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## Violent crime in England in 1919: post-war anxieties and press narratives

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CLIVE EMSLEY\*

*ABSTRACT.* In the immediate aftermath of the First World War a variety of commentators in England expressed concern that men returning from the war had become so brutalized and inured to violence that their behaviour would continue to be violent at home. But, while the stage was set for a ‘moral panic’ with the brutalized veteran as the new folk devil, no such panic materialized. This essay makes a detailed study of two contrasting newspapers to assess how violent crime was assessed and interpreted after the war. It notes an increase in the use of the concept of the ‘unwritten law’ (the traditional ‘right’ claimed by many men to chastise a disrespectful wife or a man who despoiled or dishonoured a wife) in the courts and the press, probably as an element in re-establishing pre-war gender roles. It also describes how the idea of shell-shock was deployed as a defence in criminal cases, something that probably contributed to a popular recognition that men might suffer mental breakdowns as easily as women. In conclusion, it suggests some of the factors that may have inhibited the press in identifying the violent veteran as a new folk devil.

The guns fell silent on 11 November 1918. The demobilization of the British armed forces was not as speedy as many, perhaps most, of the men temporarily in uniform hoped, but by the new year they were coming home. Within England, the ends of wars had often prompted fears that men trained in the use of weaponry, brutalized on the battlefield and inured to violence would slide easily into violent crime. Such fears had been common in the eighteenth century, and they resurfaced at the end of the Napoleonic Wars and, to some extent, also at the end of the Crimean War when the fears were coupled with anxiety about the end of the transportation of criminals and the release, at home, of convicts on licence. The months following the armistice of November 1918 heard similar fears

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expressed about violent veterans. People were also able to read press reports of violence committed by men described as returning soldiers, with the offenders' war experiences sometimes deployed in court as a defence. In many respects the scene was set for a moral panic, yet a major panic did not materialize.

The concept of the moral panic has become popular with criminologists and historians since Stanley Cohen's pioneering sociological study of the response to the disturbances by 'mods and rockers' during the mid 1960s.<sup>1</sup> It has been used particularly to explain public alarm and official reaction to reports of specific offences that are blown out of all proportion by media exaggeration. Drawing on latent fears among the public, the media construct frightening, negative stereotypes – 'folk devils' – as the offenders. Historically such panics appear to follow a pattern. They begin with an act of violence, very often a street robbery or a vicious murder. Heightened awareness of what seems to be a serious and growing threat generates both an increase in sensational reporting and an increase in control and policing as well as, sometimes, new, harsher legislation. After a few months the panic dies as the responses of the authorities calm fears, as the media's attention shifts elsewhere and as readers lose interest.<sup>2</sup> A key problem with the whole concept, however, is explaining why one set of events sparks media interest, the creation of a 'folk devil' and, in consequence, the panic and the official reaction, and why another set of events does not.<sup>3</sup>

Former soldiers and sailors figured significantly in violent crime in England after the war and the press was keen to draw attention to them and to some of the problems created by the war that could be seen as a prompt to their violence. The army that began to demobilize at the end of 1918 was different from the small, professional expeditionary force that had landed in France four years earlier. The patriotic volunteers of 1914 and 1915 and the conscripts of the second half of the war were not disparaged like Tommy Atkins of old. The volunteers in particular contained a very high percentage of clerks from commerce and finance.<sup>4</sup> Nevertheless, it had been scarcely a generation since many in the population had treated the soldier (though not the sailor) as a pariah, excluding him from parks and other public places, and even preventing him from travelling second-class on some public transport.<sup>5</sup> The brutalized veteran, it has been argued, was evoked as a bogeyman in the post-war attempts to rework national myths and to delegitimize some violence within the state and nation.<sup>6</sup> In 1919, therefore, the veteran – whom the population knew to have been fighting in a war of unprecedented industrial violence and slaughter – had all the potential for becoming a criminal folk devil. Yet, while fears were expressed about men brutalized by war, no widespread

moral panic materialized that veterans as such were the perpetrators of violent crime.

There were alternative narratives. Some, for example, saw the war as having civilizing consequences for sections of the working class and as vindicating the arguments of the pre-war National Service League.<sup>7</sup> But there are commonly counter-narratives. The aim of what follows is simply to explore the scale of violent crime involving men returning home in the immediate aftermath of the Great War, together with the way in which the press in particular, and, to a lesser extent, the courts and others addressed such crime. On one level this provides an opportunity for re-assessing the concept of the moral panic by picking up on a moment when incidents failed to spark a major fear. But – and rather more importantly – the exploration of press narratives of violent crime opens a window on a society wrestling with its understandings of gender, particularly masculinity, in the aftermath of an unprecedented, industrialized war that had killed and maimed hundreds of thousands of young men and that, for its duration, had brought thousands of women into the workplace.

## I

In May 1919 *The Times* reported General Sir Nevil Macready, the Commissioner of the Metropolitan Police, as attributing recent robberies to men ‘grown callous after four years’ experience of killing’. He also feared that a battle-hardened husband might now murder his wife rather than, as before the war, administering ‘just a clip under the ear’.<sup>8</sup> In the summer of 1919 Philip Gibbs, a highly respected war correspondent, sought ‘to get deeper into the truth of this war’ and its immediate aftermath, no matter how painful it might be. In the concluding chapter of his book he lamented how ‘the daily newspapers for many months have been filled with the record of dreadful crimes, of violence and passion. Most of them have been done by soldiers or ex-soldiers.’ Gibbs believed that a significant minority of front-line soldiers had returned seriously altered by their experiences:

They were subject to queer moods, queer tempers, fits of profound depression with a restless desire for pleasure. Many of them were easily moved to passion when they lost control of themselves. Many were bitter in their speech, violent in opinion, frightening.

They had gone through ‘an intensive culture of brutality’. Equally, and this he implied had prompted sexual assaults, ‘sexually they were starved. For months they had lived out of the sight and presence of women.’<sup>9</sup> While Gibbs considered that it was only a significant minority that had succumbed to the brutalization of war, others were rather less sanguine, notably among the press.

