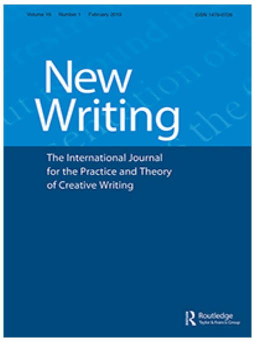

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Ariella Van Luyn

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(In)famous subjects: representing women's criminality and violence in historical biofictions

Ariella Van Luyn

School of Arts, University of New England, Armidale, Australia

ABSTRACT
Historical fiction writers can be drawn to the true stories of women who have committed violent or criminal acts, as are readers. Margaret Atwood's *Alias Grace* and Hannah Kent's *Burial Rites* are popular, acclaimed examples of this trend. In my own creative work, *Treading Air*, I fictionalise the life of Lizzie O'Dea, petty thief and sex worker. The women in these stories are vulnerable subjects unable to give their consent, and the often elliptical and unreliable historical records that are the textual traces of their lives, coupled with the discomfort of the voyeuristic gaze, make representations of criminal women in historical biofiction a fraught act.

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Historical biofiction; practice-led research; historical fiction; crime; Margaret Atwood; Hannah Kent

Introduction: practice-led research and the uneasiness of representing vulnerable subjects

The rise of historical biofiction reflects wider shifts in conceptions of the way human subjectivity filters the experience of historical events. Over the last 30 years and possibly longer, historical biofictions based on the imagined subjectivities of women who commit acts of violence and criminality have remained popular. Margaret Atwood's *Alias Grace* (1996) and more recently Hannah Kent's *Burial Rites* (2013) are acclaimed examples. *Alias Grace* is based on the true story of Grace Marks, who was sentenced to life imprisonment in 1843 for the murder of Thomas Kinnear and his housekeeper, Anne Montgomery. Hannah Kent's *Burial Rites* (2013) reimagines Agnes Magnusdottir's life and subsequent execution for murder in 1829. These novels suggest writers' and readers' longstanding fascination with women who commit crimes. The novels also attempt to restore these women's voices and their emotional and embodied perspectives to cultural memory. However, as the subjects of these novels are unable to give their consent, representing them is a fraught act, particularly given the discourses that operate to sensationalise women's crimes as abhorrent, unfeminine behaviour. Critiques of historical fiction also point to the form's capacity to reinforce national narratives that minimise, excuse or even glorify violence. Historical biofictions have the capacity to invite an understanding of women's crimes as products of complex power structures, draw attention to the subjective nature of constructions of the past, and give agency to voices silenced in the archives. However, they can also potentially harm the posthumous

CONTACT Ariella Van Luyn avanluyn@une.edu.au
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legacy of their vulnerable subjects – their subject's cultural 'afterlife' – by playing a role in returning their interior lives and the punishment enacted on their bodies to cultural memory in vivid detail, reinforcing the very structures the novels seek to disrupt.

My interest in the question of the potential harm that can be wrought on the afterlife of vulnerable subjects crystallised two days after my first novel, *Treading Air* (Van Luyn 2016), went to print. That night, I saw the ghost of Lizzie O'Dea alias Betty Knight, a petty thief and sex worker who lived in Australia in the 1920s, and the woman who inspired the novel's central character. Lizzie stood outside my window, aimed a pistol through the louvres, swore, and fired at me. I knew somehow that she was angry with me for writing about her. Rattled, the next day I called my editor. 'Don't worry,' she said, 'You know you can't damage someone's reputation if they're dead.' Indeed, in Australia under the Defamation Act, as elsewhere, deceased persons cannot be defamed. Yet – perhaps too late – I felt a lingering uneasiness despite Lizzie O'Dea having no living relatives to my knowledge, and the novel being based on publicly available digitised newspaper articles. Did this vision suggest that subconsciously I felt I had harmed O'Dea? Can a writer harm their deceased subjects? In what ways? Certainly, O'Dea could not consent to, nor approve, my representation of her, the default criteria for ethically representing living subjects. Further, the textual traces that remain of O'Dea's life are both elliptical and sensationalised, making her a particularly vulnerable subject.

