

## Foucault and true crime

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### 3.4

#### Foucault and True Crime

Lisa Downing

When all is said and done, battles simply stamp the mark of history on nameless slaughters, while narrative makes the stuff of history from mere street brawls. The frontier between the two is perpetually crossed. It is crossed in the case of an event of prime interest—murder. Murder is where history and crime intersect.

(Foucault, *I Pierre Rivière...*)

Crime is glorified, because it is one of the fine arts, because it can be the work only of exceptional natures, because it reveals the monstrousness of the strong and powerful, because villainy is yet another mode of privilege. (Foucault, *Discipline and Punish*)

#### **Introduction: Murder most discursive**

Murder, one could say, is the opium of modernity.<sup>i</sup> As I explored in my 2013 book, *The Subject of Murder*, the figure of ‘the criminal’ appears in Foucault’s work as one of the quintessential modern subjects produced by the medico-legal and psy disciplines, alongside ‘the homosexual’ and ‘the pervert.’<sup>ii</sup> But as well as being as an ‘abnormal’ pathologized personage, the figure of the murderer accrues an attractiveness, a sheen of glamour, and an association with rebellious, Romantic creativity owing to the link between murder and art forged in modernity. For writers such as the Marquis de Sade and Thomas De Quincey, whose work ‘On Murder as a Fine Art,’ (1827) Foucault references in the quotation forming my epigraph above, writing and crime are imbricated as aspects of genius and individuality. And the relationship between writing and crime is precisely what is at stake in this chapter, where I reflect upon the legacy of Foucault’s writing on murder for a consideration of the increasingly

popular, and increasingly hybrid, twentieth- and twenty-first-century genre of 'true crime,' a genre that while lending itself to a Foucauldian approach, has not yet been interrogated from this perspective in any substantive or extensive way.

Texts by Foucault that have relatively recently appeared in English for the first time, such as the 2003 Verso collection entitled *Abnormal: Lectures at the Collège de France 1974-75*,<sup>iii</sup> and the documents produced by Foucault's anti-prison group, the GIP (Prisons Information Group),<sup>iv</sup> reveal Foucault's enduring interest in the social construction of criminality and the corporeal treatment of those labeled 'criminals.' The existence of these documents also demonstrates that his concern with this subject extended well beyond his best-known works on the subject, *Discipline and Punish: The Birth of the Prison* (1975) and *I, Pierre Rivière, having slaughtered my mother, my sister, and my brother...: A Case of Parricide in the Nineteenth-Century* (1973), the latter of which I will discuss in detail in this chapter.

In *I, Pierre Rivière...* Foucault and his team of researchers bring together a 'dossier' of texts concerning the murder committed by the eponymous French peasant who, in 1835, killed his mother and two siblings, in order, he claimed, to liberate himself and his father from maternal tyranny. The book comprises a number of medical and legal reports produced about Rivière, including those by leading names of the day, producer of the diagnosis of monomania Jean-Étienne Dominique Esquirol and toxicologist Mathieu Orfila; an extensive and detailed autobiographical text and confession, penned by the murderer; and notes and commentary by Foucault and his research team. The aim of Foucault and his fellow researchers in this text is to demonstrate the genealogical insight that dominant knowledge (about the psychology of murder, leading to the production of the specific figure of the murderer, in this case) is arrived at as an *effect* of the outcome of historically specific debates between disciplinary discourses that are in competition with each other. In the case of Rivière, Foucault *et al* are able to show how proponents of the emergent medico-legal discipline of psychiatry (termed 'alienism' in early nineteenth-century France) played out their differences with regard to diagnostic authority, and staged their struggles for legal legitimacy, around the figure and body of this murderer, such that the

case constituted 'a battle among discourses and through discourses.'<sup>v</sup>

Rivière's own text is read as revealing a key fact about the relationship between words and acts, discourse and crime; namely that it is not sufficient or accurate to describe confessions as the mere retroactive reporting of acts. Rivière's confessions demonstrate rather narrative uncertainty and epistemic ambiguity regarding what 'came first': the idea of committing the crime and narrating it, the act itself, or the text produced. Neither writing nor killing alone has originary status. In 'Tales of Murder,' the essay Foucault writes to accompany the historical dossier, he puts it thus: 'the fact of killing and the fact of writing, the deeds done and the things narrated coincided since they were elements of a like nature.'<sup>vi</sup> Conceiving of crime and committing crime are inextricably intertwined in this understanding. Also key to Foucault's method here is the fact that the focus on the confession, as well as on the expert testimonies, is resolutely de-psychologizing. Foucault suggests that we might read reports and accounts about murderers not (only) to learn more about murders and those who commit them, but (primarily) to learn more about the society which produces them, the sorts of discourses that are made around them, and the normalizing forms of power that happen to be in contestation and/ or ascendancy at the time of the crimes. In suggesting this, *Pierre Rivière...* can be read as both issuing an invitation, and offering a didactic model or guide for carrying out work of this kind—a notion that is suggested explicitly at moments in the text. For example, Foucault closes the 'Foreword' to the work by setting out in four numbered points the methodological and theoretical steps taken in collating and presenting the dossier and notes, writing that the work might 'draw a map' for those who come after, and provide 'an example of existing records that are available for potential analysis.'<sup>vii</sup>