On the page following a description of the peace celebrations held in London on Saturday 19 July 1919, a ‘special correspondent’ of the *Daily Herald* wrote of an ‘epidemic of violence and atrocious murder’ sweeping the country. This was

the crop of the last four and a half years of slaughter. Human life has never reached such a low valuation as today ... It can be traced to the atmosphere of blood and violence necessary for the perpetration of a war of the kind we have just survived. This atmosphere, carefully created by an intense propaganda campaign, has gradually altered the moral aspect of the country at large, and has sown such seeds of perversion and lust for violence that the crop will be heavy and bitter.<sup>10</sup>

Six months later, among a variety of suggestions put forward for ‘an unusually serious epidemic of crime’, *The Times* noted ‘the disregard of the sacredness of human life inevitably created and fostered in thousands of uncontrolled minds by the war’.<sup>11</sup> Towards the end of 1920, commenting on some ex-soldiers recently condemned to death for murder, the *Sheffield Mail* echoed the fears that the war had made human life cheap:

In the terrible ordeal where a man is placed upon a pedestal the greater the number of lives taken by him, it is not easy, indeed it is not sensible, to expect to bring him back to the adequate appreciation of the standards compatible with order and civilisation.<sup>12</sup>

But, while some newspapers warned about the brutalization of war and while people like Gibbs claimed that the daily press was ‘filled’ with dreadful crimes ‘most’ of which had been committed by former soldiers, this, in itself, is not evidence of an increase in post-war violence. The press, as ever, made much of crimes of violence though different newspapers reported the same crimes with different details and emphases. Again, with different degrees of emphasis, they picked up a series of tropes used in the courts and among the public at large to explain such violence. But when the newspapers picked up the trope of the brutalization of war, it tended to be as a broad explanation for an event or series of events. They did not sensationalize a particular violent individual as the creation of the war. And while the fear remained as an undercurrent in post-war society, a classic, sudden, uncontrolled but ultimately short-lived panic never materialized.

## II

Moral panics do not require a measurable upsurge in the statistics of crime, as the garrotting scare of 1862 demonstrates. In this instance the street robbery of an MP returning from a late sitting of parliament sparked a panic that was whipped up and perpetuated by grossly exaggerated and sensational press reporting. The panic became a key

contributory factor to new, harsh, retributive legislation. It seems that, in spite of the furore, the actual incidence of street robbery scarcely changed.<sup>13</sup> But then the statistics of crime are extremely difficult to interpret and their value is open to debate. They are no measure of the level of offending. They may be illustrative of the overall pattern of crime, but equally they may better reflect policing policy or even the financial constraints upon the criminal justice system.<sup>14</sup> Nevertheless, a brief survey of the statistics for violent crime in the aftermath of the Great War provides some orientation towards the issues.

The period of the war witnessed an overall decline in the statistics of reported crime, though they showed an increase in the proportion of offending by women and young people. In part this was probably the result of a very high percentage of young men – the social group generally considered responsible for and prosecuted for criminal offences – serving in the army. For most, once basic training at home was completed, this service was outside the country. There has been considerable research into death sentences and executions for cowardice and desertion, but there has been no systematic study of more general criminality involving soldiers both abroad and in home bases during the war.<sup>15</sup> The statistics of courts martial in the British Army, as might be expected, show an emphasis on offences specific to the military institution. In raw figures they reveal a peak in prosecutions for violent behaviour and drunkenness occurring during the year from October 1915 to September 1916. The figures for theft continue to rise until the end of the war. (See Table 1.) However, as with all judicial statistics, these are fraught with difficulties. First, they take no account of summary field punishments. Secondly, it is possible that the enormous increase in the ratio of military police to serving soldiers during the war in itself generated more reported offences.<sup>16</sup> And, finally, it has to be remembered that the British Army increased enormously in size over the course of the war. By the end of 1914 volunteering had brought the Army to close on a million and a half men. It was approaching three million by the end of 1916 and then, following the introduction of conscription, it reached just under four million – a figure at which it remained until the armistice. The rapid growth of the Army makes it difficult to draw conclusions about the number of offences for every 100,000 soldiers. A very rough estimate suggests that the problems with violence and drunkenness were at their peak in 1915, and that theft reached its peak in the last year of the war. (See Table 2.) But until further work is done, if indeed there are sufficient records available, there is no implication that, after the brutalization of training and battlefield conflict, men who were conscripted were inclined to resist authority or to be violent away from the front. Similarly a comparison of the criminal statistics for

TABLE 1  
*Criminal offences brought before British Army courts martial, 1914–1919 (raw figures)*

<i>Offence</i>	<i>1/10/1914–30/9/1915</i>		<i>1/10/1915–30/9/1916</i>		<i>1/10/1916–30/9/1917</i>		<i>1/10/1917–1/9/1918</i>		<i>1/10/1918–30/9/1919</i>	
	<i>Home</i>	<i>Abroad</i>	<i>Home</i>	<i>Abroad</i>	<i>Home</i>	<i>Abroad</i>	<i>Home</i>	<i>Abroad</i>	<i>Home</i>	<i>Abroad</i>
Striking and violence	1,968	613	1,314	1,607	1,034	1,483	785	1,913	487	1,140
Drunkenness	2,138	6,372	1,442	9,849	1,062	7,222	487	6,518	289	3,427
Theft	679	350	810	604	969	574	1,279	1,592	654	1,221

*Source: Statistics of the military effort of the British Empire during the Great War, 1914–1920 (London, 1922), Part XXIII: ‘Discipline’.*

TABLE 2  
*Estimate of criminal offences brought before British Army courts martial, 1914–1918, per 100,000 men*

<i>Offence</i>	<i>1/10/1914–30/9/1915</i>	<i>1/10/1915–30/9/1916</i>	<i>1/10/1916–30/9/1917</i>	<i>1/10/1917–30/9/1918</i>
Striking and violence	129	97	63	64
Drunkenness	422	376	219	177
Theft	51	47	38	71

*Source: Based on Statistics of the military effort of the British Empire during the Great War, 1914–1920 (London, 1922), Part XXIII: ‘Discipline’.*

England and Wales immediately before and immediately after the war does not show a significant rise in the kinds of offences that might be expected from brutalized soldiers (see Table 3).

Crimes against property have always significantly outnumbered crimes against the person in the criminal statistics. Table 3, however, focuses merely on selected crimes involving some violence. It was violence and brutality, after all, that prompted the comments of Macready, Gibbs and the various newspapers quoted above. The figures show burglary rising at the end of the war, but generally remaining below the pre-war level. Robbery, from the 'garrotting' panics of the 1850s and 1860s to the 'mugging' panics of the 1970s and 1980s, has often been the offence central to a moral panic. Again the statistics show a slight increase at the end of the war, but the overall numbers remained relatively small and by 1922 the figures had dropped below those of the pre-war years. Moreover, while it may be assumed that 'many' of the robbers were former soldiers, this cannot be proven without careful research in the surviving records. There was a rise in the figures for assaults tried in the summary courts in 1920, but by 1922 the figures had fallen significantly below those for the pre-war years. Murder is the most extreme form of inter-personal violence. It is also commonly considered as the offence for which the reported incidence provides a relatively close indication of the actual scale of offending, and it is often taken as the indicator of how violent a society is.<sup>17</sup> There was a brief increase in the number of murders and attempted murders in the immediate aftermath of the war but, as with the incidence of robbery, the overall numbers remained very small and, on the strength of the figures alone, it is not possible to assess how many of these involved former soldiers. Moreover, while the figures for murder and attempted murder went up, the figures for manslaughter were declining. Also declining were the figures for felonious and malicious wounding.

