

CHAPTER 1

Introduction

This book is about masculinity and homicide. It is an exploration of various patterns whereby men take the lives of others. Its empirical data are drawn from records of homicide which occurred in Victoria, Australia, between 1985 and 1989. Victoria is a state of Australia with a population of 4.5 million; 3.2 million live in the radius of the capital city, Melbourne. Throughout, the focal point of the analysis will be on the relationship between the offender and victim, and following on from that an investigation of the social dynamics which resulted in the homicide. The basic method consists of an examination of the themes which emerge from a review of a large number of case studies of homicide. As such this research is fundamentally qualitative in that it is seeking to identify the elements of the masculine scenarios of violence which are being played out in the dramas found within the narratives of homicides surveyed.

Setting the stage

The information available suggests that the rate of homicide in Australia in recent years has been running at just under 2 per 100,000 (Wallace, 1986, reported a figure of 1.9; Grabosky *et al.*, 1981, report a figure of 1.8, per 100 000; the National Committee on Violence, 1990, and Strang, 1992, show that the average figures for the past two decades would fall between 1.8 and 2.1 per 100 000). While a number of problems are encountered when comparisons are made between countries, these levels are well below the exceptionally high rates reported in nations such as Guatemala (with a rate of 63.0 per 100 000), or the high rates observed in the United States (9.1 per 100 000) (Wallace, 1986:

22). On the other hand, the observed rates tend to be higher in Australia than in such European countries as the Federal Republic of Germany (1.1 per 100 000), the Netherlands (0.8 per 100 000) or England and Wales (also 0.8 per 1000) (Wallace, 1986: 22). This 'middling' position of the homicide rates of Australia has also been confirmed by the recent report of the National Academy of Sciences in the United States (Reiss and Roth, 1993).

In general, Australia's homicide rate has tended to remain relatively stable over recent years, with the rate in most years falling between 1.7 and 2.1 per 100 000. As Wallace (1986: 24) points out, this stands in sharp contrast to the situation in the United States which between 1960 and 1980 experienced an increase of almost 100 per cent in the level of homicide. Of further interest is that fact that in one State in Australia, New South Wales, there were sharp drops in the level of homicide observed after the opening decade of the century, that is, the highest rates of homicide were observed prior to 1920 (Wallace, 1986: 24). There was probably much more, not less, murder on a per person basis in the 'good old days'. Certainly, the frequent assertion found in media accounts in Australia that 'violent crime is rising' does not appear to apply to homicide, especially if one takes a longer view of the time dimension.

The picture of persons who commit this offence in Australia tends to conform to observations in overseas research. The studies uniformly show that unlike property offences which involve predominantly younger offenders, slightly more than half of the offenders will be over 25 (Law Reform Commission of Victoria [LRCV], 1991; Wallace, 1986; Grabosky *et al.*, 1981). In Australia, as elsewhere, homicide offenders are not likely to come from backgrounds of economic privilege. In both Victoria and New South Wales, where occupational data are available, less than 5 per cent of those who take the life of another come from occupations at the professional, managerial, or semi-professional levels (LRCV, 1991: 24; Wallace, 1986: 47). Quite often, these offenders are in fact unemployed, as was found among just over half (54 per cent) of the Victorian homicide offenders (LRCV, 1991: 22) and roughly one-third of the New South Wales offenders (Wallace, 1986: 47).

Turning to the circumstances of the offence, about half the time the offence occurs in the home (of either the victim or the offender), it is somewhat more likely to occur on weekend nights, and is highly likely to occur in evening hours (Strang, 1992; LRCV, 1991; Wallace, 1986). In sharp contrast to the United States where a majority of homicides will involve the use of guns, in Australian jurisdictions guns are involved in one-third of homicides or less (23 per cent in the recent national study, Strang, 1992), with knives and fists/feet accounting for

significant proportions of the remainder (Wallace, 1986; LRCV, 1991; Strang, 1992).