Just as it is commonly recognized by those of a Foucauldian bent that discourses such as creative and autobiographical writing contribute, alongside the texts of the 'authority disciplines' of sexology and psychoanalysis, to cultural constructions of sexuality and sexual identity, so Foucault shows in *Pierre Rivière...* how it is crucial to explore the means by which confessional and descriptive writing (of and about crime) contributes to making intelligible, while also risking reifying, the identity of the criminal *qua criminal*, just as

much as a psychiatric report or a legal judgment. One form that writing about crime and criminals has taken, from the middle of the twentieth century onwards, is the popular genre of 'true crime.' Texts of this kind might, therefore, form the primary material for an analysis, of the kind that Foucault recommends, of the recent discursive forms of knowledge via which crime is imagined and documented. 'True crime' can describe the kind of writing about murder cases and murderers that attempts to be factual, descriptive, journalistic or straightforwardly biographical. It can also, however, be used as the label for a semi-fictionalized genre, related to the imaginative techniques of New Journalism, in which fictional embellishments and the author's own interpretations of, and projections onto, the conditions of a criminal case are used in telling the story of nonfictional murders. Although true crime writing has distant historical antecedents dating back several centuries (David Schmid traces it to 1651<sup>viii</sup>), Truman Capote's *In Cold Blood* (1965) is often thought to be the first example of such a modern work of imaginative true crime. However, despite the considerable cultural influence of Foucault's ideas on our understanding of the construction of the criminal, and despite the fact that *I Pierre Rivière...* can itself be broadly understood as an example of true crime, relatively few works either of true crime writing or about true crime writing can be said to have responded to Foucault's challenge and *explicitly* used the guidance in the Foreword of *I Pierre Rivière...* as a theoretical or methodological starting point.<sup>ix</sup>

In this chapter, I aim to examine writing produced about one infamous murder case—that of the 'Moors Murders'—to see whether the method proposed by Foucault in *I Pierre Rivière...* offers an enduring and transferrable model for reading true crime. Like Foucault and his researchers, I will examine writings about the case in an attempt to understand, not the criminals' motivations, but rather the historical, epistemic conditions—the cultural preoccupations, fantasies, fears, norms, and power struggles for authority—that conditioned the production of the crimes and shape our understanding of the case. My 'dossier' here will consist of true crime writing, rather than medico-legal reports, but, like the Rivière dossier, it will include writing both *about* the killer and *by* (one of) the killers.

The Moors Murders have been described as 'a landmark case'<sup>x</sup> for true

crime writing, based on the sheer number of words written about them and the length of time they have remained in the public eye. The soubriquet refers to the killing of a number of children in the North of England in the 1960s by a young couple, Ian Brady and Myra Hindley. The pair was sentenced to life imprisonment in 1966 for the murders of three young victims, Lesley Ann Downey, John Kilbride, and Edward Evans. In 1985, Brady confessed that they had been responsible for two further murders, those of Pauline Reade and Keith Bennett. Shortly thereafter, Brady was moved from a maximum-security prison to a high-security psychiatric hospital. Brady and Hindley's faces and stories continued to appear in newspapers, true crime writing, biographies, and fictionalized representations throughout the following decades. Hindley, widely dubbed 'the most evil woman in Britain,' made several unsuccessful appeals for release. Both wrote copiously during their incarceration, and while Hindley's confessional journal remains unpublished, it is discussed and excerpted in Carol Ann Lee's biography of Hindley published in 2010, eight years after her death in prison.<sup>xi</sup> With the help of existentialist murder 'expert,' Colin Wilson, Brady was allowed to publish a book, *The Gates of Janus*, in 2001, on the condition that he wrote only about other murderers and the philosophy and psychology of killing, rather than revealing any fact or thoughts about his own crimes. Concerning Brady, who survives to the current day, news stories still frequently appear, often reporting on his taunting of the press and victims' families regarding the whereabouts of the still-missing body of one of the victims, Keith Bennett, and his claims that he is no longer mentally ill and should to be allowed to return to a regular prison.

In order to explore the ways in which Brady and Hindley's personae and crimes have been depicted, and to untangle the map of discursive lines of knowledge and power intersecting them along Foucauldian lines, I will consider three texts that all fit, in different ways, my deliberately broad category of 'true crime.' The first of these is Emlyn Williams's well-known, highly speculative, New Journalism-style work *Beyond Belief* (1967). Secondly, I consider the above-mentioned book-length philosophical text on murder authored by incarcerated Moors Murderer Ian Brady, *The Gates of Janus*, in which Brady offers advice to forensic specialists about identifying serial murderers at large using psycho-biographical sketches of incarcerated

killers including John Wayne Gacy, Peter Sutcliffe, and Ted Bundy. Finally, I turn to *Myra, Beyond Saddleworth* (2012), a novel by Jean Rafferty that takes as its starting point the premise that Myra Hindley did not die in prison in 2002, but was, instead, covertly released while suffering from terminal lung cancer (based on a conspiracy theory that circulated at the time). The novel, which draws on factual elements from the case, widely represented in the true crime canon, creates an entirely fictitious plot around Hindley's fate.

