the criminal remains an object of fascination and contemplation for the audience, this fascination is facilitated by this feeling of safety, with the criminal either dead or imprisoned for life.

Chapter Five – Twentieth Century True Crime: Authors, Subjects, and Audiences

Although the function of the crime genre remains the same – a ritual to restore order to the community, focused greatly on the criminal himself – the crime genre itself experienced a change in the twentieth century, producing texts that became models for following authors and helped establish the specific, contemporary genre of true crime. The birth of the contemporary true crime genre is often pinned on Truman Capote's *In Cold Blood*, first published in four parts in *The New Yorker* in 1965 before being compiled into a book in 1966 and then produced as a movie the following year. Capote expanded the role of the author of a crime narrative because he was already established in literary circles and was thus able to bring a sense of acceptability to texts that had generally been dismissed as pulp. Two other authors of the twentieth century – Vincent Bugliosi, prosecuting attorney of Charles Manson and his three codefendants, and Ann Rule, who would rise to the top of the genre in the 1980s – continued to expand possibilities for the role, and authority, of the true crime author while still enacting the ritual of restoration.

Despite the many claims that true crime “sprang seemingly *sui generis* from the pen of Truman Capote,” many elements of Capote's book, as well as other significant true-crime books of the twentieth century, have their roots in the three-hundred-year history of American crime narratives that began with Puritan execution sermons (Murley 44). Many historical trends in the previous chapters, including representations of the criminal and his victims, are reiterated and reemphasized in true crime texts of the twentieth century that work toward the same purpose of restoration. Despite claims that certain authors, and

Capote specifically, are responsible for generating crime narrative tropes and techniques, many of these will be recognizable from execution sermons, pamphlets, trial reports, and newspapers of earlier centuries. While fascination with criminal narratives may have reached a new high in the twentieth century, formats and techniques for ensnaring audiences and encouraging both repulsion and fascination are largely not new, but repeated historical elements of the American crime narrative with the intent to fulfill the restorative ritual function.

The criminal's biography continues to be the focus of the crime narrative, drawing the attention of the audience in ways that encourage readers to relate to the criminal and his plight. Victims, on the other hand, are continually distanced from the audience in order to maintain the audience's feeling of safety, presenting the victims' biographies as evidence pointing to their inevitable deaths and concentrating on victims of the "less-dead" in order to maintain this distance. The author-criminal relationship, strong within execution sermons and less pronounced in trial reports, has also seen a resurgence in the twentieth century, returning the author to a position of privileged information and a personal relationship with the criminal. If reassurance comes from someone who has a privileged relationship to the criminal, then that reassurance must be able to be fully trusted.

Questions of guilt and motive, emergent after the execution sermon, remain firm elements of the crime narrative of the twentieth century. This encourages both the trial report aspect of journalistic writing and audience involvement within the text, puzzling out the given clues and evidence in order to come to the same conclusion as reached by the legal system. Guilt and motive remain entangled with representations of criminals and presentations of criminal biographies, enforcing the focus on the criminal within the

narrative. It is the criminal's past that necessitates his fate, and his fate that completes the restoration ritual.

I have chosen to examine the restoration ritual within true crime through three books that both enact already established elements as well as introducing new approaches, starting with Capote's *In Cold Blood* as the oft-cited originator of the modern true crime genre. The second text, *Helter Skelter* (1974), covers the Tate-LaBianca murders and the role of Charles Manson and his "Family," and is advertised as the best-selling true crime book of all time. Lastly, I have chosen Ann Rule's *The Stranger Beside Me* (1980) both because of its position at the beginning of the true crime boom of the 1980s and because of the position Rule has since established within the genre of true crime as one of its most prolific authors. Many of these texts concern themselves with serial killers, but then, "[s]ince the mid-1980s, an increasing idolization of the serial killer has occurred in the arts" and many crime narratives focus on this type of killer (Bartels 504). The author-subject-audience relationship, as well as the representations of victim and criminal, including questions of guilt and motive, is present in each of these texts and assumes a certain role within the development of true crime narratives. This continues to allow authors full control over the presentation of events as they oversee the completion of the restoration ritual for the new century, adapting the narrative to a changing society while still striving for the same comforting narrative that "purports to represent reality by means of agreed-upon conventions of fictionality" (Foley 393).

In Cold Blood (1966)

Truman Capote's *In Cold Blood* is the author's account of the murder of four members of the Clutter family in Kansas in 1959. Often hailed as "the first modern true-crime text," many scholars consider Capote's narrative techniques to be foundational for the contemporary true crime genre, citing ways in which his book creates the format for other crime accounts that followed (Murley 54). Although Capote may have been the first – or simply the most famous – writer of the twentieth century to craft a crime narrative in such a way, many of the tropes and elements he is often credited with inventing have their roots not in the history of literature, but in the history of crime stories outlined in the previous chapters.

In her 2008 book *The Rise of True Crime: 20th Century Murder and American Popular Culture*, Jean Murley credits Capote with bringing together and "perfecting" the following elements that then received popularity in following works of true crime:

“the shaping of real people into literary characters and the introduction of fiction-writing techniques into nonfiction writing, interweaving the actions of the killers and the victims by juxtaposing and ‘cross-cutting’ scenes, the theme that random violence can easily destroy idyllic American lives, and the representation of the ‘normal-seeming’ killer or sleeper sociopath” (Murley 55).

Although Capote's book may have introduced such elements to the general public in a way that allowed them to be recognized as credible, in a genre of their own, he was not the first to use these elements to discuss crime.

Capote as Author

Truman Capote was neither a minister nor, strictly speaking, a journalist, and thus his text is neither execution sermon, trial report, nor strictly newspaper article, although he does rely on the journalistic style in his presentation of the narrative, combining it with more theatrical filmic approaches. Like many authors before him, Capote first met his subjects – Perry Smith and Dick Hickock – only after they had been arrested for their crimes. All of his interviews, including those of the criminals and their families, thus take place after Smith and Hickock have been labeled criminals, allowing for hindsight to color the reports as well as Capote’s reception. Unlike a traditional trial report, Capote further makes an argument that justice was perhaps not carried out with the criminals’ executions, since only one of the criminals was responsible for the murders, which threatens the reassuring structure of the restoration ritual. Further, as an established author of fiction, Capote’s own personal approach to style and narrative-making mean that he may be more likely to shape his representation of his subjects to create a more rounded narrative arc, thus impacting the perceived truthfulness of his accounts.

The first element, shaping real-life people into characters for popular literary consumption, has been an element of the crime genre since the execution sermon and involves issues of both levelling and sharpening. Although the subject of the execution sermon was a member of the community and thus those assembled to listen to such a sermon had prior knowledge of his life and acts, the minister possessed the power to present the condemned’s life in his own way, highlighting or ignoring events as he so chose. Further, since the minister was in the position of expert knowledge concerning spiritual

matters, he was able to present the community with the image of the reformed sinner as he saw the criminal. This narrative presentation, continuing to highlight certain aspects of the criminal's lived chronology while downplaying others, gave the minister control over the presentation of the condemned criminal's character and thus allowed ministers to shape the criminal in the eyes of the community in order to better fulfill the restoration ritual.

In the case of execution sermons, the subject of the narrative would him- or herself be present for the initial spoken presentation, and details of the criminal's behavior would be included in the printed execution sermon. These details could be used to either support the minister's claims or refute them, depending on the behavior of the criminal. If the criminal, such as Esther Rodgers, performed the role of repentant sinner that had been assigned to her, then her actions further confirmed the declarations of the minister and thus confirmed her character. The criminal, then, had the opportunity to perform in alignment with the restoration ritual in a way that would reassure the community, or to act out and become an example in the negative.

Hickock and Smith were hanged in 1965, before Capote's book was published, and thus could not comment on the ways in which Capote's accounts may have manipulated the truth. The book, just as the newspaper articles that caught the author's attention in the first place, was meant to reach audiences much larger than those who had a personal connection with any of its subjects, and the main players – the Clutter family and Hickock and Smith – were no longer alive at the time of publication. Capote's characters reference real people that lived in the past, but no longer existed, and thus could no longer be used as references to confirm or deny the characteristics he assigned them. Further, Capote himself had no contact with the four murdered members of the Clutter family, relying on

testimony of friends and family who had indeed been acquainted with Herb, Bonnie, Nancy, and Kenyon in order to present the family in such a way as to support his negotiation of the restoration ritual.

In the case of the execution sermon, the minister was known both to the community that heard his sermon and to the criminal himself. It was expected that a minister, especially when dealing with a criminal who had repented, would have spent a great deal of time with the condemned, hearing his confession and guiding his spiritual journey. Further, because he was a man of the cloth, the minister was a respected member of the community whose judgment and accounts of spiritual events would be trusted. As such, ministers could freely reference their work with the condemned, as well as spiritual work undertaken by other members of the community who had likewise concerned themselves with the condemned's spiritual condition. A minister and his community could be proud of the work they had done to help rehabilitate one of their own before the execution was carried out.

Capote, despite spending six years researching and interviewing during which he established relationships of varying degrees with his subjects, "appears nowhere in the book," and never once uses the word "I" to refer to himself or obliquely mention his presence (Schmid 192). In this way he presents the series of events as though he had witnessed them, but not influenced them or asked the questions that prompted the quotes that appear in the book, some of which go on for pages. Unlike the minister, whose role was both clear and expected, Capote removes himself from the narrative that he researched and compiled, glossing over the fact that each telling of a story is affected by its narrator and that narrator's purpose. This is a journalistic approach much more common to the trial report. In an interview, Capote himself admitted that "keeping himself out of the narrative

did not necessarily mean that he gave up all control over how to present the events,” but no such acknowledgement is made in the text of the book itself (Schmid 103). Within the text, Capote’s version of both the events and the people enacting them are presented uncontested as though this is the only way that this story could be told, and it is therefore the truth. The reader thus does not need to do the work assigned within trial reports and can instead rely on the author, much in the same way that community members looked to their ministers during execution sermons.

Narrative-Making in *In Cold Blood*

Murley also makes the claim that Capote “introduces” the use of fictional techniques into crime writing, specifically referencing the way Capote cross-cuts scenes and therefore juxtaposes the lives of his main characters, criminals and victims alike. While it is true that early crime narratives such as execution sermons did not reference the victims or their lives, the use of multiple viewpoints within the narrative was already used in the publication of the story of Esther Rodgers, making full use of first-person accounts by community members to create a multifaceted look at the criminal herself, including her own words. The victims in *In Cold Blood* do indeed receive discussion of their biographies, although this is more along the lines of Helen Jewett and Maria Bickford than the Beadle family, despite being the presumably innocent victims of strangers. There are still negative aspects presented in the victim biographies: Herb is suspected of having picked up the habit of smoking, Bonnie is struggling with mental illness, and Nancy is still dating a nice enough young man of the wrong religion. Only Kenyon escapes with the assessment of

being a usual younger brother, up to mischief from time to time but otherwise truly blameless. These are respected community members, allowed their own personality traits and quirks, not known prostitutes who were complicit in their own deaths. The Clutter family is indeed relatable and deserving of the readers' empathy, none of them perfect but none of them complicit in their own murders.