Indictable assaults on women and children, ranging from rape to indecent assault, exercised the minds of many contemporaries, especially feminists, and have been taken up by historians.<sup>18</sup> It might be supposed that the growing confidence and independence that the war provided for some young women, might have encouraged more victims to come forward and to testify as victims of rape. But this is not reflected in the statistics for indictable sexual assault. Rape continued to decrease in the statistics while other forms of sexual assault fluctuated. Perhaps a new confidence and independence among young women contributed to the increased number of non-indictable prosecutions for assault, and more evidence may be found in a systematic study of the civil courts. There were some instances of soldiers accused of sexual assaults.<sup>19</sup> Yet there does not



TABLE 3  
*Selected reported crimes, England and Wales, 1911–1913 and 1919–1924*

<i>Year</i>	<i>1911</i>	<i>1912</i>	<i>1913</i>	<i>1919</i>	<i>1920</i>	<i>1921</i>	<i>1922</i>	<i>1923</i>	<i>1924</i>
<b>Indictable offences</b>									
Murder victim age over 1 year	102	93	111	123	121	99	100	99	105
Murder victim age under 1 year	42	59	67	53	59	48	45	51	45
Attempted murder	93	109	96	95	100	126	118	91	79
Threats/conspiracy to murder	14	24	20	21	16	16	13	19	9
Manslaughter	147	159	154	122	134	113	93	109	110
Felonious wounding	312	283	240	182	178	184	172	155	148
Malicious wounding (misdemeanour)	928	1,003	932	557	613	519	424	421	470
Assault	74	73	42	22	35	39	39	70	28
Intimidation	27	16	17	—	1	2	9	1	1
Cruelty to children	71	60	61	18	27	9	12	11	10
Rape	146	175	177	121	130	125	118	110	116
Indecent assault on females	1,115	1,343	1,385	1,061	1,372	1,396	1,536	1,597	1,673
Idem on girls under 13 years	120	148	143	68	80	77	81	59	72
Idem on girls 13–16 years	107	235	271	156	155	152	203	210	200
Burglary	1,735	1,742	1,501	998	1,477	1,359	1,451	1,522	1,432
Robbery	198	195	155	203	235	211	164	151	122
<b>Summary offences</b>									
Assaults	44,778	42,867	43,147	34,479	45,196	40,596	33,753	35,505	35,243

*Source: Drawn from the annual Judicial statistics for England and Wales.*

appear to be anything significant in the figures and nothing to suggest that any great number of soldiers returned as sexual predators.

It is possible – indeed probable, given more recent experiences analysed for elsewhere – that some men who returned to wives and children or to girlfriends had been seriously affected by war trauma. Families may, in consequence, have been woken and frightened by a man's violent nightmares. They may also have suffered from violent verbal or physical abuse, the result of a man's combat stress or experiences of violence and its results. But in the early twentieth century there were few institutions offering support for families in such circumstances and cultural pressures encouraged such problems to be kept within the family.<sup>20</sup> It is, in consequence, impossible to estimate the effects of the war on the rates of domestic violence that are themselves impossible to disentangle from the statistics for assault.

A few returning servicemen, jilted by their wives or girlfriends, chose suicide as a way out of their disappointment and frustration.<sup>21</sup> The statistics for suicide and the contemporary commentary on them, however, do not suggest that there was any perceptible increase in the aftermath of the war, nor any change clearly attributable to the war. In his annual report for 1919 the Registrar General noted that the figure for male suicides was 'still distinctly low' and not yet back to the pre-war level. Moreover such increase as there had been during the year, for both sexes, 'occurred at ages over 45'.<sup>22</sup>

A few returning soldiers became violent when jilted. Arthur Donald Milner, a Birmingham bricklayer, had been twice wounded serving with the Warwickshire Regiment in France. In December 1918 he appeared before the Birmingham stipendiary magistrate charged with stealing a woman's coat. He had made a habit of stealing coats and ripping them up since being jilted by his girlfriend in the previous September.<sup>23</sup> Other veterans may have snarled at women who, they believed, had taken their jobs. Philip Gibbs noted that one of the problems confronted by young men returning from the war was that 'the girls were clinging to their jobs, would not let go of the pocket-money which they had spent on frocks'.<sup>24</sup> 'A Disillusioned Patriot' complained to *The Times* about women 'who merely gratify their desire to earn additional pin money that they may have more to spend on dress and pleasure ... [while] the man of the trench looks on – bitter, hopeless, desperate'.<sup>25</sup> The popular press picked up on this, though it seems in a rather more restrained fashion than some have been tempted to suggest.<sup>26</sup> On the blunt evidence of the statistics, it would be difficult to conclude that the snarls were often converted into anything more aggressive, though, as will be suggested below, it is possible that the reporting of some domestic violence, and the sympathy expressed towards

some of the male perpetrators, may have reflected a desire to restore the gender relations of the *status quo ante bellum*. Returning to more general manifestations of criminality, however, the Prison Commissioners noted that, of the young ex-soldiers committed to prison in the year following the war, some were ‘earning good wages at the time of their committal, and ... they were not prompted to commit crime because of want, but through sheer lawlessness’. And here the Commissioners themselves made reference to the brutalization trope, arguing that the lawlessness ‘may not have been due to criminal instincts, but generated by the conditions of active service in different parts of the world, where the normal restraints of conduct had been banished by the stress of war’.<sup>27</sup>

In some circumstances, rather than venting any anger on women, it was known for war veterans to make common cause with angry, demobilized women workers. The most notable incident of this type was the destruction of Luton Town Hall during the Peace Day celebrations of 19 July 1919. The Luton Riot was ignited by the decision of the town’s élite largely to exclude war veterans from the festivities. It contained much of the saturnalia of the earlier armistice celebrations, and the appearance of soldiers still serving with the colours seems to have played a significant role in quietening the disorder. When the popular press looked for a folk devil to blame for this disorder, however, it turned not to the brutalized veteran but to the Bolshevik.<sup>28</sup>

## III

Newspapers are commercial organizations that need to be profitable; in order to be profitable they need to attract and to keep readers. One consequence of this is the tendency, when dealing with crime, to report a disproportionate number of more serious incidents. This is the case today; it was the case in the eighteenth century; and, while there has been no systematic study of the early-twentieth-century press in this regard, there is no reason to suppose that newspapers were any different in the aftermath of the Great War.<sup>29</sup> Two contrasting London-based newspapers have been surveyed in detail for 1919. *The Times* was the classic establishment newspaper, perhaps not quite as powerful and influential as it had been in the mid nineteenth century when it was a key organ in creating the garrotting panic of 1862, but still a significant voice in the country. It was published daily. It saw its readership as being the respectable middle classes and considered itself as the voice of an England that combined both a conservative and a liberal perspective on national and international events. *The News of the World* claimed a similar perspective: England had fine traditions that needed to be preserved, including a ‘system of

Government which has done more for the mass of the people than any other form of government ever devised by the wit of man', but she was also moderate and liberal compared with other European powers and served as a beacon of civilization for these and others.<sup>30</sup> The paper was unashamedly populist, appealing to social strata below that of *The Times*. It claimed, just under its masthead, to have the 'Largest Circulation in the World'.