### **The Moors Murders and the mores that made them**

Emlyn Williams's *Beyond Belief* appeared just a year after the killers' trial. In its Introduction, Williams describes the intended tone of his book as 'serious and dispassionate,'<sup>xii</sup> and its method as 'composed [...] of three elements: Fact; Interpretation of Fact, and Surmise.'<sup>xiii</sup> We can read the discourses Williams engages with (regardless of which of his three categories he may wish a given discourse to fit) as indications of the preoccupations of the containing culture, and of the moment that produced Brady and Hindley.

One very obvious discourse of the time that Williams insists upon is the danger of pornography, visible in Williams's extensive lingering over Brady's reading habits. Williams devotes a chapter entitled 'Unholy Writ' to the Marquis de Sade, questioning whether *Justine*, a 'dirty book without dirty words,'<sup>xiv</sup> which Brady shared with Myra Hindley, and her brother-in-law David Smith, and which allegedly inspired Brady's criminal philosophy, is 'sinister' or instead merely 'silly.'<sup>xv</sup> His conclusion is that it depends who is reading: to most people it would be 'silly,' but 'along this road, for him who stops to pick, there are clumps of deadly nightshade.'<sup>xvi</sup> Implicit in Williams's worrying about reading is a contemporary fear of the contagious effect of literature and pornography—especially on 'the masses.' The *Lady Chatterley's Lover* trial, that had ushered in the decade of the 1960s seven years earlier, was still fresh in the cultural imaginary at the time the trial of Brady and Hindley. And, in the courtroom, much was made of the fact that a working-class, albeit upwardly mobile, couple had on their bookshelves sexological tomes (including Richard von Krafft-Ebing's *Psychopathia Sexualis*, 1886) and texts of Nazi propaganda, as well as works by the Marquis de Sade. The Attorney General's words to Ian Brady on the subject of reading were accusatory: 'this

was the diet you were consuming? Pornographic books, books on violence and murder? [...] This is the atmosphere of your mind. A sink of pornography, was it not?,' to which Brady responded, pointing out the class-bound implications underlying the line of questioning: 'No. There are better collections than that in lords' manors all over the country.'<sup>xvii</sup>

The dual concern with class mobility and the perception of increased—and dangerous—sexual freedoms that were available in the wake of the so-called 'sexual revolution' formed the discursive soup in which the case unfolded. And the sexual behaviour—and nature—of the killers is a theme that runs throughout *Beyond Belief*. The chapter entitled 'Hindley Wakes' depicts for the reader a Sadeian spectacle. While stating that 'the idea that sex can be tinged with cruelty has never been new—the permanence of many a marriage is based on love-play in which one partner consciously simulates brutality while the other simulates the fear of it,'<sup>xviii</sup> Williams imagines, as a counterpoint to this idea of a commonplace, collaborative scenario of erotic counterfeit, a simulation-free scene of 'authentic' erotic domination and submission, when he analogizes the first time Myra Hindley and Ian Brady have sex to an unusual Victorian marital defloration.

Consider the following, lengthy description:

In the last century a husband would find himself, on his wedding night, faced more often than not with just this situation. If he was a good man, he would coax his frightened bride, step by step, with love and understanding, along the road that led, ultimately, to mutual ecstasy. But if the bride groom was the exception...

He looks down at his wife. A new look, very different from the face he used to put on [...] The hood has fallen, and the heart begins to beat. The lips moisten. The breath comes quicker. This is it.

She is like a soft and frightened bird, please, please be gentle. Then...

The bird is ensnared, in the all-powerful trap of male arms and legs; the well-mannered suitor has turned into the savage invader. Hanging wings of hair, and the pulsing neck utterly at his mercy, *please*... And like the invader with his sword, the bridegroom drives

brutally home.

[...] Then, in that Victorian bedroom, there would come the sounds of sobs: weeping which meant, too often, the foundering of a marriage for a wife who was to remain, through years of patient child bearing, quite frigid. [...]

But suppose she had been the rare, rare exception? The woman in a thousand? In ten thousand?

Suppose the terrified bride, in the midst of her agony, had suddenly realized — without knowing yet what she was realizing — that the brutality of the naked beast above her was mysteriously arousing, in her, a new and exciting servitude?

[...] The dead bird stirs. And awakens. Moves. Moves.