Further, the act of retelling lived events means the creation of a narrative, and while the narrative may itself refer to real people and real events, the narrative form functions much the same in nonfiction as it does in fiction. Murley's examples of what she terms "fiction-writing techniques" have to do with the structure of the book itself, which is divided into four sections that align with the original segments published in *The New Yorker*. Instead of chapters, new scenes are introduced through a space between the lines and capitalization of the first vastly indented line of the next scene. In Part One, each section alternates between the last day of the Clutter family in Kansas, and Hickock and Smith as they prepare to leave for Kansas. The crime itself is not described at this time – instead, Capote narrates the criminals arriving in one scene, and in the next presents readers with the discovery of the bodies, creating a feeling of tension and a looming question of guilt not common to the genre.

This discovery interrupts the steady back-and-forth between the criminals and what continues to happen in Kansas as law enforcement officials attempt to discover the murderers. Although the events described happen in chronological order and no further information is forthcoming about the Clutters, Capote uses various methods of flashback – through letters and reminisces of family members – to present readers with the life stories of Dick Hickock and Perry Smith. Smith's biography emerges first, and commands the

longest stretch of pages, as well as the most reiterations. It is through Smith's current actions and these reminiscences that "Capote crafted his narrative so that the reader shares his fascination with Smith, who was at once a devious and dangerous loner and a sensitive, wounded man" (Murley 55). Although the focus of crime narratives has historically been placed on the criminal, as opposed to the victim or the law enforcement officials, Capote's narrative choices of the multiple, repetitive biographies might be considered a new approach.

Historically, crime narratives were not always chronological reconstructions of events that chose a beginning and an end point and related all events between the two in accordance with the calendar moment of their occurrence. The technique of opening with the discovery of a crime – one that Capote did not employ – meant that backtracking to the criminal's history was necessary, as well as the retelling of the way in which the crime itself was enacted. This latter scene gained horrific components through the nineteenth century, with descriptions of bodily harm and the emotions of both criminal and victim included. When possible, witnesses were interviewed, ostensibly to create a fuller picture of the crime in order to determine guilt, but this repetition of the actions merely prolonged the body horror for audiences and made the resolution of the restoration ritual all the more necessary.

Interestingly, although Capote has removed all evidence of himself from the text and often reports on conversations or events in the narrative that he did not witness, one of the most important scenes in the murder narrative – the corpse discovery scene – is presented entirely in the words of a witness. Larry Hendricks, a school teacher, describes the scene in the Clutter farmhouse in a pages-long apparently uninterrupted, unprompted,

detailed monologue. Instead of relying on the authority of the omnipotent narrative voice, or on the medical authority of an expert description, Capote apparently completely removes himself from this description of the violence. He also refrains from constructing the crime itself, later using Smith's confession – also an apparently uninterrupted pages-long monologue – in order to bring the reader back to that November night. During the moments of revelations of intense violence, Capote seems to completely remove himself from the narrative and let the witnesses speak for themselves. This makes it seem as though these monologues are natural and self-producing, uninterrupted by questions for clarification and then unedited, presenting readers with the idea that Capote had no more influence than to turn on his recorder and faithfully transcribe what was said. In this way he presents these interviews much along the lines of trial report testimony, in which the questions asked of the witness were generally left out and the transcription of the testimony largely presented as a monologue. Capote, unlike the execution sermon ministers, creates the illusion of truth by removing himself from the pages and presenting witness testimony as simple fact that does not need to be bolstered by words of his own. He must simply be trusted to present the information given to him without alteration or interference.

Random Violence, Guilt, and Motive: Representing the Criminal

Murley also states that Capote's narrative introduced the average American to the idea that random violence might at any time intrude into the average daily life. Presumably she intends "random violence" to indicate stranger murder specifically, as opposed to violent incidences involving families or acquaintances, both heavily documented in true

crime narratives starting in the nineteenth century. With the advent of personal and public transportation and the average citizen's access to cars and trains, it was possible for criminals to expand the areas in which they operated and to commit crimes in places where they were not known and therefore not recognized. Crimes committed in one precinct were known only to the officers within it, and thus any similar crimes committed even the next precinct over were not always connected.³ As a result, not many stranger-murders resulted in an arrest or a trial. Execution sermons always referenced a condemned criminal, often a criminal who had already confessed to the crimes he was accused of committing, and the crime literature that followed tended to focus on crimes in which the criminal was known, apprehended, and therefore rendered nonthreatening to reading audiences. Just as a feeling of safety and security was reached when readers could not identify with the class or standing of the criminal's chosen victims, crime narratives provide further distance from which to study the criminal when it is known that the law has triumphed and he is either currently in jail or dead. In the case of the Clutter murders, the criminals were strangers to both the family and their neighbors, but Smith and Hickock were indeed eventually caught. Thus, this case of stranger-murder may have functioned to horrify readers who identified with the Clutters, especially with the descriptions of the crime scene and the victims' bodies, but readers could be reassured that the law had triumphed and that Hickock and Smith had been executed. Because of the genre's reluctance to report unsolved murders, and because so many stranger killings go unsolved, *In Cold Blood* may well have been

³ This lack of communication allowed Ted Bundy to commit at least thirty-six murders across the country and resulted in the creation of ViCAP – a national crime database – in order to catch just such offenders.

popular literature's introduction to the random violence that stranger murder imparts, but it also includes the reassurance that such strangers will indeed be caught.

Finally, Murley proposes that Capote also introduces his audience to the "normal-seeming" killer and therefore to themes of psychopathy and sociopathology. Although there had been a period in the late nineteenth century during which phrenology was a trusted science and criminals were thought to be atavisms, easily recognized by their resemblance to Neanderthals, the vast bulk of criminal narratives place the criminal on a spectrum with the reader, making him a relatable figure. The community member of the execution sermon was indeed "normal-seeming," and, through his or her work with the community minister, could regain that place in society before death. Although this representation of the criminal may have been new to twentieth century audiences, it had its roots in the execution sermon, encouraging readers to identify with the criminal himself if not his heinous acts.

Capote's representations of Smith and Hickock are, however, interesting and intriguing if only because their guilt is merely implied until the presentation of Smith's confession. At first, Capote refuses to commit to admitting his subject's guilt, allowing readers to question and wonder before he clearly explains. Second, his description of the criminals is skewed so that Smith appears to be more sympathetic and Hickock comes across as the smarter man, and also the man more likely to put his plans into action. Audiences may thus spend much of the narrative believing that Smith is guilty merely by association, while Hickock is the true criminal, reacting negatively when Hickock confesses that Smith was the one to have pulled the trigger because they think he must be lying. Instead, Smith – who has been given almost preferential treatment in the text,

receiving far more pages devoted to his troubled past – ends up confessing to all four murders, subverting audience expectations and leading to possible issues of trust between the audience and the author who may not have properly prepared readers for the resolution.

Although readers are shown Hickock and Smith's arrival at what is presumed to be the Clutter farm during one night and the bodies discovered the next day, at that point in the narrative there is no clear indication that Smith and Hickock actually murdered the family. Further, Capote's presentation of the criminals, as well as their pasts, represented Smith in a much more sympathetic light than his companion. Although both criminals have been through horrific accidents, Smith has been reduced to comical proportions as his legs were drastically shortened by a motorcycle crash. He is fond of music and laments losing his guitar in Mexico, and Smith is presented as having the most doubts about what they plan to do, as well as continually bringing up what they had done, as though it haunted him.

Hickock, meanwhile, is presented to the audience as a confident, swaggering man with no hesitations at all about enacting crime. Instead, the plot against the Clutter family seems to have been his idea, and though he is portrayed as thinking that he needs Smith because Smith has the capability of being a cold-blooded killer, it is Hickock who seems most likely to murder. He easily dismisses Smith's concerns about being caught for their crimes, brushing off the act itself and showing little apparent empathy. However, once the men have finally been brought into police custody, it is Hickock who cracks and confesses first. At this point in the narrative it seems that Hickock, who has up until now lied slickly and ordered Smith not to breathe a word of it, has turned on Smith, and the reader may wonder if Hickock has blamed the entire ordeal on his partner in an attempt to frame Smith.

However, when Smith finally confesses – and then amends his confession to what he claims is indeed the full truth – it is to say that he was the one who slit Herb Clutter’s throat and then shot all four members of the family, all by himself and of his own volition. The apparently more sensitive, more relatable man of the pair is the one who is responsible for the violence described in the first part of the book, nearly undermining Capote’s representation. When “Capote reverses the reader’s expectations by portraying his most deadly killer as the seemingly kind one, and the one who seemed most threatening and violent as essentially innocent,” it comes as a shock to readers who may have already formed their own opinions about the pair’s relative guilt or innocence (Murley 57). Although Capote’s omniscient narration leads readers to believe the opposite, Smith’s own words present what readers must ultimately take as the truth. And, although Murley refers to this omniscient narration as “another of his innovations,” crime narratives relied on the third person narrator from the pamphlets published alongside execution sermons and were not, therefore, a true invention of Capote’s (Murley 57). First-person accounts from criminals, whether in the form of last words before an execution or a written account of the crime, have always held high status in crime literature, but an outside voice, whether that of the minister or an unnamed author, has always tempered the American crime narrative. The criminal himself, while he may know the most about his actions and his past, is an unreliable narrator.

Capote’s use of another’s words to reveal the hard facts of the case, both the evidentiary and the gruesome, reveal an aspect that appears in *In Cold Blood* but in few other true crime books: his “attempt to generate public sympathy for them [Hickock and Smith] by arguing that they may not have been legally responsible for their crimes because

they were suffering from temporary insanity” (Schmid 195). Although the criminals of this narrative were tried and found guilty in a court of law, and although all other attempts for a retrial were turned down, Capote himself does not commit to the fact of their guilt, despite their executions. The extensive biographies of each criminal reveal troubled childhoods and injuries to the head, and therefore likely the brain. Brain trauma has long been associated with emotional issues, which may have been the cause of Smith’s uncontrollable rage. Each man was assessed of mental competence before the trial, but Capote takes his reporting a step further by printing what Dr. Jones would have said about each subject, if he had been allowed to make such declarations by Kansas law (Capote 294). These long descriptions emphasize the men’s unusual mental states, and their inclusion in the text when they were not allowed at the trial is a specific choice Capote made in his representation of Smith and Hickock. In the case of Smith, this inclusion helps explain the narrative’s extensive discussion of his biography, because the diagnosis of “sociopath” encourages such attention to detail to allow audiences to understand his guilt.

In Cold Blood is not in itself a trial report, but in its description of the trial, there was no historical precedent for Capote including information that first, did not appear at the trial itself, and second, seems contradictory to the final verdict. In this case, Capote is not indicating that Smith and Hickock were not involved in the murders of the Clutter family, but that they should have been spared execution by virtue of the insanity defense. He explains the circumstances required for an insanity defense in Kansas, as well as other states’ varying definitions, before taking issue with the assessments performed on the prisoners. Capote’s argument seems to be with the M’Naughten rule itself – Kansas’ functioning definition of what it means to be legally insane – since even Dr. Jones’

proclamations, unmentioned at the trial but published in the book, do not fall within the definition of legal insanity. There is thus no argument against the death sentence for either Hickock or Smith, despite Capote's personal reluctance to admit to their guilt.