Both newspapers described some high-profile instances of murder and attempted murder involving soldiers and ex-soldiers in the immediate aftermath of the war. In January 1919 Lieutenant-Colonel Norman Rutherford of the Royal Army Medical Corps shot Major Miles Seton, apparently under the delusion that the major had an evil influence over his, Rutherford's, wife and children.<sup>31</sup> In April Sergeant Arthur Pank of the Military Police shot dead his sister-in-law. He claimed to have done it to defend his brother's honour after his sister-in-law had offered to sleep with him while he was on embarkation leave for the campaign in revolutionary Russia, a campaign for which he had volunteered. Pank had 19 years' army service behind him with a record of good conduct; he had just returned from a posting in India.<sup>32</sup> In December Albert Redfern, a former lieutenant in the Devonshire Regiment, robbed a branch of the Yorkshire Penny Bank in Leeds and, in the process, shot dead the manager.<sup>33</sup> But the reporting of these cases, and particularly the treatment of the trials, were rather different and reflected the differing ethos of the two newspapers. *The Times* was relatively dry and factual; as a rule it did not carry illustrations of the victims or of the accused. The *News of the World* was very different, especially in the more dramatic cases. Where possible it printed photographs and there were drawings of key figures as they appeared in court. The major court cases were sometimes preceded with synopses that outlined the story so far, and there were brief character notes identifying the principal *dramatis personae*. In the body of the reports on trials key figures were occasionally described in terms that would not have disgraced a popular novel. Thus Colonel Rutherford was described as having a handsome, manly bearing; he 'stood straight and tall, eyes to the front, and his lithe, perfect body motionless'.<sup>34</sup>

The Rutherford, Pank and Redfern cases are among the 110 cases of murder, attempted murder and threats to murder reported in *The Times* for 1919. The *News of the World* reported most of the same stories, together with another 17 cases.<sup>35</sup> The *News of the World's* sensational style led it to focus more on the dramatic incident and also to provide more lurid details of the crime and of the victims' injuries. Soldiers and demobbed soldiers are identified as the suspects or the killers in 42 of the 127 cases reported in the two papers, almost exactly one third. Yet in many

ways the general picture of 'murder' does not look particularly novel. In 49 of the cases the suspect or killer was identified as a member of the same family as the victim or victims. Fifteen cases involved the death of an infant under the age of one year; mothers were the suspects/killers in eight of these cases, and no suspect was identified in four cases where the child was unknown or unidentifiable. Five of the 'murders' involved women dying as the result of an abortion, commonly described in the press as 'an illegal operation'. In only eight instances was it clear that the violence involved an assailant and a victim who were strangers to each other. Five of the latter concerned robbers firing revolvers at police officers or bank managers. A sixth case involved a drunken ex-soldier who, taking exception to the comments of a 17-year-old girl while he was walking with a woman in Great Yarmouth, slashed her across the throat with his razor. The court found him insane.<sup>36</sup>

Some men were violent before they went to war. Colonel Rutherford's wife wrote of his 'violent temper and frequent ill-usage of me' and evidence was presented in court of his 'fiendish' temper. Lewis Massey's wife had obtained a separation order against him in 1917. On his demobilization he begged her to take him back and, when she refused, he beat her to death with a poker.<sup>37</sup> Henry Gaskin, a Staffordshire miner also returned from the Army beat his wife to death, savagely mutilated her body and cut off her head. The Gaskins had lived apart for two years before he enlisted and she had three children with another partner. In Gaskin's case the old notion of a man's right to chastise an errant wife was raised, though the appalling violence inflicted on the woman's body hardly justified this. The judge urged the jury to ignore any consideration of 'the unwritten law', which he preferred to call 'unwritten folly'.<sup>38</sup> The jury gave Rutherford the benefit of the doubt, concluding that he was guilty but insane; the new trope of shell-shock, which will be discussed below, was evoked here. Moreover Rutherford was an officer, a medical practitioner and hence a gentleman whose violent behaviour appeared to require more explanation than that of working-class men. Massey, a blacksmith's striker, and Gaskin, a coal miner, were both found guilty, sentenced to death and executed.

In some instances of murder, attempted murder and assault the newspaper evidence suggests that it was not brutality engendered by war but domestic upheaval created by it that sparked the violence. In such cases, and especially in the first half of 1919, it was common for the 'unwritten law' to be raised in some way by the defence. John Crossland, a veteran who had been wounded at Mons, had been imprisoned for two weeks for not paying maintenance to his wife. On his release he went to her home and suffocated her. He claimed that another man had moved in. The

Blackburn coroner investigating the death of Ellen Crossland warned that the 'unwritten law' was not part of the laws of England. At his trial for murder the jury found Crossland guilty but recommended mercy. The trial judge, however, was also critical of the 'unwritten law', warning that 'if illegal killing was condoned for a moment, the country would become impossible'.<sup>39</sup> James Ryan, recently demobbed, got into a hospital ward and stabbed Algernon Worgor, a New Zealand soldier recovering from losing a leg. Ryan's wife had allegedly left the family home, and her four children, for Worgor. *The Times* saw an evocation of 'the unwritten law' in the claims of Ryan's defence and, as in earlier years, it took a critical stance toward the foreign notion of the *crime passionnel*.<sup>40</sup>

The 'unwritten law' was also invoked when the offence stopped short of murder. Albert Swanson, recently demobbed, was accused of inflicting grievous bodily harm on Henry Maguire. 'I found him with my wife and did what I was entitled to', he explained to the Marylebone magistrate. The *News of the World* relished cases in which the 'unwritten law' was invoked even when soldiers did not themselves take advantage of it. 'It's a good job you have come home, Mr Marshall, and caught her', neighbours were reported to have told a wounded soldier in 1917; 'Give her a good hiding; she deserves it.' But, in June 1919, Marshall settled for a *decree nisi* and costs. The *News of the World* was always careful to report the insistence of judges, magistrates and coroners that the unwritten law did not exist in England. Yet, as in the case of Swanson, judges and magistrates sometimes acknowledged the defence by passing mild sentences. Albert Swanson, for example, was merely bound over for assault in the sum of £5.<sup>41</sup> And Corporal George Lawrence, who admitted 'thrashing' his wife's lover, got a *decree nisi*, costs and custody of his children.<sup>42</sup> Even the serious-minded, Labour-supporting *Daily Herald* carried a headline about the 'unwritten law' over the dismissal of the appeal of an ex-soldier sentenced to seven years' penal servitude for shooting a man who had been living with, and off, the ex-soldier's wife while he was serving at the front.<sup>43</sup>

It seems that, particularly in the first half of 1919, the domestic upheavals created by war injected a new lease of life into the old discursive framework of the unwritten law by which a man was considered justified in chastising a wife who was drunken, feckless or unfaithful. Victorian courts had done their best to challenge the concept and to punish wife-beaters with increasing severity. Judges and magistrates had sometimes clashed with juries, the press and the populace over such issues.<sup>44</sup> The courts appeared to be winning the argument by the close of the nineteenth century, but the war may, at least temporarily, have thrown the development into reverse. A subliminal message conveyed by this resurgence of

the unwritten law was that any liberating effects that the war had provided for women were not to be uncontested once the war was over.