One major difference between Victorian homicide and that seen overseas, especially in the United States, concerns the variable of race. There are few residents in Australia whose origins are from Africa, so that this important component of homicide in the United States (for example, see Reiss and Roth, 1993: 51) will not be found in the present investigation. While in Australia overall the Aboriginal population contributes a disproportionate amount to the total number of homicides (21 per cent of all homicides, with the national homicide rate for Aboriginal males being 52 per 100 000, in contrast to the overall rate of 3.6), in Victoria the Koori population is much lower, and they made up only 5 per cent of homicides reported in 1990–91 (Strang, 1992).

The victim-offender relationship

In much of the research on homicide, in Australia and elsewhere, a major focal point has been the relationship between the victim and the offender. This flows out of the recognition that homicide is fundamentally a social act, and therefore it is important to explore the relationships that exist among the key actors in the event. Wolfgang's (1958) early research has played a major role in establishing the basic understandings and categories within which research on victim-offender relationships is carried out.

Wolfgang (1958) argued that a weakness of much of the criminological work that existed at the time was it examined either offenders, or victims, separately, rather than as interdependent participants in an inherently social event. Drawing upon the observations of von Hentig (1948), Wolfgang urged that the homicide scene be examined within a 'duet frame of crime', where the victim can be seen as 'shaping and moulding' the offender as the homicide unfolds.

This central idea that homicide research should examine the victim-offender relationship continues to echo in the current literature, as in the recent observation of Silverman and Mukherjee (1987: 37) that murder is a social event involving at least two actors in a 'social relationship that plays a dynamic role in the way that the homicide unfolds'. Luckenbill widens this somewhat when he observes that: 'By definition, criminal homicide is a collective transaction. An offender, victim, and possibly an audience engage in an interchange which leaves the victim dead.' (Luckenbill, 1977: 176)

One of the major observations which has emerged, first, from Wolfgang's investigation, and then others which have followed, is that homicide is not commonly an event involving people who are unknown

to each other. In the 1958 Philadelphia study, for example, only 12 per cent of the homicides involved persons who were strangers to each other (Wolfgang, 1958: 207). Later studies in the United States have suggested somewhat higher levels of 'stranger' homicide, such homicides accounting for 28 per cent of all homicides in the report of Zahn and Sagi (1987), and 32 per cent in the work of Hewitt (1988), although data prepared for the more recent National Academy of Sciences report on violence suggest a level of 'stranger' homicide in the range of 19 per cent (Reiss and Roth, 1993: 80). In Canada, 26 per cent of all homicide victims in 1979–83 were strangers to the offender (Langevin and Handy, 1987).

As is the case in the United States, homicide in Australia is not likely to occur among strangers. In South Australia, stranger homicides made up only 9 per cent of all reported homicides (Grabosky *et al.*, 1981: 40), a figure close to the national 6 per cent observed by Strang (1992), although in New South Wales it was somewhat higher at 18 per cent (Wallace, 1986: 83). The figures were even higher in a recent study in Victoria, where 29 per cent of all homicides were reported to be 'stranger' homicides (LRCV, 1991: 16). Possibly these last figures are higher because the other two Australian states used police reports as their source of data, while the Law Reform Commission of Victoria investigation picked up the cases at the point of prosecution.

To put the matter properly, in Australia as elsewhere; homicide is an event most likely to involve some form of close relationship between the victim and the offender. As Wallace comments:

Homicide in New South Wales is a crime which typically occurs between intimates; four out of five victims knew their attacker, and in a majority of cases, their relationship was a close one. The family was the most common venue for these homicides. *(Wallace, 1986: 93)*

This information hardly provides an explanation for homicide, however. Knowing that homicides take place among people who share some amount of intimacy helps to locate the problem, but it only carries us part of the way to understanding the dynamics of violent behaviour. To go farther, it is necessary to go beyond the valuable foundation found in the work of writers such as Wolfgang, Luckenbill or Wallace. The present investigation will proceed from the assumption that a primary focus of exploration should be the relationship between victim and offender. It will be argued, however, that there are important limits to what can be explained from the use of such terms as 'stranger', 'friend/acquaintance' or 'family' to describe the bond between offender and victim. Such terms in fact provide few clues as to why the

homicide has occurred. Knowing, for example, that the offender and victim were bound by a family or friendship tie, or even that they were previously unknown to each other, by itself does not suggest what has provoked the killing. A major thrust of this research is methodological, and argues that it is time to re-enter raw data on homicides to establish more effective ways of describing victim-offender interactions that are richer in theoretical content.