The odd aspect, perhaps, is Capote's sympathetic portrayal of the man who murdered the Clutter family and his lack of emphasis on Hickock's level of culpability in the crimes. Smith's original confession said that Hickock was responsible for the murders of Nancy and Bonnie Clutter, but his later revision – as well as Hickock's own confession – claimed that Hickock did not kill any of them. Neither Smith nor Hickock took the stand at their own trial, although Hickock's father did plead for his son's life, so the details of the murder spree were not recounted in court outside of the previous confessions. In spite of the agreement between the two confessions, Capote at no time presents an argument against Hickock's death sentence or indicates that Hickock is any less culpable than Smith. In fact, Capote seems to be in favor of commuting the death sentence of each man and giving him psychiatric treatment, Smith even more so than Hickock because of his difficult childhood and the fact that he himself murdered four strangers. Even though he was the more confident man, more capable of assuming the spotlight, Hickock is shunted to the side in favor of the sympathetic portrayal of his partner, which leaves audiences open to question whether or not Hickock should have been executed in the first place and thus undermines the reassuring security of the restoration ritual by bringing up the question of a possibly unfair sentence.

Hickock's own confession is limited within the text, lacking details that Smith's offers. The reveal, presented at such a moment that readers may suspect that he is lying, says simply, "Perry Smith killed the Clutters.... It was Perry. I couldn't stop him. He killed

them all” (Capote 230). The details, and thus the presentation of the events of that November night, come later, in Smith’s own confession. At first he implicates Hickock in the deaths of the women, but later even retracts that, agreeing with Hickock’s initial statement. Hickock may have been the reason that Smith went to the Clutter’s house, and it may have been his idea to empty the safe he had been told was there, but he himself did not murder the family. At the end of the book, even as Capote explains Hickock’s attempts to change his sentence, the text does not repeat these details, nor does it remind readers that, in the beginning, it was Hickock who intimated there should be no witnesses left alive. The only argument Capote puts forth for either criminal is that of insanity, an oblique argument that nonetheless stands out against most crime narratives’ clear indication of their subjects’ guilt. Again, this has the potential to disrupt the restorative function of ritual by causing audiences to question the rightness of the executions, especially when one man has been so sympathetically portrayed.

Although *In Cold Blood* is not the genesis of many of the elements Murley names, it does bring them together in a text that was accessible to a popular audience in a format that did not carry with it the stigma of crime magazines. Capote, already established as a credible, talented author, drew on historical precedent for crime narratives, bolstering these elements with his narrative skill, in order to present audiences with a crime story that looked more like popular literature – deemed acceptable reading for middle and upper classes – than crime literature, often looked down upon as entertainment for the lower classes. In essence, Capote did not invent the narrative tropes and traits of crime narratives, but he did give them enough of a shine to make the genre more widely appealing to a

broader audience, and it was this aspect that spurred other authors to pen future books in much the same vein.

By the time Capote had learned of the Clutter murders, Smith and Hickock had already been arrested and had each put forth a similar confession: that Smith had murdered the four members of the Clutter family, but his presence in the farmhouse was due solely to Hickock. These confessions made his narrative parallel execution sermons because neither man denied the charges against him – the only questionable area, as far as Capote was concerned, was whether or not the pair had been mentally competent at the time of the murders and were thus able to have stood trial and received the death sentence. Although the narrative took on the form of a mystery in that the two criminals were strangers to their victims, Capote's narrative never questions whether or not Smith and Hickock were in the farmhouse the night of the murders, or that Smith pulled the trigger, or that Hickock had planned a robbery and to do away with any potential witnesses. Once the suspects were discovered and detained, their confessions provided all involved with the necessary answers.

These confessions are perhaps the sole elements that allow *In Cold Blood* to fulfill the role of restoration ritual, since they – like execution sermons – provide for certainty of guilt. Just as Capote removes himself from witness testimony, he presents these confessions at length, allowing Smith especially an extensive uncut confession. No matter how sympathetic Smith may have appeared, and despite later debates over his sanity, this confession clearly conveys both his guilt and his knowledge that society does not condone murder. Although this conclusion is more of a narrative reversal than one that fulfills narrative expectations, the capture and execution of confessed criminals proves the triumph

of American law, and the confession of such a taboo requires the given consequences to restore communal order.

Helter Skelter (1974)

Although Smith and Hickock confessed to their involvement in the crimes of *In Cold Blood*, in the summer of 1969, the event that came to be known as the Tate-LaBianca murders was not nearly so clear. Like trial reports centuries earlier, Vincent Bugliosi reacted to the uncertainties and the lack of clarity by reporting the specifics of the investigation and the trial itself, relying on information that had previously been recorded in order to support the case for his subjects' guilt. The narrative follows the investigation of a series of California murders eventually traced back to Charles Manson and his "Family," including the resulting trial and the issues surrounding prosecuting Manson and his followers.

Like Capote, Bugliosi himself has a role in his narrative, but unlike his predecessor, Bugliosi acknowledges this, clearly representing his own words and actions through use of scenes that include the identifier "I." Bugliosi was the prosecutor in the case he narrates, although he went beyond the usual limits of this role in order to collect evidence against Charles Manson and his Family. The main difficulty – the circumstances that led to questions of innocence and reflected the eighteenth century emergence of the trial report – lay in the fact that Manson himself could not be proven to have entered either house, and he himself did not lay a hand on any of the seven victims. Further, due to the loyalty of his followers, it was difficult to determine whether or not Manson had indeed ordered those

who had committed the murders to do so in the first place. This was a much more complicated case than the murders of the Clutter family, with many more people involved, and Bugliosi's legal training likely added to his decision to present the sequence of events chronologically. *Helter Skelter* reveals evidence and clues to the readers in the order Bugliosi himself learned of them, relying heavily on transcripts of interviews and other official documentation of proceedings.

This chronological presentation makes itself known in the chapter titles, which are themselves dates, although the date upon which Bugliosi chooses to begin his narrative is not Manson's birth, but Sunday August 9, 1969, the day five people – including pregnant actress Sharon Tate, wife of Roman Polanski – were found dead at 10050 Celio Drive, the house Polanski had rented. The corpse discovery scene, first used in the mid-nineteenth century but not an element of Capote's narrative, thus opened the narrative that has come to advertise itself as the best-selling true crime book ever published. Bugliosi carefully documents the evidence collected, down to the number of latent fingerprints, drawing on forensic science at the scene of the crime to be used alongside the coroner's reports of the autopsy and bolster the evidence. Alongside reporting the Manson case, Bugliosi also makes a point to criticize the local law enforcement whenever he sees flaws or gaps in their procedure, thus documenting such details about the collection of evidence. This does not merely allow readers all of the clues of the murder investigation, but also provides evidence for his later arguments against law enforcement's handling of the case and invites the audience to come to their own conclusions.

Bugliosi follows the course of the investigation from the Tate household to the LaBianca home, where two more victims and the surrounding evidence are catalogued, but

it is not until Part Three of the book, 165 pages in, that he introduces himself, quite literally, in a chapter all his own. Up until this point Bugliosi has maintained a third person narrative voice, recounting evidence and quotes taken by investigating officers, but not including himself because he was quite literally not yet involved. In the chapter entitled November 18, 1969, he introduces himself and recounts his own past in order to show readers his own legal competence. This makes an interesting parallel when, two chapters later, on November 23-24, Bugliosi acquaints himself – and therefore readers – with the biography of suspect Charles Manson as Bugliosi reads Manson’s case file.

Unlike Capote’s description of Smith, there seems to be no attempt made by Bugliosi to engender sympathy for Manson. Although he never knew his father, the boy committed his first armed robbery at age 13, followed by a life in and out of correctional institutions. Bugliosi seems to be looking for evidence that this suspect is the type of man who might commit such violent crimes, and this chronicling of his legal offenses seems to support the possibility that Manson is a suspect. However, at this time Bugliosi admits that he was not willing to commit to the idea, since Manson seemed to lack motive and, within the genre if not in the courtroom, motive functions as an essential piece of evidence.

Helter Skelter as Motive: Proving Manson’s Guilt

In early American crime accounts, motive was never called into question since it was determined that everyone could be tempted by the devil and fall away from God’s grace. Similarly, every fallen man or woman could be reconciled to The Lord after this fall, no matter how great a sin was committed. However, questions of motive had indeed arisen

in the centuries since, due to changing cultural ideas of responsibility and evolving cultural relationships with religion. Smith and Hickock had a reason for approaching the Clutter farmhouse – robbery of a safe Hickock had been told would be there, filled with money – and even Smith’s motorcycle accident and head injury are presented to explain his wild rages, under one of which he ostensibly committed the murders. Because there is no physical evidence that Manson was at either the Tate or the LaBianca residence, a motive would be useful to explain Manson’s involvement both to Bugliosi in his investigation and to skeptical readers following the clues in order to make their own conclusions. In the lack of a confession by the guilty parties, Bugliosi must work carefully to lead his readers to their own personal assessment of Manson’s guilt.

Aside from assessing Manson’s guilt, Bugliosi also concerns himself with the Family, the group living with Manson at the time of the murders. The simple size of the Family, plus the others involved in the case both as law enforcement officials and as witnesses, means that Bugliosi prefaces his narrative with a half dozen pages full of the list of his “Cast of Characters,” including Family members’ multiple pseudonyms (Bugliosi 13). All interviews are carefully catalogued under the correct day, with questions and answers presented more in the format of a play instead of a narrated dialogue, stripped to the words themselves without indications of tone or body language.

Such scenes are clearly less literary than Capote’s presentation, stripped back to the exact words each person said on the given day, and at times Bugliosi’s strict attention to chronological order makes his narrative more confusing than helpful, forcing readers to sift through evidence and keep apparently random facts in memory in order to make sense of the events. Individual interviews reference different events and different people, and

instead of grouping all of the information surrounding certain events into one section, the reconstruction of past events jumps around depending on which witnesses is being interviewed about what subject. Names are mentioned of people – “characters” – who will not appear until weeks later, or are brought up once and then only returned to in another interview with another witness, confusing the many threads that Bugliosi, as prosecutor, must attempt to tie together for the trial. Although the book “allows for no moral gray areas,” there are difficulties at times determining whether individuals are good or bad upon their first appearances, law enforcement officials and Family members alike (Murley 64). Readers must therefore struggle with their own perceptions of the people Bugliosi presents to them, unable to rely on cues such as labels or professional title.

