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‘IN HIS PASSIONATE WAY’: EMOTION, RACE AND GENDER IN CASES OF PARTNER-MURDER IN ENGLAND AND WALES, 1900-39

In this article, we examine ten capital cases of men of colour sentenced to death in England and Wales for intimate murder, 1900-39, all of which related to men in intimate relationships with white British women. As such, they offer a lens through which to examine the ways perceptions of legitimate relationships interweaved with understandings of race, gender and class, and ultimately, citizenship. Intimate murders are particularly suitable for such historical and criminological attention as they ‘allowed potent anxieties to be publicly “worked through” in press coverage and court’ (Wiener, 2001: 185). Kounine (2017: 220) notes the strong connection between the criminal law and the ‘historically specific emotional culture of societies’ and highlights that sources related to ‘crimes of passion’ have been particularly apposite for interpreting emotions historically. The legal narratives at play in criminal cases communicate the emotional norms of the society in which they are situated. They make clear what counts as acceptable mitigation, which actions are punishable, and which are protected (Kounine, 2017). Such norms are an outcome of power relations and are not subject to universal agreement. Nevertheless, criminal cases, and intimate murders in particular, are rich sites for the analysis of emotional culture and enable an examination of a society’s conflicts as well as its dominant values (Wiener, 2004). Jacobsen and Walklate (2019: 2) highlight that in recent years criminology has recognised emotion as a crucial domain of social life. It has paid increased attention ‘to the emotional life of crime, criminal justice and being a criminologist’. We contribute to this scholarship through analysis of historical murder cases and argue that criminologists need to understand the criminal justice system as a significant arena for emotional governance, which shapes intimate citizenship.

In this period, capital punishment was the mandatory punishment for murder, although the sentence could be reduced to imprisonment via reprieve. Capital cases, as matters of life and death, are especially symbolic and expressive of social, cultural and political values (Seal, 2014). By the late nineteenth century, these values saw courts in England and Wales treating men killing women more harshly than they had in the earlier part of the century. Drunkenness and jealousy were unlikely to be accepted as reasons for reprieve (Wiener, 1999a; Kesselring, 2016). Elites increasingly viewed working class men’s violent behaviour as a social problem (Wiener, 2001). At the same time, self-control became defined as an ‘archetypal characteristic of Englishmen’ (Wiener, 1999b: 190). ‘Crimes of passion’ received less sympathy than previously as they began to be viewed as foreign, violating English standards of restraint and self-discipline. This represented the normative emotional order, although historians have emphasised that working- and lower-middle-class communities did not necessarily share these values (Wiener, 1999b; Frost, G 2008). Juries could be more sympathetic than judges were towards men’s use of violence against women to ‘assert their masculinity’ (Frost, G 2008: 4). By the interwar period, prosecutions for murder were at their lowest in England and Wales since

the 1830s. This meant that intimate murders and crimes of passion gained increased cultural attention (D'Cruze, 2004). In relation to Swedish homicide rates, Kaspersson (2003) notes that intimate murder is more enduring over time than other homicides and is less affected by forms of social change. At a point when the homicide rate is comparatively low, intimate murder stands out more prominently. Around half of death sentences 1900-39 were for intimate partner murder (Report of the Royal Commission on Capital Punishment, 1953: 304).

Crites (2016) identifies three interpretive narratives employed by judges and magistrates in cases of men's intimate violence against women 1918 to 1939. These were male brutality, whereby violent working-class men were understood as savage; female provocation, whereby working-class women's behaviour such as being a bad housewife or unfaithful partner was understood as causing men's violence; and unchained male violence where the violence had no conscious intent but erupted due to external causes such as unemployment, drunkenness or family arguments. Crites (2016) finds that all three of these narratives were in circulation. Although judges and magistrates could see violent working-class men as savage brutes who deserved punishment, they blamed female victims for men's violence or perceived other types of mitigation. Crites challenges Wiener's argument that courts simply became less tolerant of working-class men's violence; rather there was a more mixed picture. The picture is complicated further by judges and coroners' perceptions of working-class intimate relationships as not involving strong emotional attachments (Frost, G 2008). We find these narratives in circulation in the cases we examine, and further find that race was significant in understandings of gendered behaviour and emotions in cases of intimate murder in 'interracial' relationships.¹

The intimate couple in early twentieth-century Britain was a relationship governed by normative standards including monogamous marriage and raising children; good husbands and fathers were reliable workers and breadwinners (Smith, 2015), good wives and mothers were efficient housekeepers (Langhamer, 2013). From the late nineteenth century couples could legally separate but, because limited grounds and expensive fees made divorce inaccessible to most working people until legal changes in 1937 and post-1945 (Crites, 2016; Langhamer, 2013), co-habitation or bigamy were the only options for future intimate relationships. However, relationships between co-habiting couples could be consistent with working-class respectability if they lived as if married, i.e. monogamously, as this did not challenge prevailing norms (Frost, G 2008; Langhamer, 2013).

In this article, we explore cases of intimate murder in interracial relationships in which notions of gender, emotion and race coalesced to form common narratives. The first section focuses on cases in which narratives of male emotion foregrounded values regarding violent jealousy that were classed (particularly in terms of men's failure to provide financially for women and children) but also raced; men of colour were frequently described as more likely to be violent because of their race. Rather than

¹ We employ 'interracial' as the term that was in use in the period we examine, but recognise it is problematic and derived from an essentialist understanding of race.

being used against them, this could sometimes be expressed by the defence as a reason for sympathetic treatment and even reprieve (although such strategies were rarely successful, see Seal and Neale, 2019a). The second section considers female provocation - cases in which women's poor housewifery or unfaithfulness were cited as causes of male violence and perceptions of their relationships and capacity for genuine emotion were complicated by race. The final section focuses on elite views of relationships between men of colour and white women that ended in murder - their more explicit evaluations of whether genuine love existed between the couple - and the legal implications for the life or death of the defendant. We identify a binary understanding of relationships as legitimate or illegitimate that became more deeply racialised following the First World War.