The moans again. But different. Frenzy again. But a different frenzy. Mounting, mounting, mounting, and with it the moans, until the moment when the moans rise to a cry. But this time it is the cry of love: the consummation of a marriage which will be, of necessity, a strange one. The deed is done.<sup>xix</sup>

The construction of the imagined sexual act here is multi-layered. Williams first sets the scene of a Victorian wedding night, in which a frightened, innocent bride is confronted with the brutality of male lust and the violence of heterosexual intercourse. Yet, he suggests, if the husband happened to be (what the sexological taxonomical system calls) a sadist, and the bride (what it calls) a masochist, an unusual partnership of complementary desires might be born. Williams collapses the figure of that 'rare, rare exception,' the kinky Victorian lady, onto the figure of the deviant Hindley, who is set up as an 'other' sort of woman and of sexual being. So, despite spending many pages exploring the influence on the murdering couple of Sade, other erotic writings, and—tellingly—*true crime itself* (Brady was especially fascinated by texts and films depicting the case of Leopold and Loeb, who had plotted a 'pure act'; an existentialist murder for pleasure<sup>xx</sup>), Williams here ignores the ways in which Brady and Hindley may have constructed their own erotic stories and selves on the basis of widely available discursive material, i.e. the processes of subjectification, and instead espouses the language of sexual 'nature': the idea that the truth of one's sexuality is a deeply buried, innate secret that may

be unlocked. This is the very idea that Foucault famously debunks in the first volume of *The History of Sexuality, The Will to Knowledge* (1976), where he writes 'this oft-stated theme, that sex is outside of discourse and that only the removing of an obstacle, the breaking of a secret, can clear the way leading to it, is precisely what needs to be examined.'<sup>xxi</sup> Moreover, in the passage about Hindley's 'waking,' the subject matter apparently under suspicious scrutiny becomes the *substance* of the text, as the description of brutal deflowering is written in a rapturous, eroticized, florid, quasi-pornographic, Mills-and-Boon-esque—some may say entirely prurient—way, while the rhetorical textual alibi of the hypothetical Victorian couple is used to insulate the author against accusations of dwelling too lovingly on imagined details of Myra Hindley's actual devirgination.

A striking feature of the text is the fact that, in it, Williams blends the most salacious of speculations about the killers' activities and relationship with an almost reverential and moralistic discourse about detection and the processes of law enforcement. It is not coincidental that the book is dedicated to Detective Chief Superintendent Arthur Benfield of Cheshire C.I.D. and Superintendent Robert Talbot of Stalybridge, officers who had played a part in solving the Moors Murders case. Nor is it by chance that the bravery, rectitude, and honour of the police force are insisted upon, time and again, throughout the text (the national stereotype of the tenacious, British policeman is embodied for Williams in the figure of DCI Joe Mounsey, a 'bull-dog with something between his teeth'<sup>xxii</sup>). In this way, Williams seeks to preserve his status as 'a self-respecting writer,'<sup>xxiii</sup> a member of the establishment, all the while allowing the text to dwell lingeringly on sensationalist subject matter.

*Beyond Belief*, as a key text of true crime, then, both *refers to* and *enacts* several (sometimes contradictory) discourses of the 1960s that shaped understanding of the Moors Murders case. It insists on the dangers of sex and pornography, especially when experienced by the working classes, while also demonstrating a fascination with the same.<sup>xxiv</sup> It expresses the desire to temper the threat of the permissiveness of the new society, that was perceived to be spilling out of control in the shocking events of the Moors Murders case, with a reassuring focus on the power of institutions: the police and judicial system.

Unlike *Beyond Belief*, in which Williams's one writerly voice enacts numerous (often contradictory) discourses in the same text, *The Gates of Janus* may be said to constitute a properly polyvocal 'dossier,' in the Rivière sense, in and of itself. But if it enacts a battle map of competing interpretative discourses, these discourses are far from being orthodox or hegemonic. Brady's text is sandwiched between paratexts written by voices from different disciplinary settings. It is preceded by a Foreword by Dr Alan Keightley, former Head of Religious Studies at King Edward VI College, Stourbridge, and a long-time confidant of Brady, and an Introduction by Colin Wilson, existentialist author of *The Outsider* (1956) and of several books on serial killing, who encouraged and enabled Brady's publishing project. It is followed by an Afterword by Peter Sotos, an American writer and musician whose creative works explore the themes of violent pornography and child sexual abuse, often voiced from the perspective of the pornographer/ abuser. What is quite extraordinary about this line-up is that the convention of bookending texts by patients, criminals and other marginalized or dangerous subjects with texts by 'experts,' purveyors of the dominant authority discourse, is disrupted or undermined here by the voices included. Keightley is an academic (a status insisted upon by the unusual inclusion of his title 'Dr' on the book cover), but not in the field of criminology or psychiatry, and as Brady's personal friend, the conventionally expected 'objectivity' of his contribution is lost. Wilson, while widely respected in some circles as an intellectual, has himself produced idealizing statements about criminality as exceptional genius that align him closely with the perspective of killers such as Brady.<sup>xxv</sup> And Sotos is a controversial figure, who, in 1986 was the first US citizen to be convicted of possessing images of child sexual abuse, and whose work has been received with ambivalence as to whether it offensively perpetuates and revels in the violent and abusive themes it explores, or whether it in fact parodies and critiques the normalization of violence and abuse in culture.