But at the same time, there is a clear theoretical orientation of this research. Previous investigations suggest two major social vectors that run through homicide data. The first of these is social class. Writers from Wolfgang (1958) onward have pointed out the distinctive lower- and working-class distribution of violence in general, and homicide in particular. In the New South Wales data, for example, 5 per cent or less of all offenders, and all victims, were drawn from professional and managerial backgrounds (Wallace, 1986: 38). Explanations of why that should be the case have been less than compelling. Wolfgang and Ferracuti (1967) advanced a potentially helpful set of ideas in their discussion of the role of a 'subculture of violence' in supporting behaviour which could result in homicide.

Messerschmidt (1986) has opened up some interesting lines of inquiry in his discussion of the linkage between class, gender and violence. What such a discussion contributes is an explicit recognition of the second vector, gender, which is an important feature of homicide data. While there are some differences between Australia and countries such as the United States in terms of variables related to homicide (such as weapon use), one uniform finding across jurisdictions is that homicide is a masculine offence. Homicide offenders in Australia are predominantly male, the proportion of males being 86 per cent in a recent Victorian study (Naylor, 1993), 83 per cent in New South Wales (Wallace, 1986), and 90 per cent in South Australia (Grabosky *et al.*, 1981) and in recent national data (Strang, 1992). These figures are comparable to the 90 per cent of males reported being arrested for homicide in the United States as a whole in 1991 (Bureau of Justice Statistics, 1992: 442), or such figures reported in individual studies as the 88 per cent reported for two up-state New York counties (Falk, 1990) or 82 per cent in Wolfgang's (1958) early study in Philadelphia.

It then follows that an important theoretical task is to account for why homicide should be such a distinctively masculine matter. The present investigation will draw heavily upon the work of Daly and Wilson (1988) in terms of their conceptual framework describing the role played by masculinity in homicide. It is their observation that across time, and across cultures, it has been established firmly that homicide is fundamentally masculine.

Daly and Wilson go well beyond this simple point, however, and describe a number of different ways that masculinity becomes played out in homicide data. One obvious dimension is that where the violence arises out of sexual intimacy. Certainly, other writers have pointed out the contribution of sexual intimacy to homicide (Silverman and Mukherjee, 1987; Eastal, 1993), and Wallace (1986: 83) was led to conclude that 'the marital relationship provides the context for some of the most violent encounters in our society'.

As important as such observations are, it also needs to be emphasised that a large proportion of lethal violence involves situations where both the offender and the victim are male. Wallace (1986), for example, reported that 54 per cent of all homicides were male-on-male.

One of the contributions of Daly and Wilson (1988) is that their account includes a description of major forms of such male-on-male violence, such as confrontations over 'honour' and the risk-taking involved in robbery homicides. Their work is important because it: (1) provides specific directions regarding particular forms of victim-offender relationships that might be explored; (2) identifies the critical gender basis of such relationships; and (3) argues for a diversity of forms of masculine violence.

There are, of course, a wide range of other sources which can be drawn into the present analysis. Katz's (1988) imaginative analysis of homicide within his framework of the 'seductions of crime' raises theoretical and methodological issues that are difficult to ignore. Especially relevant for the present analysis is his urging that we examine the 'foreground' of crime which gives emphasis to the 'lived experience of criminality' (Katz, 1988: 4). Gottfredson and Hirschi (1990) also advance hypotheses about homicide which, if not entirely accurate, nonetheless help point to directions which analysis might follow. Specifically, they identify elements of 'typical homicide' which are helpful in focusing data collection and analysis.