Bugliosi’s strict adherence to this black and white rhetoric of morality may be part of his “reinvigorating a rhetoric of evil and applying it to modern murder,” but this approach is made difficult by the nature of his subjects (Murley 64). Just as not every policeman meets his standards of awareness and precision, not every member of the Manson Family is assessed as being evil. Peripheral members of the Family may be troubled but innocent, such as those who had already left Manson by the time of the murders. Linda Kasabian, who was the star witness for the prosecution and, although being present at the Tate house, did not commit any of the murders herself, is apparently in the same class as Dick Hickock. Kasabian, however, took the stand during the trial and testified against Manson, Patricia Krenwinkle, Leslie VanHouten, and Susan Atkins.

Hickock and Kasabian occupy the same position in that, while they did not personally harm the victims, they were themselves present at the house in which a multiple murder took place. Further, neither went to the police of his or her own accord, instead

only confessing after they had already become suspects. Although Capote implies that Hickock was afraid of the possible consequences of betraying Smith, Bugliosi makes it clear that all witnesses who had contact with the Manson Family indeed feared for their lives, giving examples from interviews of members who had wanted to leave, or who did leave, and the consequences that befell them.

While Hickock is associated with Smith in ways that allow for his presentation as the harsh man of the duo, Bugliosi works to separate Kasabian from Krenwinke, VanHouten, and Atkins despite the fact that all four appear to be “little hippie girls.” Although Hickock has a history of breaking the law and is described to fit cultural expectations of criminals, the female Manson Family members on trial with Manson have very little to distinguish themselves as criminals, especially since they look very similar to star witness Kasabian, whose innocence is protested. Kasabian also takes the stand, both in her own defense and to testify against the others, a move that Hickock, even with his own lawyer separate from Smith’s, did not take. There are therefore multiple versions of the events, many more than the two commonly present within adversarial trials, and Bugliosi commits himself to revealing them all.

Bugliosi therefore has many more difficulties in narrating the crime story than Capote faced, with a much larger “cast of characters,” accused criminals who do not confess to the crime, a member of the Family who turns against them and must therefore clearly be presented as a force for good, and a main focus – Manson – who himself did not enter the Tate and LaBianca home but who, for Bugliosi, represents ultimate evil because he could convince others to enter, and murder, even innocent looking hippie girls. Instead of having a full, detailed confession as in *In Cold Blood* or in execution sermons, Bugliosi’s

narrative follows the path of his prosecution of the case in which he must prove, beyond a reasonable doubt, both that Manson, Krenwinkel, VanHouten, and Atkins are guilty and evil, and that Kasabian was mixed up with them for a while but herself remained innocent and good.

Although Manson, Krenwinke, VanHouten, and Atkins do not confess to their crimes – a move that would have made Bugliosil’s narrative work far easier – Kasabian fulfills that role. Like Hickock, she was a witness to the killings, one who went along to the house on the night of the murders, and thus there is precedent for her to be tarred with the same brush as her associates. While Hickock is continually associated with Smith in Capote’s narrative, Bugliosi consistently works to separate Kasabian, presenting her as an innocent who momentarily found herself caught up with the others, making her into a trustworthy witness in the eyes of his readers.

While a first person confession from a guilty party enforces the justice of the sentencing, this eyewitness confession from a second party may add to the instability of Bugliosi’s case. Although he quotes from the trial proceedings, Bugliosi also inserts himself into the narrative, clearly displaying his own opinion. He believes that Manson is guilty, and thus may be suspect in his continued assertions that Kasabian is both innocent and believable, since her confession supports his personal opinion. In Bugliosi’s hands, the Family’s protests against Kasabian and their rejection of her indicate that she is telling an undesired truth and not that she is lying to keep out of prison. This uncertainty and secondhand confession, although presented as a form of bravery, is not necessarily a strong argument for guilt and the necessity of a strict judicial consequence, which is why Bugliosi’s narrative works to establish many pillars of guilt through an overwhelming

amount of evidence and testimony in the hopes that the readers will will commit to the work of sorting through all of this information and finally agree.

Representing Victims and Criminals in Text and Photographs

Helter Skelter also devotes more time to the victims of the crimes than *In Cold Blood*, providing brief biographies of each after an introduction reminiscent of the start of an autopsy report. Although none of these victims were prostitutes, they are still a different class from many readers, being richer and more famous than the majority of audiences and thus still being separate. Much of the attention is concentrated on Sharon Tate, the beautiful young wife of Roman Polanski, eight months pregnant and not necessarily famous for her acting, but rather for her beauty. Staying with her that night were Jay Sebring, a former boyfriend, and the text takes the extra step to assure readers that Tate and Sebring were former lovers only, and therefore Tate's honor was unsoiled despite the fact that Polanski was overseas and Sebring was overnighing at the house Polanski had rented. Her other two guests, Abigail Folger – of the coffee industry – and “her Polish lover,” Voytek Frykowski, receive no such extra attention. The fifth victim at the Tate residence, Stephen Parent, was a high school student in the wrong place at the wrong time. Rosemary and Leno LaBianca, victims of the second attack, were a local businessman and his wife, well off but not distinctly rich nor famous.

Despite beginning each short biography with the autopsy report introductions, including name, address, gender, race, age, height, weight, and hair and eye color, Bugliosi is quick to point out that “nowhere in them do their subjects emerge, even briefly, as

people” (Bugliosi 52). The biographies that follow are Bugliosi’s attempt to bring back the victims’ humanity and present the people for whom justice should be served. Sharon Tate’s biography, although the longest, includes much of her husband’s biography as well, accenting her history of small movie parts due to her beauty with descriptions of her marriage and impending motherhood. Each biography then ends with a detailed, summarized cause of death that explains how many wounds were inflicted and how many of them would have been in and of themselves fatal. Bugliosi’s attempt to return to the person instead of the corpse is thus capped off with a return to the victim as evidence.

Not every biography is as favorable as Tate’s, in which Bugliosi mentions that “no one who actually knew Sharon Tate said anything bad about her” (Bugliosi 56). There are rumors that Sebring had a sexual fetish, and Folger visited a psychiatrist five days a week and was working up the courage to end her relationship with Frykowski, who was himself a playboy and had been married twice. Parent’s biography is the shortest, due to his youth and his relative obscurity, meriting only a single paragraph about the young man himself. The other two paragraphs detail his wounds and the bullets found in or near his body. The LaBiancas each rate around a page, in which readers learn that Leno “had a secret side” involving racehorses and more than \$200,000 of debt, leading investigators to consider Mafia connections, but his wife – orphaned at a young age, with a previous marriage – left more money than Abigail Folger (Bugliosi 75-76). For this declaration, Bugliosi feels the need to identify the woman in question as “Abigail Folger, the heiress in the Cielo slayings” – even though her own autopsy was detailed previously, Bugliosi does not expect readers to remember Folger’s name and make the connection (Bugliosi 76). As shown by the naming of the Tate-LaBianca case, Sharon Tate took center stage: young, beautiful,

married to a famous man with his own history, and heavily pregnant. She may have embodied the childhood dreams of many readers who had wished to one day be actresses, and the fact of her pregnancy and impending motherhood could induce empathy from mothers, where the other victims at 10050 Ceilo Drive were far less relatable.

Tate, too, is the victim given the most attention through the rest of the narrative, as well, possibly because her husband, parents, and siblings were still alive and quite vocal about the proceedings. Polanski himself was already a slightly notorious public figure, and although he was in England at the time of the murders, he agreed to a polygraph test in order to publicly confirm his innocence. Tate's father even took it upon himself to go undercover in an attempt to discover who had murdered his daughter. The families of the other victims are shown as displaying far less involvement in the continued investigation, to the point where many are not mentioned at all. This lack of family attention mirrors the apparent importance of the victims, since the focus is continually drawn back to Sharon Tate and only Sharon Tate.

Text, however, is only one way in which Bugliosi presents readers with the victims. Although earlier crime narratives included woodcuts or drawings of victims or the crime in action, and true crime magazines relied on posed models, *Helter Skelter* includes two sections of black and white photographs. The first includes maps of relevant California locations, photographs of 10050 Cielo Drive and the LaBianca residence, and images of all seven victims. Each is represented in two photographs, the first being while they were alive – Parent at prom, Folger and Frykowski in a casual moment, Sebring and Tate in individual stills that look like publicity shots, and the LaBiancas in individual close-ups.

Each of these images, though, is situated next to a photograph of the victims' bodies at the crime scene under which each name is listed, followed by the identifier "murder victim."

Each image of the scene is accompanied by a short description of how the victim was found – for example, Sebring had a towel over his face and Folger's white nightgown had turned red with her blood – except for Tate's, which indicates her pregnancy, her pleading for her unborn child, and a response from one of the killers. Even though Sebring's caption indicates that the rope looped around his neck led to another victim, and the rope is visible in the photo of Tate, it is not mentioned in her caption. The fact that they were the only two victims linked in such a way, and that they had at one time been lovers, was made much of by the investigation.

Even though each victim is shown at the scene of the crime and details such as the rope going to Tate's neck can be seen, the bodies themselves have been turned into white silhouettes. The claim that Folger's white gown had turned red is not confirmable by her photograph, all of which is white. Other elements, such as the bag over Sebring's head, the pillow over Leno LaBianca's face, and the clothes covering Rosemary LaBianca's upper body, are left intact in the original photographic image. Only the bodies themselves, with the presumably ripped and bloodstained clothes, are whited out.

This whiting out is not haphazard and approximate, perhaps like the chalk outlines so popular in crime movies and television shows, but very exact, to the extent that individual fingers can be discerned. Further, although bloody clothing has been obscured, blood can be seen in the images behind Sebring and all around Tate. The presence of this blood, as well as the image captions reminding readers of each victim's injuries, emphasize the horror of the situation and invite readers to literally fill in the blanks themselves, leaving

an empty space where the horror and suffering can take shape in the readers' imaginations. The blank space, unlike the narrative descriptions, offers the chance for readers to place themselves in the emptiness and to imagine what it might be like if they were the ones who had been whited out. Although the text continues to encourage the traditional distance between reader and victim, this choice of whiting out the images removes the specifics and returns the victims to the identity of a person instead of evidence, a move rarely repeated in subsequent true crime narratives that continue to carefully cultivate a distance between audience and victim that aids the restoration ritual and continues to reassure readers of their own safety.

The crime scenes and these seven victims are not the only images present in *Helter Skelter*, since even the first section of photos is not devoted entirely to them. Instead, Bugliosi introduces "The Manson Family Album," beginning with photographs of Manson from his first arrest onward, many photographs being mug shots or other police photographs. Many of the Family members, especially his codefendants, are pictured more than once, at times two photographs on the same page, perhaps to indicate the different sides of apparently innocent hippie child and, as the captions proclaim, "murderer." This provides readers with a stark declaration Bugliosi attempts to present within the text, stated boldly, below photographs that, unlabeled, could project innocence. No matter what readers think when they see these photographs, or how much other Family members look like Linda Kasabian, these people have clearly been labeled as murderers and thus warrant a closer look, in case readers might then be capable of recognizing the evil lurking within not only these photographs, but also potentially dangerous strangers on the street.