In the context of this map of dubious discourses by the dodgy, the voice of Brady, whose aim, in Keightley's words is to offer 'a hunting manual for the tracking down of the serial killer by the use of psychological profiling' stands—bizarrely—as the voice of authority among the four.<sup>xxvi</sup> Brady's becomes the 'expert voice,' addressing the intended readers in law

enforcement, criminology and psychiatry to bestow the benefits of his insight into serial killing, gained by dint of experience. The text, especially in Colin Wilson's Introduction, embodies one of the myths of identity that Foucault debunks: the idea that identity is the key to truth; that having killed, and thereby assumed the label of 'the murderer,' Brady's words must be imbued with authenticity. Wilson writes: 'I advised him to do the thing I would have done: to think about writing a book. Since he obviously knew about serial murder "from the inside" this suggested itself as the obvious subject.'<sup>xxvii</sup> Yet, at the same time as providing an ego trip for Brady, this odd work is paradoxically, and deliberately, devoid of authenticity as, at every turn, the voices in it—not only, but principally Brady's—insist on moral ambivalence and a play with in/sincerity and undermining. For example, Brady writes:

In this book I have offered a few modest methods which may assist in tracking down the serial killer. Some may regard this as generous coming from me, some may not. Both arguments hold water.

For I could write several more chapters, or even another book, on how to foil police forensics and confound the methodology of psychological profilers.

In not doing so, am I displaying a sense of morality, exhibiting praiseworthy altruism? Or am I simply bowing to the fact that no publisher would dare print such subversive information?

Or do I care at all either way?<sup>xxviii</sup>

And, in similar, deliberately self-contradictory fashion, Sotos devotes his Afterword to a dizzying and disturbing mixture of semi-pornographic reflections on the rape and killing of Lesley Ann Downey and an upbraiding of Colin Wilson for ever having invited Brady to write the very book to which Soto is contributing:

First off, you don't ask a child molester to write a book on serial killing. A child rapist. A child pornographer. A child murderer. You don't ask him to do the obvious. [...] Because the child rapist and murderer and pornographer will obviously lie.<sup>xxix</sup>

Statements of this kind, from both Brady and Sotos, interrupt the reader's ability to read the text in a linear way or for any remnant of 'truth' in the 'true

crime.’ More traditional true crime appears, at least superficially, as a didactic, moralistic genre, despite often dwelling on the unsavory detail of the crimes. We may think of Williams’s claim that ‘when a shocking scandal blows up [...] it is salutary to inquire: the proper study of mankind is Man. And Man cannot be ignored because he has become vile. Women neither.’<sup>xxx</sup> *The Gates of Janus*, on the other hand, is less an ‘inquiry’ (for all Keightley, Wilson and Brady’s claims that it undertakes ‘offender profiling’) than it is a postmodern, self-deconstructing, altogether darker version thereof, where the promise of shining the light of reason on the unfathomable, is constantly undermined by a restless moral nihilism.

*Myra, Beyond Saddleworth*, as a novel, is, at first glance, the least ‘true crime’-like of the texts in my Moors Murder dossier. Yet, author Jean Rafferty makes for it the very claims that are often made for that genre. She writes in the book’s Author Foreword: ‘As a former journalist I am well aware of the power of factual writing, but fiction is a more exploratory form. Like many people, I have often wondered what kind of person commits such atrocities. *Myra, Beyond Saddleworth* is an honest attempt to find out.’<sup>xxxi</sup> Here, Rafferty makes the claim that fiction does not only allow her artistic license, but that it may help her (and us, the reader), to get closer to the *deep secret truth* of Hindley’s identity—albeit a Hindley she is creating from a patchwork of existing discourses. The discourse of nature, of authenticity, that Williams espouses, and that Brady evokes in order to toy with, is on display here once again, yet fiction (or the amalgam of the discourses of reportage and fiction) is being identified as its truest generic form (in a rather Foucauldian gesture, and undermining somewhat Williams’s neat taxonomy of ‘Fact,’ ‘Interpretation of Fact,’ and ‘Surmise’).

While sharing elements of Williams’s desire to evoke the true, deep nature of Myra Hindley, *Myra, Beyond Saddleworth* is less fascinated by Hindley’s relationship with Brady, and focuses more attention on her lesbian feelings and past prison affairs. Written in 2012, the novel is able to draw on the repository of information that filtered through the tabloid press and lurid publications about Hindley’s amorous encounters in prison. ‘No more quickies on a quilt under the bed, with someone else keeping watch outside the door,’<sup>xxxii</sup> the fictional ‘Myra’ muses. Moreover, perhaps, because this is a text

authored by a woman, 'Myra' is imagined less as the sidekick of Brady and the erotic submissive that we espied in Williams's account, and more as a subject of will-to-power. Williams's descriptions of masochism are replaced with Rafferty's projections of the female killer's own narcissistic and sadistic power fantasies (something male commentators on the case, in both the 1960s and subsequently, seemed unable to imagine). Thus, a dream sequence in the book focuses on this aspect of the fictionalized killer:

Under the surface of her eyelids cars whizz up the motorway, their drivers standing up in the front seat, arms stiffly held in front of them like Hitler inspecting a rally of his troops. Lights probe and arc across the road, irradiating the whole night sky. She is Hitler. She is standing up in the front seat of the car and the other drivers become soldiers, marching in procession up the glorious path to ... to what? To power? godhead? honour? Heil Hessie! Heil Hessie! Heil Hessie!<sup>xxxiii</sup>

'Hessie' here is a reference to the pet name Brady gave Hindley, after both Myra Hess, her pianist namesake, and Rudolph Hess, Hitler's lieutenant. The novel makes self-conscious references to such 'true crime' facts and artifacts throughout, including a mention of the oft-reproduced, now iconic, blonde mugshot of Hindley, taken on her arrest, an image with which she became synonymous.<sup>xxxiv</sup> Rafferty has it flashing up on the TV news in the fictional world depicted to accompany the story of Myra's faked death and funeral: 'For fuck's sake, not that bloody mugshot again. She wants to put her fist right through the television screen. Forty years that picture's been following her around.'<sup>xxxv</sup> The novel also references the generosity of Hindley's influential male benefactors: 'She was better off in the bloody jail with Lord Astor giving her two hundred and fifty quid a month for her "expenses".'<sup>xxxvi</sup> There are even digs at the publication of *The Gates of Janus*: 'She's always been good at writing [...] maybe she could get a book published like Brady, bring in a bit of brass.'<sup>xxxvii</sup>

All of these references create intertexts with existing journalism and true crime writing on the Moors Murders, playing on readers' familiarity with the crimes. And the tension between familiarity and otherness is a key feature of the text's narration. By choosing to write the text in free indirect discourse,

so that the reader is closely aligned with 'Myra's' feelings and thoughts, while not quite experiencing a first-person account, Rafferty suggests an uneasy complicity and intimacy with the character. Yet, it is also worth pointing out, with an eye to the gender politics of true crime (and broader cultural treatment of celebrity killers) that while Brady was allowed to publish his work, Hindley was not and that, time and again, she has been imaged and 'voiced' by others—from Williams to Rafferty—and all those who have commented in between.

*Myra, After Saddleworth*, then, is in some ways an example of a meta-true crime text; a comment on the form. It shows up, by citation and parody some of the facets of broader media and true crime representation: the way both make 'personages,' exceptional subjects, out of those who commit crimes; how they tend to fix the image, meaning, and personae of infamous criminals; and how they accord those subjects a kind of attractive-repellant glamour. Moreover, a text such as Ritchie's draws attention to the instability of the 'true' in 'true crime.' Despite his emphasis on 'facts' being a key component of his text, Emlyn Williams's 'facts' inevitably approximate truth only *from the point of view of an interested perspective*. Foucault teaches us precisely that there is no disinterested truth, only discursive struggles, a point that later, more hybrid and creative texts of true crime may make visible, rather than work to conceal.

### **Fact, fiction, fascination, Foucault**

In *Discipline and Punish*, Foucault writes of a historical cultural shift whereby 'a whole aesthetic rewriting of crime' occurred in the eighteenth and nineteenth centuries, which constituted 'the discovery of the beauty and greatness of crime.'<sup>xxxviii</sup> That murder has continued to be an object of fascination and aestheticization in modern culture is a phenomenon amply testified to by the enduring popularity of true crime writing in all its forms and the enduring infamy—or fame—of figures such as Brady and Hindley. Yet, while commenting on this phenomenon, Foucault himself at times seems to fall prey to the very fascination he describes. The terms in which he discusses the act of murder are often ambiguous and ambivalent: they occupy a place somewhere between *describing* an attitude and *embodying* it. Consider the

following, perhaps most extreme, example of this tension:

[M]urder is the supreme event. [...] Murder prowls the confines of the law, on one side or the other, above or below it; it frequents power, sometimes against and sometimes with it. The narrative of murder settles into this dangerous area; it provides the communication between interdict and subjection, anonymity and heroism; through it infamy attains immortality.<sup>xxxix</sup>

About this passage from *I Pierre Rivière...*, we might ask the question: is Foucault *citing, mimicking* the popular hyperbolic fantasy of the act of murder as rebellious gesture of social contestation, committed by the 'outsider' (in Colin Wilson's terms), or is he (unwittingly, perhaps) glorifying it, reveling in it? It is not easy to arrive at a definitive answer to the question, as the hyperbolic language ('supreme,' 'heroism,' 'immortality'), repetition of the talismanic term 'murder,' and almost rapturous rhythm suggest a libidinous excitation erupting within the prose.