There are several large sets of homicide data that help set the context for the present work, including the reports of Wolfgang (1958), Wallace (1986) and Strang (1992). Wolfgang's study was carried out in one city, Philadelphia, and constitutes the starting point for contemporary analyses of homicide. In addition to opening up the discussion of victim-offender relationships, the Philadelphia data contribute a number of helpful concepts which continue to add to our understanding of homicide. Wolfgang's notion, for one example, the importance to some males of what to others are 'trivial altercations', is one that will feature in the present analysis of male-on-male homicide.

Wallace's (1986) investigation of homicide between 1968–81 in New South Wales provides one of the soundest compilations of statistical

data on homicide available in the research literature. Time and again it will prove useful as a source of comparative statistical information. As well, it contains a number of important theoretical insights, especially into the nature of masculine violence toward female sexual intimates. As a helpful backdrop of national Australian data, the work of Strang (1992) will be drawn upon at several points to help set the statistical context of homicide.

Other analyses of large data sets will contribute to the present analysis as well. Maxfield (1989) has carried out an extensive analysis of the victim-offender relationships information available in the vast Supplementary Homicide Reports collected as part of the Uniform Crime Reporting system maintained by the Federal Bureau of Investigation in the United States. Similarly helpful, especially for insights and comparisons regarding the form of the analysis of victim-offender relationships, is the study of homicide in up-state New York conducted by Falk (1990), and the analysis of the Canadian national data by investigators such as Langevin and Handy (1987).

In summary, the present research will continue the well established tradition which calls for a focus of homicide research on the nature of the social relationship between offender and victim which leads up to the killing. Consistent with such writers as Wolfgang (1958), Luckenbill (1977), and Silverman and Mukherjee (1987), the assumption is that this relationship is a dynamic one, with the victim and the offender often moving through complex social manoeuvres such that a description of the role of both parties is essential to understand the nature of the homicide. In many respects, the present analysis will follow the model of Lundsgaarde (1977) who has provided in his investigation of homicide in 'Space City' a rich source of case study material valuable for contrasts with the case study material of the present research.

More substantively, given that homicide overwhelmingly involves lower- or working-class males as offenders, this investigation will specifically probe into the scenarios of masculine behaviour involved in homicide. Empirically, it will attempt to establish the major patterns which indicate how men become caught up in lethal violence. It will then move to the much more difficult theoretical question of why it is that such violence is so distinctively lower class and masculine in character.

CHAPTER 2

Procedure, data and method

Since this is an empirical study of homicide, a number of matters have to be dealt with to enable the reader to make sense of the data as they unfold. In particular, it is essential that we: (1) clarify what we mean by the term ‘homicide’, (2) provide specific information on the body of data to be used in the study, and (3) review the particular approach to be used in the investigation.

Homicide defined

It is possible to define homicide, as a dictionary might, simply as ‘the killing by whatever means of one human being by another’. Such a definition captures the spirit of what is inherent in the general understanding of the term. There are, of course, complications that arise as we proceed from this common sense interpretation of the concept to a more precise meaning which provides the focus for research analysis.

One of these is the issue of criminality. While there is some tragedy that lurks in all homicides, it has long been recognised that there will be a few killings that are either lawful or justifiable (most killings in war, for example, or those where it is possible to claim legitimate self-defence). Some investigations exclude these and focus exclusively upon those homicides which are unlawful. For an important example, Wolfgang (1958) in the very title of his landmark study, established the scope of his work as ‘criminal homicide’.

While it is a matter of some interest to examine in the data which follow the conditions under which some homicides are deemed justifiable (as in cases where it is decided that the killing was in self-defence), as an empirical matter it is often difficult to discern how or why such

decisions are made by police, prosecutors or courts. As Daly and Wilson (1988) argue, if our aim is to study the behaviour of victims and their killers rather than decisions made by officials at one point or another in the criminal justice system, it is necessary to enter the problem at the earliest juncture, notably where the police have identified a case where a victim, or victims, have been killed by another person or persons.