The section of photos includes physical evidence of the case, presenting readers with fingerprints and the “helter skelter” door found at Spahn Ranch, where the Family had been staying, a phrase that had been written in blood, albeit misspelled, at the LaBianca residence. There are more photographs of the Family, both those who agreed to testify for Bugliosi and are thus on the side of good, and those who continued to support Manson and make threats against anyone who did not. Bugliosi also includes three photographs of himself, perhaps offset by the drawing of the prosecutor made by Atkins and VanHouten during the trial – or perhaps he merely felt the need to let them have their own say in the matter, next to the triumphant photograph in which he is interviewed only minutes after the jury’s guilty verdict. The final photo shows Manson being led to Death Row in San Quentin, although the caption acknowledges that the death penalty was abolished in California and thus Manson, Atkins, Krenwinkel, and VanHouten had their sentences commuted to life.

While the victims are each presented in two photographs, one flattering image from while they were alive and the whited-out silhouette from after their deaths, Family members appear in multiple photos, in some photographs attractively posed and in others with unattractive or crazed expressions. Manson himself merits the most photographs, at times with multiple images on a single page so that readers can see how he ages, and how he could change his hair and look very different, an attribute that describes both him and, later, Ted Bundy. While the crime scene and evidence photographs might help readers come to their own conclusions about what happened at the Tate and LaBianca residences, the images of Manson display how common and ordinary Bugliosi’s monster actually

appeared, short and not conventionally attractive, yet able to assemble such a large following all the same.

Complicating the Author-Subject Relationship

Despite Manson's talents for both changing his appearance and entrancing so many not only to live with him, but to do his bidding, including murder, Bugliosi does his best to represent Manson as an everyday person and not an inhuman monster. Part of this, according to Bugliosi, lies in the fact that Manson's female followers had issues with their fathers, and thus were more likely to follow a male figure such as Manson, while the female followers were used to ensnare the men with promises of sex. Everything Bugliosi heard about or experienced with Manson was explicable as the act of a very sick and twisted man who knew how to control others, making him more dangerous than if he had taken a knife and a gun to the Tate and LaBianca residences himself. Yes, Manson had a hold over his followers, but at no point will Bugliosi consider that such a hold could be deemed supernatural. Manson, like Smith, Hickock, and countless subjects of execution sermons before them, is merely a man who made certain choices that go against the laws and norms of society, and not a monster.

There is, however, one exception to this. On December 11, Manson appeared in court for his arraignment, and Bugliosi muses on the stories he has heard about "Manson's alleged 'supernatural powers,'" clearly indicating that he does not personally believe such acts would be possible (259). However, he then goes on to report the following:

“Midway through the arraignment I looked at my watch. It had stopped. Odd. It was the first time I could remember that happening. Then I noticed that Manson was staring at me, a slight grin on his face.

“It was, I told myself simply a coincidence.” (Bugliosi 259)

This is the only instance in which Bugliosi references Manson’s possible supernatural powers, and the only time he references his stopped watch. However, it must be questioned: if Bugliosi were truly convinced that his stopped watch had nothing to do with Manson’s gaze, then why did he mention the incident at all? Coming when it does, directly after Bugliosi’s skeptical recounting of Manson’s powers, the incident undercuts his initial skepticism. After all, if Bugliosi were convinced that the stopped watch were a mere coincidence, he would have said so as a direct statement – “It was simply a coincidence” – instead of adding in the interjection in which he must specifically tell himself, the way an uncertain man would reassure himself that there are no such things as ghosts. Bugliosi’s credibility and resolve are shaken, if only for a single line, but it may be a line that readers remember.

Despite his otherwise firm insistence that Manson is no more than a particularly influential man who is able to convince his followers – runaways and vagrants for the most part, already a group of people with questionable morals – to do his bidding, the incident of the stopped watch hints at changing perceptions of criminals as something more than human, especially serial criminals or those who seem to have moved past what might be considered a simple act of murder. Smith and Hickock were presented as men – and no more than men – in *In Cold Blood*. Their physical and mental or emotional traits may have been identifiable, from tattoos to injuries to sudden rages, but these differences did not remove them from the category of man. Manson’s ability to recognize the weakness in

those around him and manipulate them does not in itself mean he is something more than, or separate from, other men, but what about if he could truly stop a watch just by looking at it? Bugliosi's own uncertainties echo this changing perception of criminals, especially the rising publicized class of criminals who commit – or, in Manson's case, orchestrate – multiple murders. With the growing awareness that such criminals existed, there also emerged a need to separate them from the rest of us: those who might commit a single crime of passion if pressed, but not those who could murder multiple people, one after another, without remorse. Murder in hot blood, caused by anger and directed at the source of this anger, is perhaps more universally relatable and understandable. The murder of strangers, especially when these murders are cold and calculating, allowing the criminal to return to his daily life undetected between these acts, is more foreign, and thus more intriguing.

The Stranger Beside Me (1980)

Although Ann Rule was perhaps the most prolific contemporary true crime author before her death in July 2015, she had only penned detective magazine articles before receiving her contract to write *The Stranger Beside Me* about the mysterious “Ted” killings in the Pacific Northwest, thus named because the suspect had been overheard introducing himself as such. Rule is considered a staple of the genre today, but her first book, also her first foray into serial killing, already carries many elements that were repeated not just by Rule, but also by other true crime authors of the eighties and more recently: opening with a crime, reporting the criminal's biography, following the dual narrative of criminal acts and police pursuit, reporting on the capture of the criminal, and concluding with his

sentencing. Rule's first book follows a very traditional crime narrative format, relying on her own history with law enforcement and her personal involvement to establish her authority as author.

Like Bugliosi, Rule herself plays a role in the crime she narrates, although she is not actively working for law enforcement. A former policewoman, Rule does adhere to the legal approach that Bugliosi so strenuously followed, although unlike Manson's prosecutor, she does not make her opinion of her subject's guilt clear from the beginning, making her declaration as necessary to the restoration ritual as the legal sentencing.

Author as Friend or Foe

When she was asked to write this book, before the investigation had even centered on a suspect, Rule shared her joy with her friends, including one Ted Bundy, with whom she had worked at a Seattle crisis center. The first-person accounts in *Stranger* stem from Rule's relationship with Bundy as a friend while researching the crimes he had committed. The personal relationship between criminal and author thus reached a new level, beyond Capote's post-sentencing interviews and Bugliosi's presence through the trial process. Rule knew her subject before the world recognized the name "Ted Bundy" and associated it with the act of serial killing.

The effect of this relationship can be seen in the number of times Rule has been asked what Ted was like – "really." Because of this personal relationship, she is meant to have a better understanding of the truth of Ted Bundy, and thus be better able to communicate that truth to her audience. Further, the fact that she knew Ted before he was

identified as *the* Ted puts her in a unique position of reassurance, since – after a number of details about the Ted murders had been released – she did indeed call the police tip line and report on her friend. This contributes to the aspect of the ritual that proclaims all criminals will indeed be recognized and brought to justice. Further, if Ann Rule can accept the rightness of the guilty sentence and the death penalty when it comes to her friend, then they must be deserved and therefore rightful consequences. Far from clouding her judgment, Rule's personal relationship with Bundy grants her declaration of his guilt, and acceptance of his fate, more credence. If anyone were to protest, it would fall to his friends, and especially the woman who worked beside him at an emergency hotline saving lives, but Rule does not protest.

Although there have been additions to the text since its original publication, including updates after Bundy's execution and an additional preface nearly twenty years later, Rule makes a number of unusual narrative moves within the original text itself. First, although Bundy had been sentenced to death by the time of initial publication, Rule does not offer her own opinion of Bundy's guilt or innocence until 478 pages in. Even though readers would likely have been acquainted with the name Bundy through reports of his trial and have heard of his sentencing, Rule does not clearly indicate whether or not Bundy himself enacted the crimes. In this way, it is much like Capote bringing the suspected criminals to the Clutter farmhouse and then skipping to the discovery of the murders, not showing whether or not Smith and Hickock were the perpetrators until much later on, in Smith's confession. Instead of confirming Bundy's likely guilt or innocence from the start, Rule withholds this judgement, sought from her because she knew the man while he was

committing these crimes and thus might have a better opinion of him than the judges or lawyers who had only met him after the accusations began.

It should be noted, however, that the most recent addition from 2008 takes a much firmer approach to Bundy as Rule notes how attractive Bundy seems to many of the women who write her and wonders “Did I describe the ‘good’ side of Ted, the one I saw in the first three years I knew him, too well?” (*Stranger* xiii). Her earlier reluctance to make clear her own opinion about her friend and accused murderer from the beginning of the original text has resulted in unintended consequences, which is perhaps why this addition, unlike the two previous, is placed as an introduction and not an afterword. She even addresses questions that are frequently asked of her, either at book signings or through fan mail, including “Wasn’t Ted really nice ... underneath?” to which her simple answer is “No” (*Stranger* xxxvi). Even though the Bundy Rule describes in the text, referring to him with the familiar “Ted,” seems friendly, empathetic, and a nice man, in the end, after years of reflection, she wishes to clearly inform all readers that this was merely a façade and that any instances in which Bundy seems attractive are misrepresentations of his true character – which Rule, having been his friend, should know better than most people. This complicates the issue of the recognizable criminal and perhaps even removes some of Rule’s authority and effectiveness, since Bundy’s last-minute confessions are not referenced within the original text and the author herself does not appear completely certain of his guilt until hundreds of pages into the narrative. Indeed, it would seem that Rule, who should know Bundy better than most, withholds that information willfully and hides it from the readers.

Rule's relationship to her subject, serendipitous as it was, allowed her a unique point of view on the crimes and the criminal himself. Although the term "serial killer" does not appear in the original text, new as the term was in 1980, *Stranger* has in part made Rule a known expert on such people, partially because of her relationship with Bundy. Presumably she knows more about him than anyone who met, examined, or interviewed him after he was arrested, because the Bundy she knew was much less likely putting on a show – or rather, he was putting on a rather different show, that of a socially acceptable "normal" man. Rule therefore has her own store of memories to consult in order to make a determination of Bundy's innocence or guilt, and seems less likely to be swayed by the published events because she has her own personal references for comparison. It is Rule, even more so than Capote or Bugliosi, who seems capable of answering the big questions: why did Bundy do it? And what was he really like?

Her answer, penned after years of reflection, is rather disappointing. Despite the more than six hundred pages that follow the introduction in the 2008 edition in which she reports on Ted Bundy, his biography, the murders, and his trial, the more mature Rule, secure in her position as true crime's queen, says, "I don't think even Ted knew what he was *really like*" (*Stranger* xxxviii). Ministers who gave execution sermons knew what the criminals were really like, and trial and newspaper reports gave readers enough information to come to such conclusions themselves. Only Rule, who knew Bundy personally prior to his crimes, avoids answering this question.

Along with her initial reluctance to label Bundy as guilty, Rule also deviates from the popular true crime trope of narrating the violence in action. Not once does she imagine the scene of a man – not even necessarily Bundy – actively murdering any of the victims.

