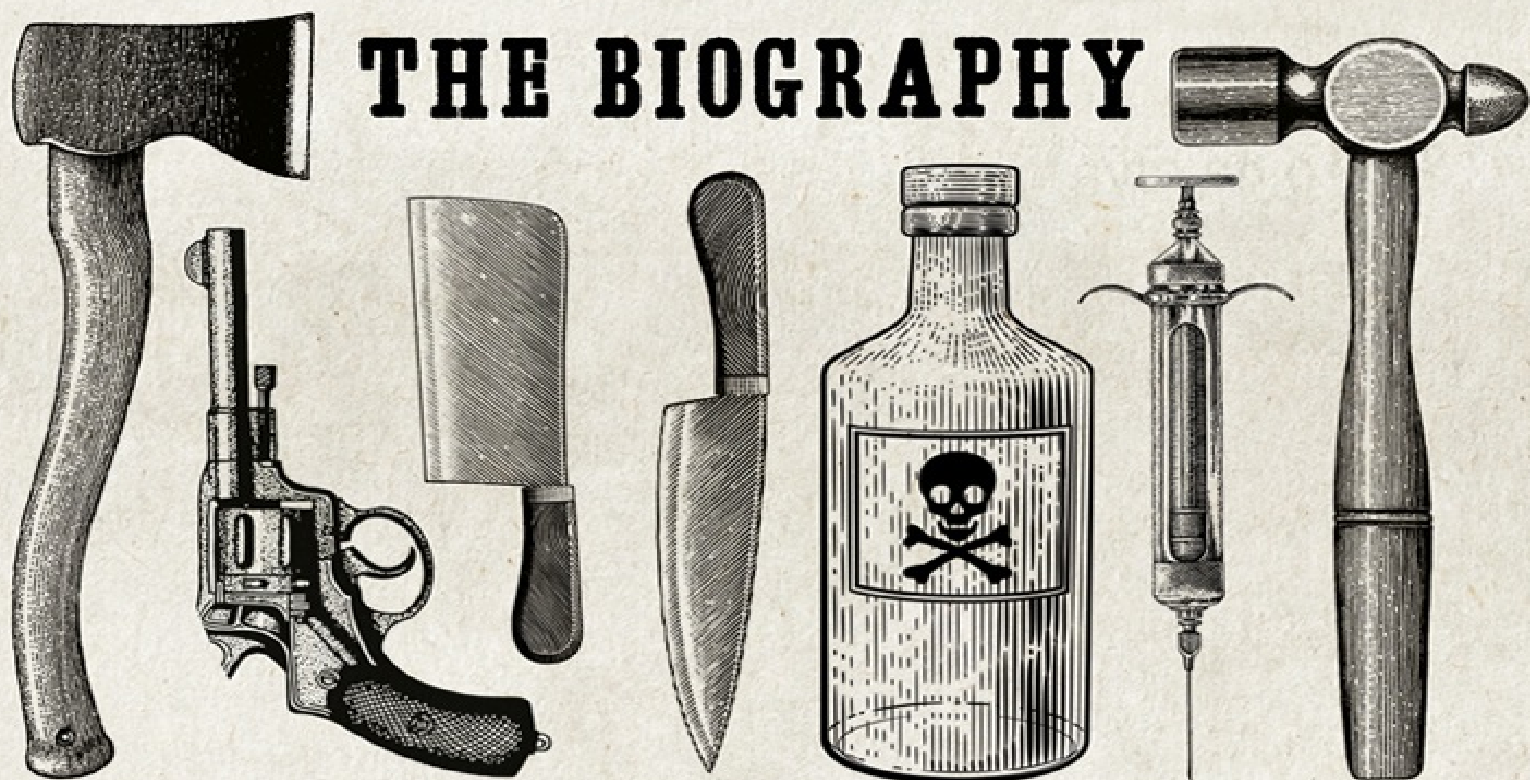
KATE MORGAN

MURDER

THE BIOGRAPHY



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Copyright

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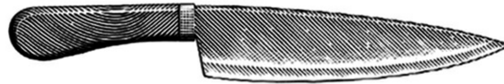
INTRODUCTION

THOU SHALT NOT KILL



'Scarlet billows start to spread'

The recording begins with the crackle of a gramophone, before the barrel organ starts to grind out an eerie fairground melody. The reedy voice begins to sing in German, the tongue rolling over the letter 'r' with a sinister relish. Even for those who don't speak the language, the nursery-rhyme rhythm of the song sounds vaguely but disconcertingly familiar:

Und der Haifisch, der hat Zähne, Und die trägt er im Gesicht …

(And the shark, he has teeth, and he bears the scars of them in his face …)

The singer is Bertolt Brecht and the song is 'Der Moritat von Mackie Messer', the opening number from *The Threepenny Opera*, the 1928 musical written by Brecht and composer Kurt Weil. The *Opera* tells the story of the gangs of beggars and thieves that inhabit the underworld of Victorian London. Chief among these is the villainous Macheath, notorious for his murderous deeds around the streets and alleyways of the city, which are listed in the song for the audience's benefit. In the 1950s a production of the show opened off Broadway, and in 1955 Louis Armstrong recorded a tightened translation of the song set to a jaunty jazz tune – 'Mackie Messer' had been transformed and given a new American identity as 'Mack the Knife'.

Bobby Darin released another cover version of the song a couple of years

later and the tune has become a lounge singer standard, covered by Frank Sinatra, Ella Fitzgerald and countless others. But its creepy origins as a 20th-century take on the traditional '*moritat*', or 'murder ballad', are often overlooked. These pieces, popular for centuries throughout Germany and the rest of Europe, set stories of murder, vengeance and justice to simple tunes. Tom Jones's 'Delilah' is another modern song that owes a similar debt to the tradition, a brutal crime of passion told from the murderer's point of view, with an instantly recognisable tune and a memorable chorus.

Mackie, and later Mack, is the embodiment of the murderer as a kind of folk hero, reviled and revered in almost equal measure. The celebration of his exploits goes to the heart of our grisly fascination with murder; we are simultaneously intrigued and revolted. His deeds are listed with relish and the song congratulates him on his ability to evade detection. The Armstrong and Darin versions cleaned up Mack's antics considerably – the original German verses are much darker, accusing him of raping and killing several women – but there is still a thinly disguised admiration, even affection, for him underlying all of the modern versions of the song. Darin's swinging portrait of Mack, whom he had recast as a suave gangster, earned him a Grammy for the 1959 Record of the Year. But the minstrels who wrote and sang the original ballads would still recognise the tale of death and bloody vengeance in 'Mack the Knife'.

Throughout our history, violent death at the hands of another has been part of the songs that we sing, the names that we give things and the stories that we tell each other. In Scottish folklore, the *sluagh* is a swarm of malevolent spirits said to haunt the night sky. No longer earthbound, they fly across the Hebrides seeking out the living, particularly those who have sinned, snatching them up and dropping them back down to earth from a fatal height. In their rarely glimpsed physical form, they appear as a flock of black birds, usually crows. The coal-black bird has had a long career in folk tales as an omen or even a harbinger of death; it scavenged on the bodies of the dead, irresistibly drawing it to sites of death such as battlefields and graveyards. Nowhere is this grim association more apparent than in the collective noun for a flock of crows – a 'murder'.

The appetite for stories of terrible deeds and the people who commit them is an enduring part of human nature. It can be traced from the medieval *moritats*, through Victorian penny dreadfuls, right up to the true crime

documentaries and podcasts that we consume so voraciously today. The medium may have changed from ballad sheets to Netflix, but beneath the surface the stories are the same. Whether in fact or fiction, murder can be all things to all people. At a basic level, it is a tale of good versus evil, where the roles of victim and villain are clearly laid out before us. More often than not, there is an element of mystery at its heart, a riddle to be solved. The glut of detective novels in the first half of the 20th century epitomised this appeal, with the victim and their death often simply a vehicle to get into the intellectually satisfying fun of collecting and analysing the clues to unmask the killer. Then there is of course the voyeuristic and vicarious chill we get from reading about horrible things happening to other people, whether real or imagined.

In the midst of life, we are in death – and that's exactly how we like it. In his 1946 essay *Decline of the English Murder*, George Orwell was adamant that murder had peaked in a golden age between 1850 and 1925, but over seventy-five years later it seems that his report of murder's terminal decline was greatly exaggerated. Whether in fiction or on the news, murder exerts a fascination unlike any other crime, and our appetite for the homicidal is robustly insatiable. We invite it into our homes every night on the television and we go to sleep with it on the bedside table between the covers of a paperback. There is now no small-town homicide or suburban slaying too obscure to be picked over in minute detail in a podcast or documentary. In drama, tales of murder recur as plot devices in everything from Shakespeare to soap operas. As a genre, crime fiction has been a literary behemoth ever since the Victorians popularised the detective story. Our fictional encounters still usually climax with the apprehension of the culprit and the tacit conclusion that justice will be done, but in real life the solving of the crime is only half the story. There are many hurdles to leap before the captured killer becomes the convicted murderer.