Similarly, the terms in which Foucault explains his reasons for having chosen to work on Rivière's memoir— 'the beauty'<sup>xi</sup> of it—and his description of his/ his team's relationship with Rivière—'we fell under the spell of the parricide with the reddish-brown eyes'<sup>xii</sup>—are suggestive of an idealizing aesthetic and erotic investment. I have written elsewhere about the aspects of erotic fascination or seduction suggested in Foucault's writing on criminals, which strikes a discordant note with Foucault's notorious taste for employing the hermeneutics of suspicion.<sup>xiii</sup> It is perhaps here that the erotically charged elements of his thought and practice, his 'ethics of eros,' meet, clash with, and sit uneasily alongside, his persona as a rational demystifier. What is also of note, of course, is the fact that the pleasure Foucault finds in Pierre Rivière's confession is inevitably a 'pleasure of the text.' This recalls his argument in *The Will to Knowledge*, that in the modern Western mode, the erotic thrill of confessional sexual discourse (written, spoken and, we might add, read) stands in for bodily acts, when he writes of 'a kind of general discursive erethism,'<sup>xliii</sup> a stimulation of the body by discursive proxy.

This pleasure of the text, in the specific case of writing about crime, has also been visible in the three true crime texts that formed my Moors Murders dossier. From Emlyn Williams's prurient imagining of the sex

between the killers, tempered by mainstream moral ‘common sense’ and a professed identification with, and celebration of, detection and law enforcement, through Brady’s discernible pleasure in pronouncing on the psychology of other killers and on that of society in the voice of ‘expert’ in *The Gates of Janus*, while taunting us sadistically as to his sincerity, through to the novelist’s illicit thrill in imagining freedom, rather than the punishment through death, for a dissident female (anti-)heroine in *Myra, Beyond Saddleworth*, the texts discussed reveal what Anita Biressi points out in her book on true crime: that this is a genre that deals in and produces *pleasure*, as well as *knowledge*.<sup>xliv</sup> I would go further here and say that it is a genre by means of which identification with, and objectification of, the criminal figure may produce an erotic frisson for both writer and reader, a true example of that famous above-mentioned Foucauldian ‘discursive erethism.’

Lastly, what Foucault’s own fascination with criminality (and writers’ and readers’ with true crime) suggests most compellingly, perhaps, is the extent to which, just as none of us can step outside of power, so none of us are entirely separate from the tastes and seductions of our own cultural moment—even if we are professional commentators on them. Even the most critical self will be implicated in, and interpellated by, the discursive trends that he or she critiques. The almost unbearable push-and-pull to which Brady subjects the reader of *The Gates of Janus* (sincerity/ insincerity; contributing/ withholding) stands almost as a grotesque, exaggerated parody of how true crime makes us complicit in the pleasures of crime, whilst assuring us that it is merely *instructing us* about it. If I stated, somewhat boldly, at the opening of this chapter that murder is the opium of modernity, then I will conclude by proposing that true crime, in all its simulating, stimulating, discursive hybridization of thrilling fact and fiction, may continue to be the crack cocaine of our post-modern epoch.

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## Notes

<sup>i</sup> I would like to thank David Schmid and Het Phillips for discussions, suggestions, and inspiration for writing this chapter. Between them, they know more about true crime than anyone else I know.

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- <sup>ii</sup> Lisa Downing, *The Subject of Murder: Gender, Exceptionality and the Modern Killer* (Chicago: Chicago University Press, 2013).
- <sup>iii</sup> Michel Foucault, *Abnormal: Lectures at the Collège de France 1974-75*, ed. V. Machetti and A. Salomoni, trans. Graham Burchell (London and New York: Verso, 2003).
- <sup>iv</sup> See Andrew Dilts and Perry Zurn, eds., *Active Intolerance: Michel Foucault, the Prisons Information Group, and the Future of Abolition* (New York: Palgrave MacMillan US, 2016). In her chapter of the book, 'The Untimely Speech of the GIP Counter-Archive' (41-58), Lynne Huffer describes the documents of the GIP as constituting an "ignoble archive" of captured speech', 42.
- <sup>v</sup> Foucault, *I, Pierre Rivière, having slaughtered my mother, my sister, and my brother: A Case of Parricide in the Nineteenth Century...* [1973], trans. F. Jellinek (Harmondsworth: Penguin, 1978), x.
- <sup>vi</sup> *Ibid.*, 200.
- <sup>vii</sup> *Ibid.*, xi.
- <sup>viii</sup> David Schmid, 'True Crime' in *An Introduction to Crime Fiction*, ed. C. J. Rzepka and L. Horsley (Oxford: Wiley Blackwell, 2010), 198-209, 198.
- <sup>ix</sup> Some partial exceptions to this generalization follow. My above-mentioned book, *The Subject of Murder*, focuses on the construction of the figure of the murderer as an 'exceptional' modern subject, using Foucauldian theory, in a range of cultural products including, but not limited to, and not including an extended discussion of, the generic conditions of true crime. Lisa Duggan's *Sapphic Slashers: Sex, Violence and American Modernity* (Duke and London: Duke University Press, 2000) undertakes what is in many ways an eminently Foucauldian reading of discourses surrounding the murder of Freda Ward by her lover Alice Mitchell, showing how coverage of the case was both coexistent with, and productive of, the emergence of the figure of the modern American lesbian, shot through with stigmatizing notions of lesbian abnormality. But any debt to Foucault or to the case study model offered in *I, Pierre Rivière...* is not made an explicit feature of Duggan's study. (Indeed, Foucault is mentioned by name only twice throughout the book and neither time in the context of his writing on murder cases.) The study that perhaps

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comes closest to carrying out a Foucauldian analysis of true crime is Anita Biressi's *Crime, Fear and the Law in True Crime Stories* (Basingstoke: Palgrave, 2001). Biressi grounds her reading of true crime as a genre in firmly Foucauldian terms. She contends that: 'the discourses of true crime, like all popular narratives, produce relations of power, establishing and exploring the place of subject and object, agency and will in modern life. However, power is not merely repressive but productive...', 39.