Instead, Rule reports on the crime scene evidence and explains how things came to be that way, using the passive voice – “had been beaten” – or general pronouns: “Someone in the grip of a maniacal rage had found her asleep and vented that anger” (*Stranger* 57). In this way, the victims had been beaten, had been violated, and had been attacked, and someone must have done these things, but never does Rule describe the violence in action, and never does she replace the mysterious someone with Bundy’s name.

This reluctance to clearly state Bundy’s guilt may be frustrating to readers who pick up *Stranger* thinking that Rule will be able to offer an insider’s view on the case and therefore be more trustworthy in her assessment of his guilt or innocence than jurors who could only make their judgments based on the evidence presented at trial. Instead of proclaiming his guilt like an execution sermon, Rule aligns more with Bugliosi’s approach and hearkens back to the trial report, sticking with facts that could be proven or disproven based on the evidence – for example, describing the wounds and how they must have been created instead of narrating Bundy in the act, the way Capote eventually uses Smith’s confession to show the readers what happened.

This question of Bundy’s guilt or innocence comes not only from what Rule does not say or show, but in what she does – for example, with statements about Bundy such as “He made it a point to never steal from someone who couldn’t afford it,” showing Bundy with a slightly twisted sense of morality (*Stranger* 319). This statement admits that Bundy might be a thief, but also offers anecdotal evidence that, even when breaking the law, he adheres to some measure of ethics. Rule also admits “Oddly, I could never picture Ted as a murderer, never visualize what had happened,” despite her training with crime scenes in the role of law enforcement and her multiple publications in detective magazines (*Stranger*

241). On the one hand, this offers an explanation for why she does not write the murder scenes in action, because she cannot manage to visualize it herself and write it down. On the other hand, coming from a woman who was a friend of Bundy's, this inability to imagine enacting the murders could also be read as evidence for his innocence. Rule's own uncertainties, when she should know Bundy better than her audience, open up the question of whether or not Bundy was actually guilty, after all.

These personal uncertainties seem to echo the creation of the trial reports and those questions of guilt, although trial reports were written by those whose knowledge came from witnessing the trial and not the life of the criminal in question. In the case of Bundy, most of the evidence presented at the trial was circumstantial – it was the bite mark evidence, matching his teeth to wounds on his victims, that cinched the case, and Rule only firmly admits Bundy's guilt after this evidence is presented. It is possible that she wanted readers to feel her own sense of unease throughout the book and thus does not commit to Bundy's guilt or innocence in the original 1980 text until after it has been proven, but it is also likely that the introduction to the 2008 edition came as a result of audience response to her methods. In the newer editions, this preface declares Bundy's guilt, if not what he was “really like,” prior to the crime narrative. Whether she meant the original text as a glimpse into the life of a friend of a criminal or a brutal warning that criminals are not easily identifiable, the new preface returns *Stranger* to the position of crime narratives before it, clearly declaring guilt and allowing the narrative to present readers with the evidence to prove it.

Bundy's Victims: Beyond the "Less-Dead"

Even though Bundy is never described at the murder scenes and is only found guilty of three murders, he confesses to more than thirty, and thus Rule has multiple scenes and therefore multiple victims to describe. The majority of victims were attacked one at a time, unlike the crimes described in *In Cold Blood* or *Helter Skelter*, and thus they are generally described one by one. The majority of Bundy's victims were college age and their disappearances were reported by friends, either on or near campus. In some cases, evidence such as blood indicated the violence of the disappearances, but in others, a young woman simply seemed to vanish after the last time she was seen, never showing up at the location she had intended to go to, without a trace of foul play.

Especially in cases of stranger murder, the big question is: why those victims? The Clutters were murdered because Hickock mistakenly thought they had a large safe full of cash, and he brought Smith along; Manson had a less direct reason for the murders, since they seemed to be part of his plan to incite a race riot, and in this case the victim selection was less clear. Bundy, it seemed, targeted women who looked like the college girlfriend that slighted him, generally college coeds with long, straight dark hair parted down the middle. However, considering the number of women who fit this description, Rule offers up another explanation for why he killed these specific women.

“Of all the Western victims, there was not one who had short hair, not one who could be described as anything but beautiful. And not one who would have gone away willingly with a complete stranger; even the girls who had been known to hitchhike had been cautious. Yet there is a common denominator in almost every instance. Something in the victims' lives had gone awry on the days they vanished, something that could tend to make them distracted, and therefore easy prey for a clever killer.” (*Stranger* 163)

Rule then goes on to list what those distractions were, from running away from home, to worries about relationships or school, to being ill, to not wearing the proper pair of glasses.

Again, the victims' lives were examined for biographical details that could be used as evidence either for or against the killer. Although Rule does not explicitly mention the victims' sex lives, she clarifies that many were upset because of boyfriends or a husband, and this was the cause of their distraction. That distraction in turn was what allowed Bundy to attack them, out of all possible beautiful women on campus with long hair. Rule drives her point home by noting that the "most basic bit of advice given to women who have to walk alone at night" is to be alert and, if at all possible, not to go alone (*Stranger* 164). Walking alone, and not being at the peak level of alertness, therefore leads to dangerous situations. It is not these women's sexuality that has led to their downfall – or at least, not explicitly – but their lack of attention and their failure to defend themselves when trouble presented itself in the form of charming, attractive Ted Bundy. Readers' feelings of safety are therefore dependent upon their impressions of their own ability to respond properly in such a situation.

The victims Bundy chose do stand out in that they are not from the most commonly selected class of victims for serial killers – itinerants, including the homeless, runaways, and prostitutes, the categories defined by Steven Egger as the "less-dead." Instead of being blamed for their willingness to go with strangers or their promiscuous sexuality, Bundy's victims are blamed for their lack of attentiveness, as though this and this alone led to their deaths. When Bundy's biography is clarified, it does more to show the difficulties and explanations for Bundy's behavior than to blame him for his homicidal desires, and Rule's relationship with Bundy already makes it difficult for her to imagine him as guilty of serial

murder. Thus the blame falls on the shoulders of the victims, who should have been aware of their surroundings, should not have been walking alone, or should have been prepared to defend themselves against him. The true crime narrative works to instruct women, the most common victims of serial killers, to avoid meeting their deaths in such a way, allowing readers to feel safe and secure either because they do not fit the victim typography or because they are better prepared to defend themselves. Indeed, in her introduction Rule mentions that she has received letters from various women who claim to have had their own encounters with Bundy, and lists what they did in order to survive: “They screamed. They fought. They slammed doors in a stranger’s face. They ran. They doubted glib stories. They spotted flaws in those stories. They were lucky enough to have someone step up and protect them” (*Stranger* xxvii). In other words, these women who survived were the smart women, who took notice of their surroundings and actively moved to save themselves. The survivors can take responsibility for their continued lives, but the corollary states that any woman who became Bundy’s victim did so because she did not scream, fight, or run. Smart women who keep themselves aware of their surroundings and arm themselves in case of attack need therefore not worry about meeting such a fate, even if they do identify with college coeds. Readers are therefore able to train themselves so that they can avoid becoming victims, adding to the feelings of safety and security.

Instead of spreading the blame through each individual incident, Rule collects a list of each victim’s failings in the space of two pages. The explanations of the crime scene are put forth much in the form of a police report, listing the facts and making connections as to what must have happened, but not placing blame during the individual incidents. In most cases, the women’s disappearances were reported quickly, allowing for police to start

investigating shortly after the women were missed. Because these women were indeed mainly college coeds, with boyfriends, friends, fellow classmates, and bosses expecting them to be present – unlike the vast majority of homeless, runaways, and prostitutes – police were alerted to these odd disappearances for the most part within twenty-four hours of the last known sighting, and again because of the victims' status and social class, these disappearances were taken seriously, unlike reports given by Maria Bickford's friends. Bundy's victims are therefore nearly unique in that he did not pursue "fallen women" but women who, like the law student himself, appeared to have bright futures. This is a deviation from the common victim, prostitutes who are already generally removed from the audience via class and profession, but Rule continues to establish this distance between her audience and the victims through her comments about the ways in which Bundy's victims aided him in their deaths.

Rule thus finds herself relating a crime that does not fit into the category of the preferred victim, with the knowledge that many of her readers may be able to relate to the position of college coed, whether or not they attended college during Bundy's period of activity. Older audience members who have already graduated from college may perhaps feel lucky to have done so unmolested, while younger readers may need further reassurance that they themselves will not become victims. This is why Rule collects a list of what Bundy's victims did to unwittingly allow themselves to become his next victim: it allows readers to still distance themselves from the victims and reassure themselves of their own safety if they remember to avoid these missteps. The reassuring aspect of the restoration ritual dictates that this distance must be held in one way or another so that the readers do

not become emotionally entangled with the victims and instead are free to focus on the criminal, the consequences he earns, and the return to the communal norm.

Photographic Evidence: Victims and Criminals

The vast majority of *Stranger* is devoted not to the victims, but to their murderer. Following historical precedent, the focus is on the criminal himself, on revealing as much as possible about the man who committed these horrendous acts in an attempt to make him understandable and explicable. Despite this desire, however, a large part of each criminal remains unknowable and thus the mystery remains.

Like *Helter Skelter*, *Stranger* includes black and white photographs both of Bundy and of some of the victims, organized into a single section near the middle of the book. Like Manson, Bundy was able to easily change his appearance, and thus there are many photos of him at various ages and times, from a yearbook photo at age 17, to a 1973 photograph with the woman who apparently broke his heart, ranging through the years of his crimes and ending with a famous shot from the Orlando courtroom in which he finally lost control, mouth open in anger. Indeed, there are so many photographs of Bundy that there are only a dozen images of his victims, even though he confessed to more than thirty. These include Linda Ann Healy, presumed to be Bundy's first victim after his breakup, and his final victim, twelve-year-old Kimberly Leach – his youngest victim by a large margin – for whom he received one of his two death sentences. Despite the various photographs of evidence, including locations of the crimes, a letter from Bundy to Rule, and Bundy's fingerprints, the very first photograph shows Rule herself in 1972, working

at the Crisis Clinic, where she met Bundy, showcasing her position as author and center of authority and delegating both victims and criminal to later pages.

Bundy's importance is indicated through the number of photographs, Rule's by her prominence as the first image in the series. Bundy's victims are buried in and among photographs of locations, evidence, and law enforcement officials involved in Bundy's various trials. Two of the photographs, those of Denise Naslund and Janice Ott, are vague and unclear. Five of the victims' portraits are included in a single photograph of a captain of the Seattle Police department, standing next to their photographs on the wall. These images are small, at times blurry, and often with unclear features, although Rule does name them all in the caption. The wall itself is at an angle in the photograph, putting the women's photographs on a slant and making one of the far photographs – of Lynda Ann Healy, pictured twice in this one photograph as well as her previous headshot – particularly difficult to see. The focus in the photographs, just as in the texts, is not on the victims themselves but the evidence gathered during the law enforcement's hunt for the criminal.