Tangentially it is important to note that it was not only men who inflicted violence as a result of the domestic upheaval of war. Ellen Henson, a laundress, got pregnant three times during her soldier husband's absence. On the first two occasions the husband ignored it but the third time he went to the authorities. His four children were then taken from his wife and put in a seaside home; she had her separation allowance stopped. In desperation she tried to murder three of the children and commit suicide by stopping up the doors of a room and turning on the gas.<sup>45</sup> Harriet Jackson grew desperate waiting for her husband to be demobilized. Her doctor treated her for sleeplessness and neurasthenia then, one morning at the end of May 1919, she sent her two sons to their aunt's to have their hair cut and she cut the throats of her daughters aged two and four years.<sup>46</sup> Matthew Rogers allegedly did little work, enjoyed betting and treated his wife and children badly. He appears to have used his war-time military service as an opportunity for extending his serial philandering and his wife had had enough. One evening after his demobilization neighbours were invited in to hear the Rogers's new gramophone; towards the end of the evening Mrs Rogers made as if to embrace her husband, and almost severed his head with a razor. At the Gloucestershire Assizes Mildred Elizabeth Rogers was found guilty of committing manslaughter under great provocation; she was sentenced to 5 years' penal servitude.<sup>47</sup> The implication of the Rogers case is that a degree of toleration for marital violence could be extended to women, as well as men, who responded to behaviour that was broadly regarded as unacceptable.

## IV

The years before the war had witnessed acrimonious debates among practitioners of the new academic discipline of criminology over the relative significance of environment and heredity in fostering criminal behaviour. These debates drew on, and involved those connected with, the developing science of psychiatry. At the same time psychiatrists were increasingly being called upon as expert witnesses in the criminal courts and were deployed in prisons to examine, assess and treat inmates. The war itself brought new calls on the psychiatrist as all sides were compelled to recognize that the stress of modern battle and, particularly, of experiencing heavy bombardment could have a detrimental effect on a soldier's mental state. The symptoms of what became popularly known as shell-shock did not imply any tendency towards inter-personal violence. According to the medical evidence, the problem was rather one of some

form of autism or incapacity.<sup>48</sup> But this did not prevent attempts to deploy shell-shock as a new form of defence in English courts or as an excuse in the press.<sup>49</sup>

‘Shell-shock’ was a powerful and emotive term, but it tended to obscure the symptoms of the medical condition of battle trauma. Elaine Showalter has suggested that its efficacy ‘lay in its power to provide a masculine sounding substitute for the effeminate associations of “hysteria” to disguise the troubling parallels between male war neurosis and the female nervous disorders epidemic before the war’.<sup>50</sup> There is debate about the extent to which shell-shock was a turning point towards a more progressive and sympathetic psychiatry.<sup>51</sup> It seems likely, however, that the use of the term in the courts and by the press helped to develop the idea among the broader public that neuroses and mental breakdown were not just female problems. In Colonel Rutherford’s case *The Times* suspected that ‘the long strain of the war, more than one actual experience of shell-shock in action, and perhaps, too, a very aggravated form of eczema contracted in the zealous pursuit of professional knowledge, proved together too much for his intellect’.<sup>52</sup> It was noted that Lieutenant Redfern had been severely wounded and that he still carried shrapnel splinters in his spine, but the four doctors who gave evidence at his trial disagreed about his mental state.<sup>53</sup> Henry Perry, alias Beckett, in contrast, attempted the shell-shock defence when he was prosecuted for the murder of Walter and Alice Cornish and their two children. He told Sir Robert Armstrong-Jones, the resident physician and superintendent of Claybury Asylum,

that he had been wounded in the head by shrapnel, that he was blown up once by high explosives, and that when he was a prisoner the Turks flogged him on his feet, struck him on the head with the butt end of a rifle, and he was then put in a dungeon.

He also claimed that he had been ‘put up to’ the murders by ‘voices’. But the jury, the trial judge, and the judges who heard his appeal against the death sentence did not accept any of these arguments. Moreover, when his previous criminal record was revealed it suggested that, while he may have been new to murder, Perry was not new to serious crime. He had 17 previous convictions, had served three terms of penal servitude and had only just concluded the last of these, in November 1916, when he had gone into the Army.<sup>54</sup> A few months after hearing the case against Perry, Mr Justice Darling presided over the trial of George John Lucas for the murder of his baby daughter. Lucas, who was suffering from congenital syphilis, told the court:

that he was gassed while going up to the trenches on Vimy Ridge in July 1916. Later he had pains in his head and chest. He had heard that he had attacked his mother and stepfather with a knife and his wife with a razor. He had fallen down after these attacks.



But the judge was not convinced and, in his summing up, he criticized the 'regular practice' of considering that people were not responsible for their actions when committing crimes of violence. Lucas was sentenced to death, but in this instance the sentence was commuted.<sup>55</sup>

Both the press and the courts may have used shell-shock as a way of explaining violence among men from the respectable classes. In this, possibly unknowingly, they were reflecting the war-time diagnosis that made officers four times more likely than their men to suffer from some war neurosis. Victorian society, often against the evidence, had categorized domestic violence as something committed solely within the confines of the rough working class.<sup>56</sup> Shell-shock provided a means of explaining why gentlemen in particular, such as Rutherford and Redfern, acted in ways that did not conform to the expected behaviour of members of their class. In a case like that of Redfern's in particular, it might be said to have defused the potential for stigmatizing him as brutalized by his war experience into committing criminal violence. It enabled a degree of sympathy to be squeezed out even for the most violent criminals who were, socially, gentlemen, though it was never restricted solely to gentlemen. Joseph Huttly, for example, a United States citizen who had enlisted in the Canadian Army in 1916 became infatuated with one of the nurses while in the Northern Hospital, Liverpool, diagnosed with shell-shock. When she rejected him, he shot her dead. The jury found him guilty of murder but recommended mercy and his death sentence was commuted to penal servitude for life.<sup>57</sup>