The cases discussed in this article are drawn from a wider project that examines all 56 cases of people of colour (all men) sentenced to death in twentieth-century England and Wales until the abolition of the death penalty for murder in 1965. The cases are diverse, ranging from intimate murders, to murders on ships resulting from fights between sailors, to robbery murders. Racialised understandings of emotion were also relevant to these other types of murder, but the politics of emotion were more evident, and had greater impact, in cases of intimate murder. The sources of the research are case files held in The National Archives from the assize and central criminal courts, Metropolitan Police, Home Office, Director of Public Prosecutions and the Prison Commission. These contain documents such as witness statements and depositions, police reports, medical reports, trial transcripts, petitions, Home Office reports and newspaper clippings. The length of files, and which files are open, varies by case meaning that trial transcripts are available for some cases but not others. Around 150 pages in total is typical for cases from the turn of the century, whereas by the 1930s around 500 pages is typical. We also draw on news stories, which as well as reporting on the legal process, could offer different interpretations of intimate relationships from those found in bureaucratic documents.

We conducted an in-depth reading of all cases, meaning that we read all of the documents held in the files, discounting duplicates. We read these documents both along and against the grain. Reading 'along the grain' means interpreting the documents as bureaucratic records that reveal the viewpoint of the privileged and the workings of state power (Stoler, 2009). Reading 'against the grain' means analysing the sources for what they can reveal about the lives and – to an extent – views of the 'ordinary people' involved in the case as defendants and witnesses (Robertson, 2005). In Seal and Neale (2019b), we demonstrate how particular racialised and gendered narratives were established and developed across the process of a murder prosecution, and how these narratives (re)appeared in depositions, police evidence in court, the judge's summing up and, ultimately, in the Home Office report recommending whether or not a reprieve should be given. Official documents such as case files enable the reconstruction of bureaucratic and legal processes, as well as insight into the construction of narratives of race and gender.

We explore all ten cases of men of colour sentenced to death for intimate murders of white British women 1900-39. Of these men, nine were hanged and one was found to be insane and removed to Broadmoor. The men were from a variety of national backgrounds and what would have been understood as different races. These differences could affect how their cases were narrated and the mobilisation of stereotypes with salience at particular times. However, rather than reify these in advance, we examine racialisation as a process that took place in each case, shaped by socio-historical context and the case itself. Primarily, racial difference was constructed via a binary of whiteness and non-whiteness.

[Insert table 1 here]

It is possible to track the politics of emotion and the politics of respectability as they related to race, gender and class across the period via analysis of the cases. There is a clear turning point after the First World War when interracial relationships became more reviled and a greater focus for social and cultural anxieties. This shift coincided with the more entrenched identification of Britishness/Englishness with whiteness at this time (Bland, 2007), which was reflected in changes to social, cultural and legal citizenship. Such issues remain less well explored for the period in question than they do for the 'post-Windrush' era (Perry, 2016). However, there were established multi-racial communities in Britain by the early twentieth century – and understandings of British citizenship were influenced by colonially derived perceptions of race.

Racially diverse seaport settlements were established in late nineteenth-century England and Wales due to the merchant shipping industry recruiting cheap labour in the British colonies, for example in Cardiff, Liverpool, South Shields and London (Tabili, 1996). Colonised seamen were entitled to live and work in Britain but usually worked in harsher conditions for less pay than their British counterparts. Shops, clubs and boarding houses catered to men of colour and acted as 'contact zones' between seamen and local white women who worked and socialised there (Caballero and Aspinall, 2018). When seamen of colour married white British women they gained greater rights and also a source of support, particularly if they spoke little English (Tabili, 1996).

Mixed couples could be both accepted in the communities in which they lived and experience racism there. Diane Frost (2008) cautions historians not to overstate acceptance of interracial couples, arguing that there is little evidence for this. However, as Caballero and Aspinall (2018) argue, racism and acceptance were not either/or states, but happened simultaneously. Some white women in interracial relationships were shunned by their families; others were accepted (Tabili, 1996). Much of the time, mixed relationships were 'everyday, routine and mundane' (Caballero and Aspinall, 2018: 151). Working class white people and people of colour created integrated communities in areas such as the East End of London and Tiger Bay in Cardiff that led to the exchange of religious practices, food and language (Caballero and Aspinall, 2018), demonstrating 'how global processes of class, race, and gender formation were negotiated in the everyday lives of ordinary people' (Tabili, 1996: 168).

Analysing cases of intimate murder gives access to everyday lives, as well as to the operation of contemporary emotional norms and the politics of love and respectability.

We now use the case of the first man of colour sentenced to death in the twentieth century, William Lacey, to establish our conceptual framework and focus on emotional history.

The Emotions of Intimate Murder 1900-1918

On the morning of 6 July 1900, William Lacey gave himself up to police, telling officers he had just cut his wife Pauline's throat with his razor at their home in Pontypridd. William was originally from Jamaica, lived in South Wales for a decade, working in local coal and metal industries. Pauline was from Swansea, they had met when William lodged with Pauline's sister and brother-in-law (a long-time friend of Lacey's) and their children. When questioned, William gave different and contradictory reasons for the murder. One was that he was jealous because Pauline had said she preferred her former partner and William 'would rather see her lying in the ground' than with another man (TNA/ASSI72/26/1, David Evans's Deposition, 11 July 1900). Another reason was that Pauline could not endure the shame of local rumours that William had had 'connection' with her sister and had asked him to cut her throat, as 'she would rather be dead than living' (Ibid.). He was found guilty and sentenced to death at Glamorganshire Assizes on 2 August.