Newspaper articles, and the one historical account that mentions O'Dea, present a picture of an incorrigible, if occasionally larger-than-life, criminal. *The Truth* describes her as 'irrepressible, vivacious, a daring criminal, trained by the best criminal brains', a 'wanton, wicked woman', and as having 'the poison of vice in her veins' which 'bubbled into vitality when she saw the bright lights of the northern capital [Townsville, Australia]'. As I have argued elsewhere (Van Luyn 2015), *The Townsville Daily Bulletin* constructed her as a figure of fun, and trivialised the seriousness of the impact of repeated imprisonment on her life, which would likely have rendered it difficult for her to escape a cycle of crime. Indeed, the newspaper articles emphasise her incorrigibility and her inability to be 'tamed' by gaol 'just because she is Lizzie O'Dea' (*The Truth*, 10 February 1929, 13). This depiction suggests O'Dea, as an individual divorced from social structures, was both at fault and irredeemable. *Gangland Queensland* (Morton and Lobez 2012) does little more than repeat *The Truth*'s headline that Elizabeth and Joe held their wedding breakfast at a pie stall and ate sausage rolls, a detail which seems to draw attention to their impoverished status, at the same time as poking fun at the couple. After encountering O'Dea's story, I embarked on a practice-led research project to reimagine her life as a historical biofiction.

In this paper, following Padmore (2017), I use the term 'historical biofiction' to describe a work of fiction that is based on the life of an actual deceased person and that also uses their name in the text. Like Padmore (2017), I acknowledge the 'paradox' of historical biofiction: that actual empathy towards, and accurate representation of, a historical subject is impossible. Yet, such a novel's value may, in part, lie in the act of empathetic reaching towards a subject – 'a bridging between the author, the dead subject and future readers' (Padmore 2017) – and attempting to achieve an 'authenticity effect' in the representation of their life, which I perceive as seeking to 'read between the lines' of archival sources to develop a character. This act, because of its impossibility, is open to hauntings; O'Dea's spectre might indicate some less-than-conscious dissatisfaction.

In fact, Hecq (2015) draws on psychoanalytic theory to argue that, in practice-led research, subconscious knowledge can be harnessed in a methodology of 'active consciousness', which treats insight as a continuous process. Thus, insights gained through such research are constantly open to revision; a fiction writer may be blind to the accidental effects of the work they produce (Cowan 2011). While in creative practice-led research methodology the artist-researcher may engage in cycles of reflection (Smith and Dean 2009) which includes feedback that alerts them to these accidental effects, the limitations of the creative writer's vision of their own work, and the subconscious desires and effects it might reveal, must be acknowledged. So, the appearance of Lizzie O'Dea in a dream cannot be simply dismissed in this methodology, which emphases experiential, tacit cycles of generating knowledge; rather, this vision points to the need for deeper, conscious exploration of the question of the potential harm that might be done to O'Dea's memory in my creative work, even after its publication.

Suspect textual traces

As in the case of Lizzie O'Dea, one aspect that makes representing criminal women so fraught is the way gendered discourses shaped – and continue to shape – the reporting of women's acts of violence. Indeed, both Atwood and Kent describe how, when encountering the life stories of their subjects, they were struck by the way the crimes were reported in accounts of the day.

Atwood (cited in Vevaina 2006, 91) became interested in Grace Marks after reading Canadian literary celebrity Susanna Moodie's depiction of the double murderer. Atwood states that:

> Moodie [in *Life in the Clearings* in 1853] portrayed Grace as the driving engine of the affair – a scowling, sullen, teenage temptress – with the co-murderer, the manservant James McDermott, shown as a mere dupe, driven by lust for Grace as well as by her taunts and blandishments …

Atwood describes how after she began serious research into Grace's life she saw that 'there were as many reactions to Grace as there were people because, being human, Grace had multiple selves' (Vevaina 2006, 91).