Shell-shock, however, was not only used as a defence in accusations of violence. 'Doubtless this is in some cases quite genuine', commented the medical officer for the prisons in Birmingham. 'But in other cases it is simply used as a catch-word, and has taken the place of the "drink" excuse of my earlier years in the Service.'<sup>58</sup> *The Times* reported the shell-shock defence being used in cases of assault, bigamy, burglary, fraud, loitering with intent, theft and obtaining money by false pretences. The most imaginative use was that by James Kendall when prosecuted at a Kent police court early in 1918 for selling adulterated milk. Kendall insisted that the milk was exactly how it had come from the cows but, since they had been milked shortly after a German air-raid, he suggested that they were suffering from shell-shock.<sup>59</sup>

The *News of the World* was rather more muted in reporting the shell-shock defence.<sup>60</sup> Indeed, its desire for the sensational led it to put greater emphasis on the war as a cause of bigamy and divorce rather than on the war as brutalizing the soldiery.<sup>61</sup> Given the claims made by Gibbs and the warning given by Macready, it is interesting to note the way in which the paper covered the case of William Jones and his wife when, in the

spring of 1919, Mrs Jones requested the magistrates at Walsall for a separation and maintenance allowance from her husband. While serving at the front Jones had written an astonishing letter about his wife that was read in court and that the paper reproduced:

When you come from the front you are mad, and when I do come home I will show her that I am mad. I'll bet her heart will ache above one week. I hope I don't get hit until I have been on leave, which won't be long now, and then when I have done her in, I shall be satisfied. It's a poor man that can't die for a — like her, and if she was here at the time of writing this letter I would run this bayonet through her. I pity the first time I meet her ... It has hardened me out here, which she will know one of these days. She says absence makes the heart grow fonder, but her's has turned to hatred. When I come home it will be a piece of cold meat, for as sure as I am alive, it will either kill or cure.<sup>62</sup>

The Joneses had married in 1912. Mrs Jones admitted that William had never hit her, though he had often threatened her when drunk. She no longer wanted to live with him; the magistrates granted her request. The *News of the World* enjoyed the basic narrative and William's letter — written, he claimed, when he was told she had been unfaithful — but the paper made no attempt to suggest that the experience of war had had any effect on his behaviour. The paper also appears to have enjoyed quoting the alleged comments of Lieutenant Reginald Pointer of the Royal Engineers when charged with bigamy: 'I might have been killed, so I thought I would have a good time.'<sup>63</sup> But when, in September 1919, it addressed concerns about bigamy and proposed a remedy in the form of a much more rigorous and centralized system of registration for marriages, it made no mention at all of the impact of the war.<sup>64</sup>

## V. CONCLUSIONS

In the immediate aftermath of the Great War there were, in England, well-respected experts in policing and in the reporting of soldiers at war who feared that men returning from the brutal experience of the battlefield would continue to be violent at home. As we have seen, here were violent crimes committed by men who had been soldiers that might have provided the spark for a sudden panic. But when newspapers labelled men as former soldiers it was, probably, just a descriptive category rather than an explanation for behaviour. There were marginally more murders in 1919, but when people like Gibbs expressed concerns about men brutalized by war they were, in all likelihood, expressing not so much a fact about violent crime as a rationalization of their own anxieties. In a society that prided itself on its civilization and, linked with this, on its increasingly successful conquest of violence, the training for and experience of violence

in war provided an apparently rational explanation for violence at home at the war's end.

In both the courts and the press old tropes were enlisted to describe some violence, particularly the notion of the 'unwritten law' by which a man might chastise a wife or her lover, and if magistrates and judges were critical of this 'law', often they were inclined to show moderation to some of those who turned to it. There was also the new trope of shell-shock that was enlisted as a defence. Sometimes this was acknowledged by the courts and the press, and especially as an explanation for violence perpetrated by a respectable former officer and gentleman. But it was also a way of acknowledging the terrible experiences of veterans and a degree of sympathy for some men from the poorer strata of society. War service might be invoked in the courts as a reason either for condemning further the apparently incorrigible or for giving a chance to the penitent. The populist *News of the World* in particular found good copy in the homilies about war service offered by magistrates, barristers and judges. In the trial of Henry Perry for the Cornish family murders, for example, Percival Clark for the prosecution was quoted as saying:

The war has done great good for some persons, it has taught them discipline, and made honest and honourable men of people who started badly. But the brutalities of war may have made more vicious a person who was vicious before.<sup>65</sup>

Yet, in reducing the sentence on John Casey for indecency, irrespective of eight earlier offences before his war service, Mr Justice Coleridge recalled from the bench of the Appeal Court: 'This man has been fighting for his country without a blot on his character for 4½ years, and that ought to have been regarded as something towards wiping out the memory of his former misdeeds.'<sup>66</sup>

There is an additional point, and one that feeds into the more general understanding of the concept of the moral panic. The potential existed for newspapers to take one or more of the murders or violent incidents in 1919, to play upon the fears expressed by men like Gibbs and Macready and to sensationalize a new folk devil in the form of the brutalized veteran. They chose not to do so. This was, perhaps, because the press had no stomach to create a stigmatized stereotype from among the men who had returned victorious from the war to end all wars. Moreover, while there may have been concerns about the brutalizing effects of war, the old view of the British Army as 'the scum of the earth enlisted for drink', gradually disappearing before 1914, could not be sustained with the new Army initially flooded with patriotic, often middle-class volunteers and then bolstered by conscription. Everyone wanted to claim the returning heroes as their own. The *Daily Herald*, for example, in the aftermath of the railway

strike of the autumn of 1919 carried a leader headed ‘VIOLENCE’ in which it contrasted the press and pulpits that had supported war ‘with all that it entails of agony and bloody sweat’ but now condemned honest workers for ‘violent and unpatriotic conduct in going on strike’.<sup>67</sup> Even the most hard-hearted editor of 1919, keen to boost sales with lurid tales of violence and brutality, would have recognized that readers – both those who had sons, brothers and husbands returning and those whose friends and loved-ones had not returned – would be unhappy with too much sensationalism regarding such a folk devil among veterans. If the media play a crucial role in the creation of moral panics, they also require a receptive audience that is prepared to embrace that panic and to recognize the stereotypical offender.