William's jealousy went beyond what was acceptable but in some quarters was framed as being specifically due to his race. Local sympathy highlighted belief in the significance of his emotional subjectivity as a 'coloured man'. A petition of 4,500 signatures argued that he had a 'hot and passionate nature, without that control over his passions which is usual among our countrymen' (HO144/281/A62030, Petition, 2 August 1900) and *South Wales Daily News* called for him to be reprieved, arguing that as a 'negro', his 'semi-savage' nature must be taken into account (HO144/281/A62030, clipping, 14 August 1900). This racist paternalism was reflected in Home Office commentary, with notes stating 'It is a sad story for no doubt the man was fond of the woman in his passionate way' (HO144/281/A62030, 8 August 1900). Despite this apparent sympathy, the civil servant recommended that there were no grounds for reprieve and William Lacey was hanged at Cardiff Prison on 21 August 1900.

Emotions are political as they relate to power and status: the politics of emotion entail contests over whose emotions are legitimate, authentic and appropriate. While there is no consensus on how and when different emotions should be felt and expressed, dominant emotional norms are made by the powerful; they are not fixed, but shift over time (Shields, 2005). Emotions shape communities, worlds and the boundaries around them; affective relations fix 'us' and 'them' (Ahmed, 2004). The Home Office fixed this boundary through defining William Lacey's 'passions' as racially other from those of (white, middle-class) British people. Emotional regimes are 'normative orders' (Reddy, 2001: 124), which establish the ideals and strategies that individuals should adopt and the emotions towards

others that they should feel. They are dynamic and change over time. Johnson (2010) employs the notion of emotional regimes in order to conceptualise affective citizenship – the intimate emotional relationships between citizens that are endorsed and recognised by governments and in personal life. Affective citizenship relates to ‘which emotions citizens are encouraged to feel about themselves and others in more public contexts’ (Johnson, 2010: 500).

Emotions are significant across social practices ‘from the domestic to the operations of the state’ (Cook, 2017: 57-8). This point merits particular emphasis in relation to crime, criminal justice and punishment. Criminologists have increasingly acknowledged and analysed the emotions of crime and punishment but have frequently stopped short of assessing the emotions of governance (Seal, 2019). Doing so is necessary if the relationship between emotional norms, conceptualisations of race and the operation of state power is to be understood. In capital cases, senior civil servants at the Home Office wrote a report for the Home Secretary recommending whether the condemned should hang or be reprieved. The norms of this emotional community, and its judgments about legitimate intimate relationships, were crucial in terms of life or death.

Emotional communities are constituted through ‘the evaluations that they make about others’ emotions; the nature of the affective bonds between people that they recognize; and the modes of emotional expression that they expect, encourage, tolerate and deplore’ (Rosenwein, 2002: 842). They can overlap, with individuals participating in more than one emotional community. Cases of intimate murder evoked a range of emotional communities across which norms differed (Seymour, 2012). These emotional communities included local people, the police, the court, the press and the Home Office, each making evaluations about emotions and affective bonds as they related to the murder and the punishment of the murderer. The emotional communities of officialdom were more significant in terms of how the case unfolded and whether the murderer was executed, but such cases enable some access to the emotional norms of ‘ordinary’ people and the ways these could depart from those of elites. This is reflected in the Home Office’s response to petitioners who positioned William Lacey as part of their emotional community in terms of deserving their sympathy and understanding, but different from them in the sense that he lacked control over his passions due to his race.

Sympathy for William could also entail gendered criticism of Pauline via the female provocation narrative, deployed to reduce his culpability. *South Wales Daily News* blamed Pauline’s behaviour for provoking in William ‘the latent ferocity of race’ (H0144/281/A62030, clipping, 14 August 1900). Reverend L.T. Evans, an ex-missionary to Jamaica who visited William in prison, wrote to the Home Office alleging that there were local women who were no better than prostitutes and, unable to get a sober white man, they married black men instead (H0144/281/A62030, 20 August 1900). Such an interpretation devalued the emotional significance of Pauline and William’s relationship, ascribing it instead to financial necessity. These derogatory portrayals of Pauline as violating emotional norms blamed her for the killing but were not reflected in depositions taken from neighbours and people

who knew her personally, exemplifying that a range of emotional communities existed. For example Catherine Vaughan, the Lacey's landlady, described Pauline as 'in every way a respectable woman' (ASSI72/26/1, 11 July 1900), illustrating the fluidity of gendered politics of respectability, depending on whose definitions were articulated.

In other early-twentieth-century cases too, white women in relationships with men of colour were not necessarily excluded from entitlement to respectability, even if unmarried. Lilian Charlton was not married to Charles Patterson when he killed her in 1907. The Home Office file refers to him as 'a half-caste and a sailor' who had lived with Lilian and her adult children in Moss Side for 18 months. According to George and Joseph, Lilian's sons, Charles was 'kept' by her and arguments were frequent (ASSI/52/128, Depositions, 3 July 1907). The last, on 29 June, occurred when Lilian asked Charles for money as she could not afford to buy food for the next day. Responding to his mother's scream, George rushed upstairs to find that Charles had cut Lilian's throat with a razor. He had threatened to kill her before (ibid.) David Shorthouse, a police sergeant, gave evidence that Lilian had previously made complaints about 'a black man' who gave her a black eye (ASSI/52/128, 3 July 1907).