Photographs of crime scenes do not show bodies, whited out or otherwise. Linda Ann Healy's bedroom is displayed, including stains that are perhaps blood, but many of the photographs are outdoor shots and do not display much in the way of evidence. When the victims' bodies are present, Rule catalogues the injuries and the acts that must have led to them, but in a number of cases, bodies were found in remote places, in varying states of decay, and at times lack identification. Many victims, still missing, are acknowledged in the text in a handful of paragraphs only.

Clearly it would have been impossible for Rule to provide in-depth biographies of all of Bundy's victims, considering how many are unknown and the privacy allowed for

families of the victims. She may not have had access to crime scene photographs, the way Bugliosi did, or she may have made the rhetorical decision not to include photographs of bodies or body parts, censored or otherwise.

Ted Bundy emerged shortly after the creation of the term “serial killer” and ushered in the 1980s true crime boom that “focused largely on serial killers” (Murley 71). Bundy was not odd-looking like Smith and Hickock, as the result of an accident or of tattooing, and even though he shared Manson’s ability to change his appearance, Manson was not considered generally handsome or appealing, while Bundy – groomed, a law student – was acceptable not only to women but to their mothers. Rule herself, nearly a generation older than Bundy, was charmed by him, although she did not fall in love with him. Even as she was immersed in the case of the “Ted” murders, it took months before she called the police hotline to tell them that she did indeed know a man named Ted who drove a VW Bug. Bundy’s own girlfriend, who had been dating him for years and had no qualms having his help raising her young daughter, reluctantly made two similar calls, but when called in for questioning, she was not certain he could have committed the crimes of which he was accused. Although both women recognized the possibility that the Ted they knew was the object of the police search, they felt uncertain and almost guilty in reporting him. Although smart women will apparently recognize danger and be able to defend themselves against it, both Rule and Bundy’s girlfriend felt conflicted about making such calls, allowing for the same doubts that led to the victims’ deaths.

Ted Bundy ushered in not only the true crime golden age and the genre’s fascination with serial killers, but also the serial killer archetype. In many ways, Bundy set the bar high for theatrical expectations of serial killers. He was intelligent, with a tested I.Q. of 124 and

an acceptance into law school (Rule *Stranger* xxxvi). Bundy confessed to thirty-six murders and hinted at many more, indicating a crime spree that crossed years and states before he was caught. He escaped from jail twice, and although the first instance resulted in capture after a week without further incident, his second escape led to his final murders and his execution. Bundy was able to present a normal façade to the world, although there is rhetoric surrounding his eyes – Rule’s 2008 introduction includes references to women who believe they escaped Bundy, many of whom wrote that they recognized him by his eyes. It is curious, however, that Bundy was able to fool so many young women if his eyes were as misleading and dangerous as claimed, but many covers of *Stranger* include his eyes, marking them as the most important physical feature of the serial killer, the window into his demented soul. Smart women, then, should be able to gaze into a man’s eyes and recognize the threat he poses, therefore protecting themselves from becoming his next victim.

While Smith, Hickock, and Manson were not traditionally, classically handsome, Bundy retains that status. Previous criminals, perhaps remnants of the theory of atavism, had imperfect bodies that may have hinted at their dark psychologies, but Bundy presented the world with the idea of the normal-looking, even attractive, man with psychological issues, no longer recognizable as evil by his outer appearance. Part of the intrigue of the serial killer thus lies with the inability to recognize the danger, a fact that Bundy employed in order to kill so many victims. The threat no longer looks threatening, and is therefore even more dangerous than before. The act of identifying and catching a criminal is therefore more difficult, increasing the importance of the capture and sentencing of a criminal. They cannot be allowed to exist within the general population simply because

they do not *look* evil, and the fact that their innocuous appearances mean they remain free to commit more crimes further demands capture and sentencing for communal order to be restored.

Fear and Order

True crime came into its own as a recognizable, if not respectable genre, through the novel-length single-subject crime books of the latter half of the twentieth century, with its roots commonly recognized in *In Cold Blood* and growing to include, and even focus on, the subject of serial killers such as Ted Bundy. In spite of the new format – a single-subject book instead of a sermon, pamphlet, or magazine – crime narratives of the twentieth century still retain many elements of earlier American crime narratives, all the way back to Puritan execution sermons. American culture still has a need for such tales, since the crime genre addresses concerns of chaos and fear and reminds readers that the law triumphs and that sin will out. True crime exists as a genre because of this need for reassurance in the form of the restoration ritual.

Capote may have brought these elements together in a new format that appealed to contemporary audiences in a way that crime magazines did not, but he made many narrative choices that carried on the tradition of American crime literature, elements that had been used in past narratives and would be adopted in future narratives. Like many past narratives, including the pamphlets that grew up around execution sermons, he used multiple points of view and many voices to tell the story of the Clutter family murders. Capote also focused his attention mainly on the criminal himself, depicting one, if not both,

as sympathetic, relatable figures, the same way Puritan members presented the condemned as a member of the community and not outsiders. Smith and Hickock are flawed men, but still men, not raised to the level of myth or monster.

The crime narrative may have seemed to have changed form and evolved throughout the twentieth century, but true crime still presents the criminals as subjects of fascination, on a spectrum with the reader, in a way that causes readers to engage with the criminals. Victims, despite having gained a place in the crime narrative, are often simply evidence in the criminal investigation, with every aspect of their lives fair game for evidence to condemn or exonerate the criminal. Readers engage with the victims to gather clues as to the identity and motive of the criminal so that even victims' biographies function as objects, not as points of relation. All of these changes have occurred within a evolving culture in order to continue to center the genre around the restoration ritual, addressing new and fluctuating fears and reassuring audiences that crime has consequences.

Chapter Six – Twenty-First Century Crime, Twenty-First Century Victims

Beginning with the Puritan execution sermons in the seventeenth century, Americans have been brought to, and have consumed, the crime narrative with a focus on the criminal. His life, his acts, and even his motives are placed on a spectrum that allows audiences to compare him to themselves and thus make him relatable. It is his choice of victim, especially his choice of a “less-dead” victim, which present him as almost redeemable.

While the criminal’s narrative has been long established and little changed since that initial representation, the victims’ identities work to distinguish one such criminal from another. Although Ted Bundy, Jeffrey Dahmer, John Wayne Gacy, and Gary Ridgway were all serial killers whose biographies mimicked each other and whose life stories stuck to a strict path, their choices of victims define them separately. The complex and changing identity of the victims represented in crime narratives is the subject for another study, but the victim’s identity is so entangled with the accepted narrative of the criminal that this long-established restoration ritual hinges on a specific presentation of the victims to allow for the longstanding narrative of the criminal to be completed.

Even a long-established true crime writer faces audience expectation when writing crime narratives and cannot fully avoid or subvert centuries of crime consumption. Just as social media movements that call to silence the killer’s name and lift up the names of the victims fly full in the face of established crime narratives and the restoration ritual, so too does Ann Rule’s 2004 book *Green River, Running Red*. Rule makes distinct efforts to

present the victims to her audience as real people, with names and biographies and even photographs within the text, refusing to name the killer for hundreds of pages, but in the end the killer must be named, his own biography scrutinized, and the narrative brought full circle to allow for the continued, expected consumption of the crime story.

The Evolution of Ann Rule: Victim Representation in the Twenty-First Century

Having broken into – and helped to establish – the true crime genre in 1980 with *The Stranger Beside Me*, Ann Rule, as one of the few female authors working in the genre, continued to make a name for herself. Many of her narratives, both full-length books and collections of shorter true crime tales, became best-sellers, while Rule herself testified before congress about serial killers in the 1980s along with experts from the FBI. Rule was thus established not only as a true crime author, but also an expert on her subjects. Not all of her books centered on serial killers, but in 2004 she published *Green River, Running Red* as her twenty-third book, with a subject that oddly parallels that of her first (*Green River* xviii).

Green River, Running Red concerns the case of Gary Ridgway who, much like Ted Bundy, was born in the 1940s; began his slew of murders in the Pacific Northwest, near where Rule herself lived; murdered multiple victims, all of them female; and managed to evade capture for an even longer length of time. There were, however, notable differences that meant Bundy became a household name and a template for future serial killers, both fictional and factual, while Ridgway is more often only recognizable under the title of

“Green River Killer.” Where Bundy was considered attractive and intelligent, Ridgway was average. Bundy’s victims were often college coeds, an unusual choice, while Ridgway’s victims were nearly all prostitutes. Bundy confessed to thirty-six murders, and Ridgway to forty-nine.

With a nearly quarter-century gap between these publications, Rule shows many narrative moves in *Green River* that do not follow *Stranger*’s more generically typical format. *Green River* opens with four full pages of victim photographs, followed by a list entitled “Cast of Characters” that begins with a block of victims’ names filling up the first page, including four Jane Does, and indeed the focus of Part One of the book – the first 376 pages – is on the victims. Each victim is introduced in much the same way Bugliosi discusses the victims in *Helter Skelter*, with a description that more often than not includes height and weight along with other identifying physical features. The length of this biography varies from person to person, at times merely a handful of sentences and at other times reaching lengths of up to sixteen pages. Many, though not all, of these biographical notes are accompanied by the victim’s photograph, helping readers to identify the forty-seven faces lined up at the start of the book.

Rule herself is clearly trying to make a point and take a stand that pushes against victim representation that can be traced back to Helen Jewett and Maria Bickford, also prostitutes like Ridgway’s victims. The addition of the photos and individual personal stories attempts to counteract the admission that many of these women were indeed working as prostitutes or otherwise putting themselves in danger by hitching a ride or walking alone at night, pushing back against Egger’s category of the “less-dead” by assigning victims faces and personality traits. Rule even makes the point to tell readers

that, even when she was looking at victims' remains, "I reminded myself that these bones had once been young women who deserved to have their identity known and to have funeral services and a decent burial or cremation" (*Green River* 319). By reminding herself, Rule also reminds her readers and attempts to reorient them toward these victims.

The use of photographs and victims' biographies, however short, is also justified by Rule's later recollection that "I caught myself referring to them by their numbers in terms of the sequence of their disappearances. I was horrified when that dawned on me" (*Green River* 324). This horror then prompted Rule to memorize all the women's names and faces so that she would never refer to them as numbers again, resisting but not entirely breaking from true crime's tendency to present victims as already dead and only useful as evidence.

While the purpose behind this new approach is apparent both as an unspoken resistance to true crime generic expectation, augmented by the few sections in which Rule speaks outright about her approach to the victims, it is not – nor can it be – flawlessly executed. Since a number of Ridgway's victims were never identified, Rule has no photographs or biographies for the Jane Doe cases. A number of victims receive a short paragraph but no accompanying photograph – perhaps because family members did not wish to provide them – and one photograph on page 186 seems to be randomly placed, away from any biographical information. Since the photographs themselves are unlabeled, readers must assume that they belong to the closest biographical information, work that is not generally required of readers by the genre.