## ENDNOTES

- 1 Stanley Cohen, *Folk devils and moral panics: the creation of the Mods and Rockers* (London, 1972).
- 2 Peter King, ‘Moral panics and violent street crime, 1750–2000: a comparative perspective’, in Barry Godfrey, Clive Emsley and Graeme Dunstall eds., *Comparative histories of crime* (Cullompton, 2003).
- 3 P. A. J. Waddington, ‘Mugging as a moral panic: a question of proportion’, *British Journal of Sociology* 37, 2 (1986), 245–59.
- 4 Jonathan Wild, ‘“A merciful, heaven-sent release”? The clerk and the First World War in British literary culture’, *Cultural and Social History* 4, 1 (2007), 73–94.
- 5 Alan Ramsay Skelley, *The Victorian army at home* (London, 1977), 246–7; Edward M. Spiers, *The army and society, 1815–1914* (London, 1980), 218–19.
- 6 Jon Lawrence, ‘Forging a Peaceable kingdom: war, violence, and fear of brutalization in post-war Britain’, *Journal of Modern History* 75 (2003), 557–89.
- 7 A remarkable article in *The Times*, 12 January 1920, p. 9, on ‘The Return of the Tramp’ is illustrative of the belief in the war’s civilizing effects: ‘By all accounts the tramp has been changed by the war. He is still shiftless and homeless, but he is better clad than was the case formerly, and there is about him something of the air of what is called “respectability” ... The war has established two things in his favour. The first is his patriotism. Those of his class who were physically fit served as combatants or in Labour Corps. The others “did their bit” – as they are ready to boast – “in work of national importance”. The second thing the war made clear in regard to the tramp is that his disappearance from his accustomed haunts proves that, contrary to the general opinion, he was willing to work if he got it.’
- 8 *Times*, 5 May 1919, p. 7.
- 9 Philip Gibbs, *Realities of war* (London, 1920), v, 447, 450 and 452. The book was published in the United States by Harper Brothers under the more arresting title of *Now it can be told*.
- 10 *Daily Herald*, 21 July 1919, p. 2.
- 11 *Times*, 21 January 1920, p. 13.
- 12 *Sheffield Mail*, 2 December 1920, p. 2, and see also 16 December p. 1.
- 13 Jennifer Davis, ‘The London garrotting panic of 1862: a moral panic and the creation of a criminal class in mid-Victorian England’, in V. A. C. Gatrell, Bruce Lenman and

- Geoffrey Parker eds., *Crime and the law: The social history of crime in Western Europe since 1500* (London, 1980); Rob Sindall, *Street violence in the nineteenth century: media panic or real danger?* (Leicester, 1990).
- 14 See, in particular, Howard Taylor, 'Rationing crime: the political economy of criminal statistics since the 1850s', *Economic History Review* **51**, 3 (1998), 569–90.
  - 15 For contrasting arguments about cowardice, desertion and death sentences see, *inter alia*, Anthony Babington, *For the sake of example: capital courts martial 1914–1918* (revised edn, London, 1993); Cathryn Corns and John Hughes-Wilson, *Blindfold and alone: British military executions in the Great War* (London, 2001); Gerard Christopher Oram, *Military executions during World War I* (London, 2003).
  - 16 David England and James Osborne, 'Jack, Tommy and Henry Dubb: the armed forces and the working class', *Historical Journal* **21**, 3 (1978), 593–621, calculate (p. 595) the ratio of military police to soldiers as 1:3,306 in 1914; 1:339 in 1917; and 1:292 in 1918.
  - 17 Manuel Eisner, 'Modernization, self-control and lethal violence: the long-term dynamics of European homicide rates in theoretical perspective', *British Journal of Criminology* **41**, 4 (2001), 618–38; for a challenge to the value of even the statistics of homicide, see Howard Taylor, 'Rationing crime: the political economy of criminal statistics since the 1850s', *Economic History Review* **51**, 3 (1998), 569–90.
  - 18 See, for example, Susan Kingsley Kent, *Making Peace: the reconstruction of gender in interwar Britain* (Princeton N.J., 1993), especially chapter 5.
  - 19 See, for example, *South London Press*, 4 July 1919, p. 2, case of Pte William John Thompson, a 19-year-old member of the London Regiment; Bucks R.O. BC/5/1, Brill Police Station Occurrence Book, 1859–1932, case of Pte Alber Gunnel, a 20-year-old member of the Bucks Light Infantry. Thompson and Gunnel were of such an age that it is possible that neither had either left the country, let alone seen action. *News of the World* (hereafter *NW*), 18 May 1919, p. 5, and 1 June, p. 3, case of Lt George Barton, Royal Engineers. Barton, aged 20, had been commissioned at 17 and had been wounded in France. He was discharged on the grounds that he had received a wound such that 'an assault [such] as he was charged with was physically impossible'.
  - 20 For an interesting and important historical analysis of these issues in Australia over three wars (the Second World War and the conflicts in Korea and Vietnam) see Joy Damousi, *Living with the aftermath: trauma, nostalgia and grief in post-war Australia* (Cambridge, 2001), especially chapter 6. There is a growing literature in various psychology and therapy journals; see, *inter alia*, Tara Galovski and Judith A. Lyons, 'Psychological sequelae of combat violence: a review of the impact of PTSD on the veteran's family and possible interventions', *Aggression and Violent Behaviour* **9**, 5 (2004), 477–501; Michelle D. Sherman, Fred Sautter, et al. 'Domestic violence in veterans with posttraumatic stress disorder who seek couples therapy', *Journal of Marital and Family Therapy* **32**, 4 (2006), 479–90.
  - 21 See, for example, the following cases. *NW*, 6 July 1919, p. 5, case of Richard Gibbs, Royal Engineers, who shot himself on returning from Egypt when his wife refused to live with him; the Wandsworth coroner declared: 'A woman who can be unfaithful to a man fighting for his country is not worthy the name of woman.' *NW*, 10 August, p. 8, case of William John Woodbury, a stoker on HMS *Essex* who threw himself under a train when his fiancée broke off their engagement; the coroner's jury in Wellington, Somerset, 'found that, after the strain which naval men had been subjected to during the war, the man's mind became unhinged on being rejected by the girl.' *NW*, 26 October, p. 5, case of Company Sergeant Major Arthur George Llewellyn Crouch of the Tank Regiment who shot himself alongside Cleopatra's Needle by the Thames after his wife refused to come back and live with him; he had left for France the day after