Minutes in the Home Office file conclude that the murder was 'a bad one' as it 'came at the end of a series of acts of violence'. Charles's lack of a job was also disreputable (HO144/860/154936, 17 July 1907). The first line of the Home Office's report on the case states: 'This is a case of a man murdering a woman with whom he lived because she refused to support him any longer,' noting that he did no work and that 'the deceased woman kept him and supplied him with money for tobacco' (HO144/860/154936, 16 July 1907). Relying on women financially contravened a central expectation of working-class masculine respectability. Local sympathy for Charles also appears to have been absent; the Home Office recorded that 'No application [for mercy] of any kind has been received on behalf of this man' (HO144/860/154936, 1 August 1907). Charles's unemployed status meant that, unlike William Lacey, he did not meet standards of respectable masculinity as they were perceived by working-class people themselves.

Lilian was viewed more favourably. Joseph Hutchinson, a neighbour from whom George Charlton sought help after his mother was attacked, described her as 'sober and respectable' (ASSI/52/128, 3 July 1907). *The Illustrated Police News* (6 July 1907: 4) noted that Lilian was separated from her husband and 'spoken of as in every way a most respectable woman'. Nor is there any negative commentary in Home Office documents on Lilian and Charles's relationship as extra-marital, or interracial, and no denigration of Lilian. As she did not gain financially from their arrangement, Lilian's attachment to Charles could be perceived as loving and genuine, whereas he was seen to have exploited this.

Cases like Charles Patterson's murder of Lilian Charlton and William Lacey's murder of his wife Pauline highlight the narratives of racialised male behaviour of defendants and gendered behaviour of white women victims. They demonstrate the public 'working through' of emotional norms,

acceptable mitigation, values associated with self-control and appropriate gendered roles and behaviours, as well as the constitution of the boundaries of affective citizenship.

Disreputable Femininity: White women in interracial relationships 1900-1918

Like Charles Patterson, Percy Clifford was a man of mixed racial heritage who was not in paid employment at the time he murdered his wife Maud in April 1914. He shot Maud and then himself while they spent a long weekend at a lodging house in Brighton (see Seal and Neale 2018 for a fuller exploration of this case). Percy was tried at Lewes Assizes on 8 July and put forward the insanity defence, but was found guilty and hanged at Lewes Prison on 11 August 1914.

The police report in his case stated: 'Clifford is well known as an associate of bullies [pimps] and prostitutes [...] he has been living for years on prostitutes, including his wife who was a well-known and convicted prostitute' (H0144/1323/253968, 15 July 1914). Maud's mother Augusta Walton gave testimony during the trial that Maud had to 'go on the streets' to 'keep' Percy and this was why she had separated from him in 1913 (H0144/1323/253968, Trial transcript, 8 July 1914). Financial reliance on a woman was in itself disreputable and contravened norms of working-class masculinity, but this was exacerbated by 'living off' the earnings of prostitution. It rendered Percy a bad husband, willing to exploit the affection of his wife. The Home Office report described Percy as a man of 'bad character' who was not suitable for clemency (H0144/1323/253968, 29 July 1914).

Defending barrister Mr Stormonth Darling refuted Augusta Walton's claim that Percy had coerced Maud into prostitution. He underlined the Waltons' disreputability by asking whether Maud's older sister 'was at one time with nearly every black man in the west-end of London?' [notorious as an area of prostitution] (H0144/1323/253968, Trial transcript, 8 July 1914). Denigrating white women not only as prostitutes, but also as prostitutes who had sex with black men, painted them as the 'lowest type' of woman.²

In November 1915, Lee Kun became the first Chinese man to be convicted in England and Wales for murdering a white woman (Auerbach, 2009). On 16 October, he entered Harriet Wheaton's house in Poplar, East London, looking for Elsie Goddard, with whom he used to live. Finding her there, he took her into the backyard and stabbed her several times. She died from a deep wound to her jugular. Lee told police she had stolen money from him and refused to pay it back.

During the trial, PC Walter Fagg described Lee's assault on Elsie as a 'common street quarrel which so often happens in that quarter between these women and men; it is nearly a nightly occurrence,' (H0144/1443/303791, transcript, 17 November 1915) constructing such violence as mundane and indicative of the low moral character of the area. Poplar and Limehouse formed London's Chinatown,

² We recognise the derogatory associations of the term 'prostitute' but use it precisely because it was deployed in the criminal justice system with these associations.

which according to popular imagination was a dangerous slum, a site of crime, exoticism, and opium-taking (Forman, 2013). This demonstrates the spatialisation of race and respectability, with certain parts of the city imagined as sites of immorality (on race and 'moral cartography', see Fleury-Steiner et al., 2009). While the Home Office report was not sympathetic towards Lee it was significantly more disparaging of Elsie. It described her as 'a sailor's prostitute in Poplar and Limehouse' and referred to a previous assault on her as illustrative of 'the sort of life the deceased was leading' (H0144/1443/303791, 22 December 1915). Lee's assertion that Elsie had 'robbed or cheated [him] out of his money may be true enough,' the Home Office said, but it was too far in advance of the murder to count as provocation (Ibid.). Lee Kun was not reprieved and hanged at Pentonville Prison on 1 January 1916 (see Seal and Neale 2019b for a longer discussion).

The cases of Percy Clifford and Lee Kun well illustrate how the reluctance to reprieve men for the intimate murders of women did not have the concomitant effect of raising women's status. Maud Clifford and Elsie Goddard were regarded as low status victims; the execution of the men who murdered them was to meet the state's priorities regarding capital punishment. This has relevance for contemporary feminist criminology and debates over 'carceral feminism' - advocacy of state punishment of male perpetrators of violence against women (see Sweet, 2016). Execution of men for intimate murders of women did not necessarily mean concern for female victims or basic recognition of their humanity.