One of the longest biographies, that of sixteen-year-old Opal Mills, takes up sixteen pages, in stark contrast with the single paragraphs or single pages for others. Most of Opal's

story is related through her older brother, who recounts his baby sister fondly, resisting the idea that she might have been a prostitute while admitting she had been a bit naïve and was known to hitchhike. Opal's story, then, is filtered through Garrett and perhaps augmented by his voice: older, male, and protective. Opal herself was murdered and left little behind to support or refute the narrative of her life that her brother relates to Rule. Perhaps because Opal's biography is so lengthy, it becomes clear that her life is built off of a narrative from a single voice and falls short of being a multifaceted composite that may have represented her in a less angelic light and reduced her to the level of a Jewett or a Bickford.

Opal also occupies the position of a victim who was not identified unquestioningly as a prostitute, making her a minority in that aspect. Although Rule attempts to minimize this stratification by treating all victims as equally as she can with the information she procured, she also acknowledges that, once a victim is identified as a prostitute or as having engaged in risky behavior like hitchhiking, public reactions are quick and expected, because "Their female family members weren't offering sex for money, and they had no tattoos or drug habits, so they could conclude that a roving killer was no danger to them" (*Green River* 37). Rule acknowledges that the preferred victim, established in the mid-nineteenth century and identified as the "less-dead" by Stephen Egger in the late twentieth century, is still very much recognized in the twenty-first century, justifying her need to fight against this reaction. This denigration of the victim is, however, an established element of the ritual of the genre and, as such, is not so easily dismissed.

Part of this issue, Rule argues, comes in that the media "soon manipulated and smoothed and shaped [the victims] into a single image ... [of] young female prostitutes who hitchhiked," performing the work of creating distance between the reader and the

victim (*Green River* 38). This applies not only to readers in 2004 and later, after the Green River Killer has been captured and neutralized, but reflects contemporary thought of the 1980s when he was still active. Rule relates that a 1983 meeting of King County politicians saw that “at least one voiced his doubt that the county’s image would be much improved by spending taxpayers’ money on investigating the murder of ‘hookers,’” the media’s clear perception of the Green River Killer’s victims (*Green River* 248). Rule herself was living in the area at the time and recalls these public reactions, remembering how parents – Rule included – calculated the ages and activities of their daughters in order to give themselves feelings of safety. These are the same reassurances present within Rule’s text, since the crime genre has always worked to reassure audiences and restore order.

In this way Rule echoes much of the message of crime narratives concerning victims: that there are indeed steps women can take to lessen the chances or even prevent the possibility that they might become the next victim. Even if Opal Mills was not a prostitute, she was indeed known for hitchhiking, and a naïve sixteen-year-old could easily be seen as inviting trouble within the true crime genre, which, after all, works to reassure readers that all criminals are caught and all women are capable of avoiding a similar fate. Rule points out that a critical factor in detecting murder comes in disappearances being reported to the police in a timely manner, and that “[w]hen runaways and kids on the street disappear, all too often there is no one to sound the alarm that they are gone,” in contrast with those who are in constant contact with friends and families and who keep regular schedules (*Green River* 49). Despite her attempt to view the victims as human beings with faces and personalities, Rule runs into this tenant of true crime narratives and aligns herself with FBI declarations and expectations: there are indeed factors that place women more in

danger of falling victim to serial killers or other crimes. Rule wishes to make it clear that these factors are not always choices these women have made, and that victims should not simply be dismissed because of their profession, despite how deeply this dismissal has been ingrained in the ritual.

She continues this attempted reversal of the typical true crime representation of criminals and victims by keeping her main subject, the Green River Killer, nameless for much of the book. Although Rule does present readers with Ridgway's biography through flashbacks between her litany of victims' discoveries and biographical vignettes, she refers to him as "he" until page 434, when Ridgway is finally named. Although Part One of the book, a full 376 pages, is mainly concerned with the victims, revealing their names and photographs and only interjecting short sections about "him," Part Two and onward revolve around Ridgway.

The chronology of the events lends itself to these focuses, since many of Ridgway's victims disappeared and were discovered in the 1980s, after which the murders seemed to stop. The 1980s, then, contain a lot of information about the victims, while the 1990s and early 2000s center on fascination with a serial killer who, for some reason – and against all FBI teachings – stopped killing without being incarcerated, moving away, or dying. Instead, Ridgway seems to live out the normal life of a middle-aged man married for the third time, with a son from a previous marriage. Ridgway and his third wife, Judith, had been married for years at the time of his arrest in 2001 for the Green River murders, and Rule treats Judith with distanced respect, choosing not to delve into questions of whether or not Judith could have known about her husband's illegal activities. Judith is allowed to slip away from the narrative while her husband takes center stage, revealing the locations

in which he left his victims' undiscovered remains – and, through Ridgway's excursions to reveal these places, his victims are once again cast as little more than bone and rotting flesh, evidence that his confessions were true. In this case, perhaps because Ridgway does not fit the common expectation of a serial killer, his confession itself is not enough to fulfill the restoration ritual by requiring his sentence of life in prison – instead, it is the evidence that supports the confession that is used to convince readers, instead of the other way around.

There is a strange tension in Rule's representation of Ridgway, as well, since his position as a serial killer should place him in the realm of fascination, and yet she dismisses his looks, his intelligence, and even his acts as all being at or below average, nothing special. She reports that an FBI agent trained in dealing with serial killers even related that “they're not all equally interesting to us,” dismissing Ridgway as one of the less interesting serial killers, not worth her time or attention, although he clearly desired it (*Green River* 598). Ridgway stands in sharp contrast with Ted Bundy, yet Rule occupies herself with him for more than half of the book to the point where the one figure of the male serial killer outweighs more than forty female victims. Even though Rule dedicates herself to giving the victims much more space in the book than true crime of the late twentieth century, there is still this centuries-old pull to focus on the criminal and present his story in a way that both allows audiences to relate to him, and clearly demonstrates his guilt and the worthiness of his fate. In this case, Ridgway bargained for life in prison in exchange for revealing the locations in which he had buried his victims, removing him from public spaces, but not providing audiences with the execution they may think he deserves.

The figure of Gary Ridgway – short, unattractive, not possessing remarkable intelligence – helps assist Rule in her approach of keeping the criminal figure a secret and at a distance for a large portion of the book. Even the expert finds Ridgway uninteresting despite the length of time he managed to elude the police and the various methods he employed in an attempt to make the victims seem to be the work of various killers instead of one. Ridgway is less interesting and less important than many of the serial killers who came before him, and this – along with his horrifically staggering victim count – allows Rule to play with representations during the first part of her book, emphasizing the lives lost over the criminal’s biography and even his identity. However, in the end, Rule finds herself performing the same functions as many twentieth-century true crime authors, focusing on the biography and psychology of the criminal to support the restoration ritual above all else.

Complicit Victims, Redeemable Criminals

Rule finds herself conforming to the true crime genre by discussing Ridgway, his past, and his possible motives in part because American culture has been taught to orient itself around the criminal when discussing crime, and in part because of the continued choice of the “less-dead” victim. *Green River* does not concern itself with culturally accepted innocents who played no role whatsoever in their deaths, but again with prostitutes, hitchhikers, and runaways. As Egger reminds us, these three categories encompass individuals who willingly get into cars with strangers, an act that all “good” children are instructed never to do. Even if Opal Mills was not a prostitute, she was still

known to hitchhike and therefore place herself in danger. Despite being legally still a child, she should have known better, and the blame lies on her instead of on Ridgway.

Melvin J. Lerner explains this public response through his theory of Belief in a Just World and his studies that reveal audiences are much more likely to derogate victims when audience members are unable to help. Because Opal and the other victims have already been murdered, there is no way in which readers can help them, although the narrative suggests ways in which readers can protect themselves. The fact that Opal and so many others have been accused of prostitution or otherwise “loose morals” relegates them to Egger’s category of the “less-dead,” explored in print at least as far back as Helen Jewett and Maria Bickford in the nineteenth century. The American crime narrative, while functioning as restoration ritual, has grown beyond the Puritan execution sermon to include the victim whose death can be dismissed as deserved, thus lessening negative feelings toward the murderer.

Rule’s attempt to bring Ridgway’s victims to the forefront, at least for a few hundred pages of the book, is hindered not only by the crime narrative’s focus on the criminal, but also by the complexity of the victims’ identities. This is evident not only in *Green River*, but also in *Stranger*, even though the victims in her earlier text were not identified as prostitutes or even necessarily as ever having been sexually active. The victims in *Green River* have their deaths explained as just because of their occupations; the victims in *Stranger*, most of them college students, simply failed to protect themselves properly from Bundy’s advances. The Belief in a Just World inherent within crime narratives explained their victimhood by a failure to pay attention or extract themselves from dangerous situations, all the while implying that the victims should have known they

were in danger. Whether the killer presents himself as a handsome, intelligent, and charming Bundy, or as an average-all-around Ridgway, their victims should have taken steps to protect themselves.

The complex identity of the victims leads to judgments of whether or not the criminal himself is redeemable. If the victim were to be in all ways innocent, with full blame placed upon the criminal, then that narrative would not fit within the established consumption of true crime and would threaten readers' Belief in a Just World. A criminal who murders innocents makes for a difficult subject since his acts are not only illegal, but morally wrong. A criminal who murders victims who can be shown to be complicit in their own demise through their own actions can be seen to be working on the side of justice himself, even if he must transgress the law to do so. As early as the mid-nineteenth century, crime narratives made it clear that the murder of a prostitute could result in a sentence of not guilty, even with an apparently flimsy defense. A victim who herself was not morally and ethically pure, who did not do everything in her power to prevent her death, assumes responsibility for her murder and removes that onus from the killer himself, allowing him to maintain the central position in the crime narrative.

Contemporary Crime Narratives, Historical Roots

This dissertation has set out to investigate the history of the American crime narrative that gave birth to the true crime genre in the late twentieth century, tracing elements of the genre to their origins and exploring how contemporary approaches to crime are a result of centuries of crime narratives and their consumption. These narratives have

directed audiences in their orientation toward criminals, who are themselves on a spectrum with the reader, and victims, who are complicit in their own deaths and merely evidence pointing toward their murderers. Because crime narratives and true crime function as restoration rituals, these attitudes direct the consumption of crime narratives within American culture.

The early establishment of the crime narrative as a restoration ritual has allowed the narrative to adapt to changing cultural situations, expectations, and norms while still retaining its generic function. Elements have been added to or discarded from the crime narrative throughout the centuries of its published existence, developing into contemporary true crime. Despite many scholarly arguments that place true crime as a genre of its own and ground it firmly in the twentieth century, true crime is merely the latest iteration of the crime narrative performing the restoration ritual for contemporary society.

The long-established, strictly outlined position of the criminal within the crime narrative has led to where America stands today, with criminals narrating their own stories via Facebook, video, or other formats to be read after their crimes have been enacted and, at times, after their deaths. The central position of the criminal throughout crime narrative history, still clearly present within true crime, allows for this thinking: if I am a criminal, and I commit criminal acts, then the public will want to hear my story. The very reasoning that leads contemporary criminals to this conclusion also means that their victims must remain as they have been – always already dead, serving simply as evidence, and complicit in their own demise – in order for the restoration ritual, centered on this specific narrative of the criminal, to be complete.

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