

## BOOK REVIEWS

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### *WOMEN WHO KILL MEN: California Courts, Gender, and the Press*

GORDON MORRIS BAKKEN  
AND BRENDA FARRINGTON

Lincoln: University of Nebraska Press, 2009  
xi, 272 pp.

In *Women Who Kill Men*, the authors discuss the interesting cases of a number of women who went on trial for killing men in California, from the late nineteenth century until just before the 1960s. Laura Fair was the defendant in the first of these trials; she had shot Alexander Crittenden to death on a ferry boat in San Francisco Bay in 1870. The last in the series is the sensational case arising out of the death in 1958 of Johnny Stompanato, the thuggish boyfriend of Lana Turner, the movie star. Cheryl Crane, Lana's daughter, killed him, supposedly to protect her mother.

Each of the cases has its own fascination. The authors try to use these cases to examine changing gender roles and changing norms in society. And, indeed, trials of women for killing men do have a special interest. For one thing, they are comparatively rare. Most killers are men; and so are most of their victims. Women rarely kill; and they kill in ways and under circumstances that differentiate them sharply from men who commit homicide. Women, for example, do not kill in barroom brawls. They do not kill in the course of armed robbery. When they kill, they almost always do so in the context of intimate relationships. Some women do kill for money — but it is usually family money. Gertrude Gibbons was accused of poisoning her husband in 1918; according to the prosecution, she did the bloody deed in order to collect an insurance policy (and also to “get rid of an invalid,” p. 72). A grand jury failed to indict her.

Gertrude Gibbons escaped trial. Others of the women defendants were acquitted; or, if convicted, won their case on appeal. Other studies, in other jurisdictions, have confirmed the impression that women defendants had a better chance at trial than men. These studies have shown that judges and juries were often quite sympathetic to women accused of murder in the late nineteenth and early twentieth centuries. Today, we hear a great deal about the battered woman syndrome. From a formal and doctrinal standpoint, this defense has emerged fairly recently. But some juries, long before the development of this doctrine, seemed willing to give a good deal of slack to women who killed abusive husbands or lovers. Bakken and Farrington point to a number of instances in which women “resorted to murder to defend themselves and family members,” and in which juries “judged these defendants’ actions as justifiable homicide” (p. 78).

The cases described in this book were chosen in part because they were quite sensational; they were the stuff of front page news. What is it that makes a crime and its punishment sensational?: There are, in fact, quite a few reasons. The simplest reason is that the public is attracted to the lurid, and cases that appeal to the rather prurient interests of the public are extremely likely to make headlines. The public, particularly in the last few generations, has an almost morbid curiosity about the lifestyles of the rich and famous. Trials become media events when they

seem to open a window into the world of prominent people — especially Hollywood stars — and which expose a world that is both glittering and morally repellent at once. This was true of the notorious trials of Roscoe (“Fatty”) Arbuckle in the 1930s; and it was true in the case of Lana Turner and her daughter. The media, to be sure, play an important role in the process of creating sensational news; and in publicizing and magnifying headline trials. The newspapers, and later television, greatly expanded the salience of many of these trials. The swarms of reporters who infested the trials of Dr. Sam Sheppard and O. J. Simpson, certainly contributed to the notoriety of these cases. The O. J. Simpson case was televised, which brought it to the attention of millions of people. The media do not and cannot invent these headline cases and headline trials; but they are clearly responsible for inflating their importance.

Another factor may be particularly salient in trials of women for murder. Such trials sometimes tested norms and ideas about gender roles. Well into the twentieth century, the conventional picture of respectable women was completely inconsistent with any notion that such women could be murderers. Murder was not, supposedly, in their nature. If they killed, there must have been a good reason. Of course, prosecutors tended to take a quite different view; they tended to describe the women in much less glowing terms. In the trial of Laura Fair, the prosecution described her as “an immoral seductress, a money-hungry opportunist, and an exploiter of male weakness.” The defense argued that Laura suffered “maniacal spells due to delayed menstruation”; that this “female complaint” led to an “irresistible impulse to kill” (p. 19). The jury found her guilty. She appealed, and won a new trial. At this second trial, in 1872, a jury found her “not guilty by reason of insanity” (p. 37).

Perhaps the most famous criminal trial (other than political trials) in American history was the trial of a woman: Lizzie Borden. This was the sensation of the 1890s. It has given rise to an enormous literature; not many criminal trials have provided the inspiration for an opera and a ballet. Lizzie Borden was accused of murdering her father and stepmother, quite brutally, with an axe. The Bordens were leading citizens of Fall River, Massachusetts. Lizzie was unmarried, in her 30s — the very picture of a respectable, upper middle-class, church-going woman. There

was considerable evidence against her. But the jury acquitted her. The twelve men in the box apparently could not imagine that a woman of her stamp could be in fact a savage killer, someone capable of bashing in her own father's head with an axe.

Arguably, then, in the trial of Lizzie Borden, it was not just one woman who was on trial, but well-to-do women in general, or, perhaps bourgeois society itself was on trial. The case would tap into quite different norms, concepts, and intuitions today; and the trial might have come out differently. Bakken and Farrington, as we said, try to use these cases as examples of the way norms and ideas (mostly about women and crime) have changed in California during the period they studied. No doubt these norms and ideas are still evolving.

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