Aside from its dark appeal, the act of murder itself is a blank canvas onto which we can project all manner of meanings. It can be an act of straightforward revenge or rage, be prompted by mercenary motivations or by reasons known only to the killer. It has been used as a tool of political expediency and an expression of personal honour. While some kill seemingly at random, there are those who murder because their own life depended upon it. At the heart of all of this sits a very real, lethally complex and endlessly

fascinating offence that is the most hallowed in the annals of the criminal law. The label of ‘murderer’ carries a stigma far and above that of any other crime. Murder is the only offence for which a court must impose a life sentence on conviction and, for many years over the 19th and 20th centuries, was the only crime that justified taking a life. The law is the cornerstone of all of this.

Despite the pervasiveness of this crime in all aspects of our culture, popular or otherwise, there is nothing black and white about it. The law relating to homicide is a complete jumble of antique rules, odd judicial decisions and ambiguous interpretations. When it comes to murder, we really don’t know the half of it. But we’re so used to watching and reading about it, we think we know more than we do – and a little knowledge can be a dangerous thing.

As I was putting the finishing touches to this book, a story was reported in the press that summed up all the contradictions and captivations of our relationship with murder. The names and details are unimportant, as it could be one of many similar tragedies that take place every year. A man had killed a woman in circumstances that, however improbably, he claimed were accidental. He was acquitted of murder and convicted of manslaughter. Although the news report itself was a reasonably even-handed summation of the case, a quick glance below the byline to the reader comments revealed a maelstrom of outrage, misunderstanding and divided opinion.

Some said the man had got away with murder and the case was a miscarriage of justice. Others, obviously trolls, blamed the victim for her own demise and openly sympathised with her killer’s actions. But many of the comments revealed our collective ignorance of the legal realities of murder and manslaughter as they currently stand in this country. Plenty of armchair lawyers proclaimed that the killing could not possibly be considered murder because it was not planned in advance or otherwise apparently premeditated. Others offered authoritative statements on the law that were several degrees removed from reality.

Trivial as they may seem, these pronouncements from keyboard warriors matter – because here are the people who end up sitting on juries or answering opinion polls on criminal justice that drive government policy on law and order. These misapprehensions can have a very real effect on how the justice system ultimately works for all of us. If we’re going to indulge our

darker sides with gruesome stories and graphic deaths in print and on screen, then at the same time we have a duty to educate ourselves about the lethal reality of the crime that exerts such a spell over us.

Statistically speaking, our collective obsession with murder is out of all proportion to our likely encounters with it. Each year, the Office for National Statistics publishes reports on the whys, hows and wherefores of the country's death toll for the previous twelve-month period. Heart disease and cancers unsurprisingly top the charts year on year. But the ONS also gathers data on unnatural causes of death in the population, including the UK's 'murder rate'. According to their figures, in the twelve months up to March 2019, out of the 519,000 people that died in England and Wales, 671 were victims of homicide. Out of a population of around 58 million souls, this equates to a fatality rate for homicide of eleven per million population.

With such small numbers involved, tracking trends in murder at a population level can be difficult. The ONS counts the number of victims based on the year in which their death was officially recorded as a homicide, which can lead to some anomalous results. The country's murder rate spiked dramatically in 2003, when the 173 people believed to have been killed by Dr Harold Shipman were formally recorded as homicide victims by the public inquiry into the case, although the murders themselves dated back to the 1970s.

Similarly, the deaths of the ninety-six people killed in the 1989 Hillsborough stadium disaster did not appear in the statistics until almost thirty years later, when a new inquest verdict of manslaughter was recorded in respect of their deaths. A single incident involving a high death toll, such as a terrorist attack, will produce a similar jump in the rate for a particular year. 2017 to 2018 saw successive tragedies, including the Manchester Arena bombing and the London Bridge attacks, contribute to a peak in the national homicide figures unseen in the preceding years.

But some broad conclusions can be drawn from the latest data. Men are overwhelmingly more likely to kill and be killed, making up 64 per cent of victims and 92 per cent of homicide suspects. For both men and women, the home is the deadliest place to be, with the vast majority of killings taking place in the victim's residence. Staggeringly, over 40 per cent of female victims were killed by their current or former partner, but men are most often murdered by a friend or acquaintance. While serial killers like Dr Shipman