Emotional regimes and associated norms of affective citizenship and appropriate intimate relationships in England and Wales were shaped by nationality and colonialism, preserving the 'civilisational distinction' between the metropole and the colonies (Stoler, 2002: 190). The colonial gaze was 'broad, reflexive and intimate' (p. 1); governing who could be intimate with whom was 'a primary concern in colonial politics' and part of the micropolitics of colonial rule (p. 2). There was no panoptic colonial state, but rather partial efforts to prescribe what 'would prevail in the street and at home' (p. 10). Against this 'civilisational distinction' between the metropole and the colonies, racially mixed intimate relationships and 'mixed blood' children were a problem as they challenged the purity – and superiority - of the dominant community. These colonially derived emotional regimes were also at play in the metropole, where there was also no panoptic state, rather norms and regulations that shaped and governed intimate citizenship. Racialised emotional regimes underwrote both 'folk theories' of race and white bourgeois identities (Stoler, 2002), underlining how respectability in England and Wales in the period of interest was governed by norms of gender and class, but also heavily racialised. Attention to cases of intimate murder in interracial relationships reveals this particularly clearly.

Intimate relationships and families are key sites of affective citizenship, which are governed by emotional regimes. These regimes are gendered, prescribing norms attached to gendered roles such as wife, husband, mother and father. They are also racialised, as demonstrated by the regulations

against 'mixed' marriages enforced in the twentieth century in countries such as the United States and South Africa (Johnson, 2010). Race itself is 'constituted through feelings, emotions and affective forces' (Zembylas, 2015: 145). Racialised emotional regimes were a constituent element of European colonialism as the intimate heterosexual couple was the basis of the colonial family, nation, race and culture; as Povinelli (2006: 175) asserts, love was a 'political event'. Intimate relationships linked the individual to wider social, economic and political life.

Attention to cases of intimate murder in interracial relationships 1900-1918 demonstrates how far race and class were intertwined. All of these cases were relationships between working-class men of colour and working-class white women. Women's assumed disreputability could be exacerbated by their relationships with men of colour and their location in multiracial urban communities, highlighting the spatialisation and racialisation of the politics of respectability. Norms of bourgeois respectability were shaped by gender, class and race, and in the early twentieth century this related to colonial understandings of British white middle-class superiority over both racialised 'others' and the British working class (Howell, 2000). That working-class communities had their own standards of respectability emerges from the cases; separation from a husband or marriage to a man of colour did not rule out respectability for white women such as Pauline Lacey and Lilian Charlton. Most notably, the cases from this period do not suggest pressing anxieties about interracial relationships specifically. Women perceived as prostitutes were regarded as low status but an intimate relationship with a man of colour was not in itself commented on as important in Home Office reports. Press coverage of the cases always highlighted the man's race but there was little suggestion that being in a relationship with a woman of a different race was a factor in the murder.

Interracial Relationships in England and Wales, 1918-1939

With the First World War there came a shift in attitudes towards interracial relationships which became more condemnatory. The movements of soldiers of colour stationed in Britain were restricted to certain areas to keep them away from white women, amid concerns familiarity would lead to sexual relationships. The 1914 British Nationality and Status of Aliens Act stripped British women across the Empire of their nationality if they married an 'alien'. This did not affect women who married men of colour from British colonies, but it impacted women who married Chinese men, for example. The Act also stipulated foreign-born residents had to carry registration cards. This legislation was a gendered and racialised measure adopted to govern affective citizenship; the Home Office produced lists advising women which nationalities they should avoid marrying (Caballero and Aspinall, 2018).

After 1918, men of colour in Britain and across the Empire demanded increased citizenship rights in recognition of their contribution to the war effort. Large numbers of working men of colour arrived in Britain and other Western European countries to fill labour shortages (Tabili, 1994) - Cardiff's black population increased from around 700 in 1914 to 3000 in 1919 (Bland, 2005: 34). Shifts in relation to women's lives and gender relations afforded them new freedoms, and both these changes formed the

backdrop to the intensification of fears about 'miscegenation' at this time (Bland, 2005). From late January to August of 1919 a series of race riots in nine port cities, the worst of which were in Liverpool, Cardiff and London, were initiated by white men, understood at the time as motivated partly by fears over increased competition for jobs and housing, but primarily by anger at interracial relationships between men of colour and white women. White women in sexual relationships with men of colour were seen as having provoked the violence. The evidence for this being the most important reason for the riots is not strong, but it is significant that it was represented as such (Ray, 2009).

Although Britain did not pass laws outlawing interracial marriage, it did enact racist legislation specifically designed to limit the number of 'coloured' men residing there. Though required to carry it by the Special Restriction (Coloured Alien Seamen) Order 1925, many seamen of colour did not possess documentary proof of their status as British subjects, without which they had to register with the police. In practice, the Order increased the vulnerability of men of colour to deportation and limited their employment opportunities, whether seamen or not (Tabili, 1994). White British women married to alien seamen lost their citizenship under the 1914 British Nationality and Status of Aliens Act, and women married to men who could not prove their status after 1925 were also 'effectively deprived [...] of the rights of citizenship' (Caballero and Aspinall, 2018: 67).

During the interwar period, social investigators influenced by eugenics, such as Muriel Fletcher, turned their attention to the 'problem' of mixed relationships by focussing on 'half caste' children. She reported in 1930 that they suffered defects and were socially marginalised (Christian, 2008; Caballero and Aspinall, 2018). A 1934 study argued that seamen of colour had different moral codes and conventions from white British people, and that their association with white women of low moral character resulted in venereal disease and 'half caste' children, who were portrayed as deeply unfortunate. This second report was more influential than the former, widely circulated among politicians, including the Prime Minister Ramsey Macdonald (Caballero and Aspinall, 2018).