<sup>x</sup> Biressi, *Crime, Fear and the Law*, 67.

<sup>xi</sup> Carol Ann Lee, *One of Your Own: The Life and Death of Myra Hindley* (Edinburgh: Mainstream Publishing, 2010).

<sup>xii</sup> Emlyn Williams, 'Author's Foreword', *Beyond Belief* [1967] (London: Pan, 1968), 9.

<sup>xiii</sup> *Ibid.*, 10.

<sup>xiv</sup> Williams, *Beyond Belief*, 170.

<sup>xv</sup> *Ibid.*, 172.

<sup>xvi</sup> *Ibid.*, 172.

<sup>xvii</sup> A full transcript of the trial of Ian Brady and Myra Hindley is published as: Jonathan Goodman, *The Moors Murders: The Trial of Myra Hindley and Ian Brady* [1973](London: Magpie, 1994), 191.

<sup>xviii</sup> *Ibid.*, 169.

<sup>xix</sup> *Ibid.*, 124.

<sup>xx</sup> Brady reputedly read Meyer Levin's *Compulsion* (1956), based on this case, and saw Richard Fleischer's filmic adaptation of the same name (1959) at the cinema.

<sup>xxi</sup> Foucault, *The Will To Knowledge, The History of Sexuality 1* [1976], trans. R. Hurley (Harmondsworth: Penguin, 1992), 34.

<sup>xxii</sup> Williams, *Beyond Belief*, e.g. 312.

<sup>xxiii</sup> Williams, 'Author's Foreword', *Beyond Belief*, 9.

<sup>xxiv</sup> In her unpublished doctoral thesis, 'Cultural Representations of the "Moors Murders" and "Yorkshire Ripper" Cases,' University of Birmingham, 2016, Het Phillips analyzes scenes in which Williams describes Brady's teenage masturbation habits, to reveal a prurient focus on the male killers' sexuality,

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which serves as a counterpoint to my discussion of the scene of Hindley's deflowering.

<sup>xxv</sup> See the Introduction of Downing, *Subject of Murder*, 1-31.

<sup>xxvi</sup> Dr Alan Keightley, 'Foreword', Ian Brady, *The Gates of Janus: Serial Killing and its Analysis, by the 'Moors Murderer', Ian Brady* (Los Angeles: Feral House, 2001) 1-3, 1.

<sup>xxvii</sup> Colin Wilson, 'Introduction', Ian Brady, *The Gates of Janus*, 4-32, 29.

<sup>xxviii</sup> Ian Brady, *The Gates of Janus*, 288.

<sup>xxix</sup> Peter Sotos, 'Afterword', Ian Brady, *The Gates of Janus*, 289-305, 292.

<sup>xxx</sup> Williams, 'Author's Foreword', *Beyond Belief*, 9.

<sup>xxxi</sup> Jean Rafferty, 'Author's Foreword,' *Myra, Beyond Saddleworth* (London: Wild Wolf Publishing, 2012), 3.

<sup>xxxii</sup> Rafferty, *Myra, Beyond Saddleworth*, 8.

<sup>xxxiii</sup> *Ibid.*, 10.

<sup>xxxiv</sup> For discussions of Hindley's mugshot, see e.g.: Lizzie Seal, *Women, Murder and Femininity: Gender Representations of Women Who Kill*, (Palgrave Macmillan, New York, 2010), p. 89.

<sup>xxxv</sup> Rafferty, *Myra, Beyond Saddleworth*, 8.

<sup>xxxvi</sup> *Ibid.*, 7.

<sup>xxxvii</sup> *Ibid.*, 9.

<sup>xxxviii</sup> Foucault, *Discipline and Punish: The Birth of the Prison*, trans. A. Sheridan (Harmondsworth: Penguin, 1991 [1975]), 68.

<sup>xxxix</sup> Foucault, *I, Pierre Rivière*, 206.

<sup>xl</sup> *Ibid.*, x.

<sup>xli</sup> *Ibid.*, xiii.

<sup>xlii</sup> See: Downing, *The Cambridge Introduction to Michel Foucault* (Cambridge: Cambridge University Press, 2008), 74-75 and Downing, *Subject of Murder*, 2-3; 9.

<sup>xliii</sup> Foucault, *The Will to Knowledge*, 32.

<sup>xliv</sup> 'True crime, then, is a genre that produces particular forms of knowledge and—lest it be forgotten—pleasure.' Biressi, *Crime, Fear and the Law*, 38.