- their marriage and spent only one week's leave with her after that. The coroner's verdict was 'death while of unsound mind'.
- 22 *82nd report of the Registrar General of Births, Deaths and Marriages in England and Wales*, Cmd 1017 (1920), xcvi.
  - 23 *NW*, 1 December 1918, p. 1.
  - 24 Gibbs, *Realities of war*, p. 448.
  - 25 *Times*, 21 August 1920, p. 11.
  - 26 Adrian Bingham, *Gender, modernity and the popular press in inter-war Britain* (Oxford, 2004), pp. 60–3.
  - 27 *Report of the Commissioners of Prisons and the Directors of Convict Prisons for the Year 1919–20*, Cmd 972, 6.
  - 28 Neil Gordon Orr, 'Keep the home fires burning: Peace Day in Luton, 1919', *Family and Community History* 2, 1 (1999), 17–31; Lawrence, 'Forging a peaceable kingdom', 567–8. There were similar, if less well-known disorders during peace celebrations in Bilston, Coventry, Doncaster and Swindon. The *News of the World* headlined the Luton Riot as 'ATTRIBUTED TO ORGANISED BOLSHEVIK ATTACK' and considered that the trouble in the Midlands had 'an unmistakable touch of Bolshevism', but it produced no evidence to substantiate this. See *NW*, 27 July, p. 4.
  - 29 Paul Williams and Julie Dickinson, 'Fear of crime: read all about it? The relationship between newspaper crime reporting and fear of crime', *British Journal of Criminology* 33 (1993), 33–56; Esther Snell, 'Discourses of criminality in the eighteenth-century press: the presentation of crime in *The Kentish Post*, 1717–1768', and Peter King, 'Newspaper reporting and attitudes to crime and justice in late-eighteenth and early nineteenth-century London', both in *Continuity and Change* 22, 1 (2007), 13–47 and 73–112.
  - 30 *NW*, 16 August 1919, p. 6 and 9 March p. 6.
  - 31 *Times*, 15 January 1919, p. 3, 25 January p. 3, 30 January p. 3, 9 April p. 6 and 10 April, p. 13;
  - 32 *Times*, 2 May 1919, p. 9; 9 May, p. 10; and 22 May, p. 9; *NW*, 25 May 1919, p. 5.
  - 33 *Times*, 15 Dec 1919, p. 9.
  - 34 *NW*, 26 January 1919, p. 3.
  - 35 The word 'cases' is used since, in a few instances, there were multiple killings, the most notorious instance being Henry Perry's murder of the Cornish family – husband, wife and two children. Perry, also known as Beckett, had been a lodger with the family.
  - 36 *Times*, 17 May 1919, p. 7; 23 May, p. 7; and 23 October p. 5; see also *NW*, 18 May 1919, p. 4.
  - 37 *Times*, 20 December 1919, p. 4.
  - 38 *Times*, 6 March 1919, p. 7, and 5 July, p. 9; *NW*, 9 March 1919, p. 3; 16 March p. 4; and 6 July, p. 11.
  - 39 *NW*, 18 May 1919, p. 3 and 6 July, p. 7.
  - 40 *Times*, 17 June 1919, p. 16. For *The Times's* criticism of the *crime passionnel* see Clive Emsley, *Hard men: the English and violence since 1750* (London, 2005), 80 and 88. For the case of Thomas Barker who, believing that his wife was having an affair with two Australian soldiers lodging with them, killed his wife and one of the soldiers and attempted to kill the other see *Times*, 29 July 1919, p. 9, and 20 August, p. 7.
  - 41 *NW*, 20 April 1919, p. 4 (Swanson), and 8 June, 1919, p. 8 (Marshall). See also 5 January, p. 3; 6 April, p. 3; 18 May, p. 3; and 6 July, p. 7.
  - 42 *NW*, 16 March 1919, p. 3.
  - 43 *Daily Herald*, 1 April 1919, p. 5.
  - 44 Martin J. Wiener, *Men of blood: violence, manliness and criminal violence in Victorian England* (Cambridge, 2004).

- 45 *Times*, 24 May 1919, p. 7.
- 46 *Times*, 9 June 1919, p. 7.
- 47 *NW*, 21 September 1919, p. 2, and 2 November 1919, p. 4.
- 48 See Jay Winter ed., *Shell-shock*, a special edition of the *Journal of Contemporary History* 31, 1 (2000), entirely devoted to the question.
- 49 Ted Bogacz, in 'War neurosis and cultural change in England, 1914–22: the work of the War Office Committee of Enquiry into "shell-shock"', *Journal of Contemporary History* 24, 2 (1989), 227–56, cites (p. 235) the *Morning Post* of 6 September 1916 as giving one of the earliest examples of shell-shock being raised in a criminal court.
- 50 Elaine Showalter, *The female malady: women, madness and English culture, 1830–1980* (London, 1987), 172.
- 51 Mathew Thomson, *The problem of mental deficiency: eugenics, democracy, and social policy in Britain, c.1870–1959* (Oxford, 1998), 125.
- 52 *Times*, 10 April 1919, p. 13.
- 53 *Times*, 15 December 1919, p. 11 and 18 March 1920, p. 13.
- 54 *Times*, 28 May 1919, p. 7; 24 June 1919, p. 4; 25 June 1919, p. 4; and 11 July, p. 9; *NW*, 4 May 1919, p. 2, and 1 June 1919, p. 4.
- 55 *Times*, 16 January 1920, p. 5. During the war some senior officers had become concerned about the defence of 'shell-shock' in trials for desertion and cowardice. 'How can we ever win if this plea is allowed?', questioned Field Marshal Haig when presented with a recommendation for mercy during the battle of the Somme. See Oram, *Military executions*, 62.
- 56 See, *inter alia*, Andrew Davies, 'Youth, violence, and courtship in late-Victorian Birmingham: the case of James Harper and Emily Pimm', *History of the Family* 11 (2006), 107–20.
- 57 *NW*, 23 November 1919, p. 2.
- 58 *Report of the Commissioners of Prisons ... for the year 1919–20*, Cmd 972, 21.
- 59 *Times*, 24 January 1918, p. 3; see also 14 January 1919, p. 5, and 25 April, p. 9 (assault); 6 May 1919, p. 14 and 25 October, p. 9 (bigamy); 6 February 1919, p. 5 (burglary); 15 July 1918, p. 8, 22 August, p. 3, and 30 October, p. 3; 8 February 1919, p. 3, 7 August p. 7, and 19 November p. 7 (fraud); 1 September 1919, p. 16 (loitering); 24 March 1919, p. 9, 31 December, p. 12, and 30 September 1920, p. 7 (theft); 28 October 1920, p. 9 (false pretences). The criminologist Hermann Mannheim noted that shell-shock continued to be 'not seldom' used as an excuse by offenders twenty years after the First World War. While he did not invoke the 'brutal veteran' as such, Mannheim considered the war to have had a significant impact on the growth and pattern of crime during the inter-war period. See his *Social aspects of crime in England between the wars* (London, 1940), 108–15.
- 60 *NW* (1 December 1918, p. 4) reported the case of Lieutenant Bourne tried at the Old Bailey for passing dud cheques. Bourne had been 'blown up by a shell and gassed' and a prison doctor declared him to be 'neurasthenic', but the weight of the evidence and testimony, and the emphasis in the paper, was that Bourne's problems stemmed from alcohol. But see 19 January 1919, p. 1, for the moderate sentence passed on a shell-shocked veteran with an 'unsatisfactory past' found guilty of fraud, and 18 May, p. 3, for a sentence on a man accused of trying to rob a cinema box-office brandishing a Mills bomb 'postponed ... indefinitely to see how he got on'.
- 61 See, for example, the comments on bigamy, *NW*, 9 February 1919, p. 6, 9 March, p. 8, and 6 April, p. 3, 6 July, p. 2, and on divorce 20 April, p. 1, 27 April, p. 1, and 12 October, p. 1.
- 62 *NW*, 3 Apr. 1919, p. 2.

- 63 *NW*, 21 December 1919, p. 7.
- 64 *NW*, 28 September 1919, p. 7.
- 65 *NW*, 1 June 1919, p. 4.
- 66 *NW*, 9 November 1919, p. 7.
- 67 *Daily Herald*, 10 October 1919, p. 6.