The Legitimate/Illegitimate Binary

The first post-First World War intimate murder of a white woman by a man of colour was 25-year-old Lester Hamilton's murder of 17-year-old Doris Appleton in Tiger Bay, Cardiff in 1921. Lester was Jamaican and a ship's fireman; Doris was a waitress from the local area and, according to Lester, they were engaged to be married. One February evening he went to Doris's home and, finding a Japanese sailor there of whom he was jealous, Lester shot Doris five times before shooting himself in the head in the presence of Doris's 14-year-old sister Edna. By March, Lester had recovered sufficiently for the case to be prosecuted.

Doris and her family were portrayed by press as extremely disreputable, a perception that seems to have been shared by locals, legal and Home Office personnel alike. *The Western Mail's* report of Doris's funeral stated that Rose was booed by a group of women, who also threw stones at the windows of

the cemetery chapel (HO144/1707/422053, News clipping, 18 February 1921). The report from the Office of the Director of Public Prosecutions included with the Brief for the Prosecution described Doris's parents as being of 'bad character'; her mother was a prostitute and her father was 'convicted of living upon her immoral earnings' before deserting the family (HO144/1707/422053, 11 July 1921). It asserted that Doris was 'encouraged by her mother to live the life of a prostitute' in Tiger Bay, 'a low quarter of Bute Town,' 'where coloured men predominate' exemplifying the racialised and spatialised aspects of the politics of respectability (Ibid.). The focus on prostitution and immoral areas demonstrates a strong continuity with the pre-war politics of respectability.

In the Hamilton case, the prosecution strategy at trial was to dispute that Lester and Doris were in a 'genuine' relationship; rather Doris was a prostitute who simply wanted money from Lester. This played on the politics of emotion and related notions of legitimacy concerning relationships, whereby a legitimate/illegitimate binary was established. If Doris was not Lester's girlfriend he had no claims to her fidelity, or the right to be jealous of her associations with other men. The defence was that Lester had been provoked into temporary insanity by the woman he loved. In his testimony, Lester said, 'I loved her when I shot her. It was only a passion I got in.' (HO144/1707/422053, Judge's notes, 25 July 1921). The defence narrative was successful in generating sympathy and the jury made a strong recommendation to mercy for Lester 'on account of the sordid surroundings of the tragedy' (HO144/1707/422053, Telegram from Governor of Cardiff Prison, 26 July 1921). A petition on his behalf emphasised that he wanted to 'save the said Doris Appleton from a life of prostitution' and planned to marry her, asserting he had 'borne and excellent character' and 'lived a pure life' (HO144/1707/422053, received 12 August 1921). This demonstrates fissures in emotional regimes, with different emotional communities making different interpretations of Doris and Lester's relationship.

Minutes in the Home Office file state the case was simply the murder of a prostitute and that Lester used Doris 'fully as a prostitute on his ship and ashore' (HO144/1707/422053, 5 August 1921). A copy of the petition has been hand-annotated by a Home Office civil servant who, in the margin next to the petition's claim that the couple intended to marry, commented 'Hardly !!'. The Home Office report took this view: that Lester did not intend to marry Doris, advising that mercy could not be shown if a man 'shoots a prostitute [...] merely because he finds that she is carrying on with other men to make her living' (HO144/1707/422053, 4 August 1921). It also explicitly commented on the relationship as interracial and therefore violating norms of affective citizenship, stating 'We have heard a great deal of the trouble that is caused in Cardiff by the association of coloured men with white women'.

Press reports about the execution also highlighted the perceived significance of Lester and Doris's interracial relationship, although they did not cast doubt on whether the relationship was a romantic one. *South Wales Evening Express* described Lester's love for Doris as 'beyond question', referring to him as 'the man who had loved too well a girl of a different colour, race, and psychology to his own'.

Exhibiting a folk theory of racial difference influenced by pseudo-science (Stoler, 2002; Lorimer, 2013), the article commented that his case had 'touched the public imagination more than any of the all too frequent tragedies of inter-racial relationships' (PCOM8/72, News clipping, 16 August 1921). *South Wales Echo* described the execution as the 'denouement of a sordid history of mixed racial friendship' and noted 'a certain amount of public sympathy', shown by a local petition attracting 2,500 signatures (PCOM8/72, clipping, 16 August 1921).

Lester Hamilton's case represents a turning point when the relationship as interracial in a case of intimate murder became more significant, judged according to the legitimate/illegitimate binary. There is explicit reference to this in the Home Office report and news articles. The official disregard for Lester and Doris's relationship as illegitimate illustrates how an emotional regime against interracial relationships, particularly those between black men and white women, had solidified after the war and the 1919 race riots. The politics of love had shifted and such relationships were more unacceptable and more threatening to emotional norms. The case also demonstrates the different emotional communities that formed around intimate murders; the one voiced by the press, while deploying stereotypes about interracial relationships, was less derogatory than the Home Office.

This emotional regime against interracial relationships was also evident in the case of Hassen Mohamed. In 1920s South Shields a community known to some as the 'Arab colony' formed an economy based around dockside industries and services for those who worked on-board ships including restaurants, cafes and boarding houses for Arabic seamen (Lawless, 1995). At the centre, in 1923, a street called East Holborn boasted at least three such establishments near the graving docks of the Tyne. One was Salam Ali's coffee shop and restaurant, where local white women were also customers, as well as employees. It was here that marine fireman, Hassen Mohamed, murdered his fiancée Jennie Jarrow, whose real name was Jane Brown.