The definition offered by Daly and Wilson, and which appears appropriate for purposes of the present research, is that the term homicide refers to: 'those interpersonal assaults and other acts directed against another person (for example poisonings) that occur outside the context of warfare, and that prove fatal' (Daly and Wilson, 1988: 14).

A number of implications follow from the statement of this approach. For one, in the pages which follow little attention will be paid to examining differences between murders and manslaughters. Central to the distinction of murders from manslaughters, from the viewpoint of legal process, in most instances will be the issue of intent, as found in the phrase 'malice aforethought' laid down early in English law. In actual practice, of course, other matters arise to cloud this distinction, including the process of plea or charge bargaining. As such, the ultimate designation between murder and manslaughter provides important information about how the justice system has responded to a killing. The focus here will be on the killing itself, and as such throughout this text the appropriate term will be homicide, rather than such terms as murder or manslaughter which are the eventual results of complex legal processes. This is in no way intending to minimise the importance of the issues raised in legal discussion of homicide (for example, see the lengthy account of Fisse, 1990: 25–130, or of Ashworth, 1991: 227–74). It is rather that, for present purposes, the mental and physical elements that are important for determining the meaning of murder and manslaughter are not central to the empirical task of examining how it is that people come to the point where one takes the life of another.

A further implication of the definition to be employed here, as Daly and Wilson (1988) are careful to point out, is that it implies an entry into the events at an early point, specifically at the police investigation stage. As such, quite different data result than if the focus were limited only to individuals who had been convicted of murder in a criminal court. In a strict legal sense, only those so convicted can be treated as 'murderers'. Yet, data after conviction are notably biased because of the various social factors that are involved both in the killing and the response of the justice system to that killing and its circumstances. As Daly and Wilson (1988: 15) establish in their discussion, data restricted to convictions in Detroit would result in the conclusion that wives are

much less likely to murder husbands than are husbands to murder wives, when in fact in that city (at least in 1972, the year being examined) more wives killed husbands than husbands killed wives.

The focus of the present research, as was that of Daly and Wilson, is on the dynamics of the killing itself, rather than the complicated, and certainly important, response of the justice system to that killing. As such, the entry point will be at an early point in the investigation, rather than drawing upon data much deeper in the justice process, such as files based on either murder convictions or murderers sent to prison.

A further implication of this approach is that some cases will be treated as homicide even where an offender ultimately may be found not guilty of a killing in the courts. For a number of reasons, a large proportion of cases where killers have been identified will not proceed through the criminal courts, such as instances where persons have committed suicide, or where the homicide is deemed lawful. Even in some cases where the preponderance of evidence lead the police or coroner to conclude that a person is responsible for the death, the exacting requirements of proving a case 'beyond reasonable doubt' may not be met.

Again, since our interest is in the killing itself, and not the complications that arise in the legal processes, here we will accept the conclusions drawn jointly by the coroner and the police as to the events relating to the homicide. As such there may be a few errors, but in no instance will accounts be considered if there is not a plausible case to be made from the case study that we are dealing with a homicide. The few inaccuracies that may result are much to be preferred to the gross distortions that would result if convicted killers were the only focal point of the investigations.

Finally, it should be obvious that homicides which go undetected or unreported cannot be considered. There are a number of ways this might happen. Some killings are carefully planned, and part of the plot may consist of disposing of the body in such a manner that its discovery is unlikely. The few illustrations within these files of bodies accidentally found in disused mine shafts, or which bob to the surface of water months or years after being killed, hint that there are more which remain successfully hidden from view.

There are, as well, homicides that take place within family circles that do not become part of the official record. At one end of the age continuum, death may result from 'elder abuse' and be recorded as an accident. At the other end of the continuum, examples can be found where babies died of horrific injuries not consistent with an ordinary household accident, and where the subsequent autopsy revealed indications of previous similar injuries which had healed (a pattern