Hassen was from Aden, then a province of British India. As indicated by her nickname, Jennie was from Jarrow, a waitress in an 'Arab' restaurant in South Shields and widow of Ahmed Nagi, also a seagoing 'Arab' fireman. She and Hassen had been courting for around nine months at the time of the murder and he had been sending her money. When he returned from sea in March 1923 Jennie went to meet him and they travelled back to South Shields together where she was reprimanded by police for arguing with Hassen in the street and 'causing trouble' in a shop. Some witnesses claimed Jennie was drunk, that she had scratched his face and called him names in Arabic. In the kitchen of Salam Ali's coffee shop the couple argued further and Jennie said she was 'finished' with Hassen. He left the shop and returned a few minutes later with a revolver and shot her in the heart. Hassen later claimed the gun was not his, that it went off accidentally in a struggle with Salam Ali and his brother. This version of events was rejected by the jury in favour of a verdict of guilty of murder.

A headline in a local newspaper article read 'Shields Tragedy: Marriages Between White Girls and Coloured Men,' reporting the Deputy Coroner's comments about the case. He described the murder as

‘very sordid’ and observed ‘it seems a great pity that white women should marry men of a different nationality altogether and that trouble more or less arises from such unions.’ He argued it was unfair on the children who would be born from such marriages and called for ‘steps to be taken to prevent these unions if possible’ (HO144/3009, News clipping, *Shields Daily Gazette*, 16 March 1923). The Deputy Coroner’s statements were consistent with the views of contemporary eugenicists and social investigators on interracial relationships (Bland, 2005). They were not echoed by other criminal justice personnel to such a strong degree; however, the interracial nature of the relationship was highlighted in documents as undesirable.

The Brief for the Prosecution noted there was a large population of Arabs in South Shields and commented ‘it is sad to relate many white girls mix with the Arabs’ (HO144/3009, 30 June). The defence employed the familiar narrative of denigrating Jennie as disreputable to garner sympathy for their client. In cross-examining her father Michael Brown, defence barrister Mr Peaker asked ‘Did you know that your daughter was addicted to drink?’ (HO144/3009, Trial transcript, 4 July 1923). Testimony from Irene Rabb, Jennie’s friend, stated that Jennie had been very drunk on the day of the murder and that after refusing to leave the coffee shop with Hassen, had banged the table, proclaiming ‘I am out for fucking trouble today’ (HO144/3009, Trial transcript, 4 July 1923).

Public swearing and drunkenness contravened standards of bourgeois respectability and the Home Office report expressed distaste for Jennie, describing her as ‘a drunken, worthless creature’. It conceded that she was Hassen’s ‘mistress’ and that he shot her ‘in a fit of jealousy’. The case of ‘Hamilton Lester’ was referred to, a comparison that reduced Jennie to his prostitute rather than his fiancée. The Home Office dismissed the Deputy Coroner’s views (he had also railed against capital punishment generally) as ‘silly comments’ but nevertheless concluded ‘In these cases of coloured men cohabiting with white women and shooting them when they prove unfaithful, it is better not to interfere with the [death] sentence except on very strong grounds’ (HO144/3009, 27 July 1923). Hassen Mohamed’s relationship with a white woman was directly given as a reason not to reprieve him. This demonstrates the influence of the politics of emotion governing romantic and sexual intimacy, which made interracial relationships deviant. Having violated this emotional regime made Hassen less deserving of mercy. He was hanged at Durham Prison on 8 August 1923.

The solidification of an emotional regime against interracial relationships and related shifts in affective citizenship in the 1920s took place alongside racialised restrictions to other aspects of citizenship, such as the introduction of the Special Restriction (Coloured Alien Seamen) Order 1925, deepening the association between British/English identity and whiteness. Capital cases of men of colour who murdered white women allowed cultural anxieties to be publicly ‘worked through’ (Wiener, 2001), but they were also an arena for developing and upholding emotional regimes that governed affective citizenship.

One further case from the 1920s can be contrasted with the previous two examples. In 1926 Lock Ah Tam shot his wife Catherine, and their two daughters Cecilia and Doris, at their home in Birkenhead. Unusually, the family was perceived as respectable and Catherine was not denigrated during the trial or in Home Office documents. However, the Home Office report speculated about 'racial antagonism' in the family due to the likelihood of the children taking sides 'against their Chinese parent' (HO144/5456, 11 March 1926). This theory was not based on evidence from the trial or depositions. Rather, it echoed early twentieth-century psychological theories that racial antagonism was natural and inevitable (Lorimer, 2013).

By the 1930s, anxiety about interracial relationships abated somewhat, though cases of intimate murder continued to reproduce narratives of failure to meet gendered respectability. James Achew alias Starr was sentenced to death for murdering his partner Sarah Sybil da Costa in 1930, although his sentence was respited because he was certified insane and removed to Broadmoor. A police report noted he 'lived on the industry of the woman he killed' (MEPO3/1652, 18 January 1930), demonstrating his failure to meet standards of masculine respectability.

In Hull, 1932 George Michael, a marine fireman, killed his wife Theresa Hemstock who was married to him bigamously. He was not a British citizen as he was from St Croix in the Caribbean - a Danish colony at the time of this birth - although he had lived in Britain since 1910 when not on ships. He served three months hard labour in 1920 for the aggravated assault of a woman and later two years in prison for stabbing Theresa and her daughter in the street in 1930. On his release, Theresa sought protection from police but George stabbed and killed her in front of an officer before putting the knife into his own chest.

The politics of respectability were crucial to the defence's line of cross-examination, which sought to mobilise the female provocation narrative. Witnesses at the trial testified to Theresa's unfaithfulness to George while he was in prison and her previous involvement in prostitution. The judge's summing up stated that she 'may well' have been unfaithful to George as 'that is the reputation which she bore' (HO144/15849, Trial transcript, 4 March 1932). The defence also sought to highlight George's love for Theresa, with George's friend Charles Steede responding under cross-examination that 'he said he loved her more than any other woman he had been in contact with' (HO144/15849, Trial transcript, 4 March 1932). In his closing speech, defence barrister Mr Jardine informed the jury that although George was a 'coloured man' he was 'actuated by the same emotions as a white man', by which he meant that George could legitimately feel both love and jealousy to the degree that he could be temporarily tipped into insanity (Ibid.).

The Home Office report noted George's previous convictions for violence and recommended against reprieve (HO144/15849, 13 April 1932). A local emotional community was more sympathetic, exhibiting a perception of his emotional capacity and respectability as shaped by paternalistic racism. A petition described Theresa as a 'thoroughly immoral and abandoned woman' who was 'largely

responsible for her own death'. George, on the other hand, was 'a normal and respectable citizen' and 'a superior type of coloured man' but was 'handicapped' by the 'limitations' of his race and colour, according to their view. In phrasing that echoes the petition for William Lacey in 1900 and demonstrates the persistence of assumptions about the different emotional capacity of men of colour compared to white men, George Michael was 'in his own way [...] very deeply attached to Mrs Hemstock' (H0144/15849, 19 April 1932). He was hanged at Hull Prison on 27 April 1932.

The final case of an intimate murder in an interracial relationship before 1939 was by far the most high profile: Dr Buck Ruxton's murder of his wife and their children's nanny in Lancaster in 1936. The case was a sensation partly because of the details of the double murder, involving dissection and disposal, and partly because it could be spun into a narrative of unravelling respectability. Isabelle Ruxton and Mary Rogerson went missing from home and parts of their dismembered bodies were later discovered in a ravine near Moffat, Scotland. It emerged that Buck had killed them at home, cut up their bodies using his knowledge of anatomy, hired a car and driven the parcels of their flesh to as remote a location as he could find. Newspapers delighted in the detail that middle-class Dr and Mrs Ruxton were not actually married, as Buck had a 'legal wife' in India (H0144/20678, News clipping, *Daily Express*, 14 March 1936); they were less respectable than they seemed. Explicit disapproval of the Ruxtons' relationship as interracial was replaced with the insinuation that Buck simply could not fulfil the standards of English middle-class respectability, which included suitable control of his emotions and successfully performing the roles of husband and father. Once this had been exposed, he was 'an appropriate recipient of the law's punitive violence' (D'Cruze, 2007: 714). The Ruxton case spoke to wider cultural anxieties about the instability of class, race and respectability, and exactly what separated 'us' from 'them' – a line that might not always be visible.

Conclusion

The records of cases of intimate murder provide cultural texts through which to understand the politics of emotion and creation of emotional regimes in their historical and geographical contexts. Intimate murders committed by men of colour in interracial relationships 1900-39 are a window onto the emotional regime governing what counted as a legitimate relationship consistent with affective citizenship. The politics of emotion were closely intertwined with the politics of respectability; legitimate relationships were also respectable ones, shaped inevitably along axes of race, class and gender. These cases demonstrate how the perceived respectability or disreputability of female victims was a constituent part of whether a relationship could be deemed legitimate. Where women were understood to work as prostitutes, it was assumed their relationship with the man who killed them could not genuinely be a loving one. The interweaving of the politics of respectability and the politics of emotion highlights the racialisation of bourgeois respectability in England and Wales in the first half of the twentieth century. Howell (2000) argues that in nineteenth-century Britain, the bourgeois self was defined against racial, sexual and class others, shaped by colonial understandings of

respectability, which remained influential into the twentieth century. The above cases also show diverse emotional communities existed and the politics of respectability varied, with different codes held in working class communities from those of officialdom.

Examination of cases of intimate murder in interracial relationships shows how emotional regimes shifted over time. Before the First World War there was less significance attached to intimate relationships that crossed racial boundaries. In the 1920s, after the social, economic and cultural changes that followed the war, such relationships became notably more transgressive, with newspapers and case file documents exhibiting disapproval. Significantly, the undesirability of intimate relationships between men of colour and white women was recorded in Home Office reports to enhance recommendations against mercy, demonstrating how the criminal justice system played a role in establishing and maintaining emotional regimes and contributing to racialised norms of citizenship.

Our approach sheds light on emotional history but also has significance for criminological understandings of emotion and criminal justice. Contemporary research on mock jury decision-making in relation to death sentencing in the United States finds jurors' emotional reactions to the defendant, and their judgments about the defendant's emotional reactions, are negatively influenced by race (Lynch and Haney, 2015). Black defendants are more likely to be seen as lacking remorse by white jurors and less likely to have mitigating factors interpreted sympathetically. Analysis of the role of emotional regimes and affective citizenship potentially offers a further, complementary dimension to this research.

We move beyond penal sentiments alone, such as emotional identification with perpetrators and victims, or public indignation at crimes, to assess how attempts to regulate emotions were a technique of governance. This enables us to argue that, whether or not direct appeals to public emotion are an aspect of criminal justice policymaking in different eras, the work of the criminal justice system in creating and perpetuating emotional regimes and affective citizenship is significant. The modern penal state in this regard did not so much hold emotions in check or cool down public passions (see Loader, 2011) as govern through emotional regimes. Our examples demonstrate that race, and its interrelationship with gender and class, was a constituent aspect of this emotional governance.

Our attention to emotional governance offers nuance to criminological interpretations of the return of emotion to the criminal justice system in the late twentieth-century and the chronology of the argued 're-emotionalisation' of justice (see Karstedt, 2011). Emotion was highly significant to the prosecution of murder 1900-39. In our examples, Home Office discourse was frequently more punitive than media portrayals or public reactions. Emotional governance is distinct from the increased demand for the recognition of public emotion that characterises the 're-emotionalisation' of justice thesis, but is important to understand in terms of the connection between emotional regimes, criminal

justice and state power. Justice was already 'emotionalised'; it is necessary to ask how, rather than whether, emotions did work in the criminal justice system.

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