Kent, on a visit to Iceland, discovered the story of the last executions in 1829 in Illugastadir: two people, Agnes Magnusdottir and Fridrik Sigurdsson, were beheaded for the murder they committed. Kent (cited in Ayuningtyas 2015, 79) states that, 'Agnes was presented as a gross caricature, a wicked woman, plotting vengeance.' As Reichardt (1995, 284) observes, our knowledge of the past 'is contained in textual traces that are themselves already representations'. In the foregoing cases, the authors were aware of the lack of dimensionality in many accounts of their subjects, and, in Atwood's case, the contradictory nature of these representations.

The depictions of O'Dea, Marks, and Magnusdottir appear in keeping with analysis of the gendered depiction of women's violent crimes over different eras. Women killers are doubly deviant because they disrupt norms of femininity, such as gentleness, nurturing, and social conformity (Berrington and Honkatukia 2002; Seal 2010). Nonfiction representations of women killers 'tend to draw on stock stories', with the gothic and melodramatic forms most often visible in representations of women across different eras (Seal 2010, 9). These depictions have very real impacts on the treatment of women in the justice system; where discourses of 'dangerous womanhood' are mobilised, women are subjected to 'judicial misogyny', while women who conform to expected feminine behaviours are more likely to be pardoned (Seal 2010, 10). The depictions of the women Atwood and Kent encountered are in keeping with these trends: both Grace Marks and Agnes Magnusdottir were depicted as highly sexualised temptresses. While Lizzie O'Dea did not commit the more serious crime of murder, she was nonetheless depicted as wicked and wanton, with her violent acts represented as outrageous and wild in the newspaper articles.

Revising the historical record through voicing women's experiences

In light of these depictions, Kent, Atwood, and I all felt compelled to use the novel form to revise the historical narrative through imaginative engagement with our subjects' lives, intentions that reflect feminist aims to, as Dalley (2014, 30) would have it, 'return the dead to life to contest the social order built on their graves'. The novels cited occur within the shift since the 1960s from macro-history to micro-history, multiple histories and 'herstories', using visions of the past that seek to draw awareness to the way traditional histories endorse versions of truth from dominant power groups (Vevaina 2006, 86). Yet, it is perhaps in the imaginative act of filling in the gaps of the archives that historical biofictions based on the lives of women who commit crimes are at once most suspect and most effective in their purpose. On the one hand, by restoring women's voices and interiors to accounts of their crimes, historical biofiction can ascribe motives to their female characters, allowing a critique of the social and economic power structures that regulate women's behaviour and enact punishment on their bodies while at the same time rendering women powerless.

Alias Grace and *Burial Rites* have both been acclaimed for achieving this purpose. In *Alias Grace,* Grace's first-person confession contrasts with 'Moodie's descriptions of Grace Marks', which produces an oxymoronic picture of Grace as at once 'innocent and cunning, two common stereotypes of women in the nineteenth century, while also dramatizing the process through which the stereotyping takes place' (Douglas Peters 2015, 305). Indeed, the text refuses to cohesively characterise Grace, whose guilt or innocence remains unclear throughout the novel. Similarly, Ayuningtyas (2015) argues that *Burial Rites* shows, through multiple points of view, dominant discourses that label Agnes as an 'immoral, wicked woman' at the same time as giving 'Agnes a voice, so the reader can directly understand Agnes's experiences and emotions' (79). Ayuningtyas (2015, 80) concludes that the work 'nurtures the idea that … female voice needs to find its place in patriarchal society'. Similarly, I sought to read between the lines of the archives by inventing motivations for Lizzie that reflected both internal desires and structural pressures. For example, her decision to turn to sex work was a result of her desire for wealth and property, which for the fictive Lizzie symbolised stability and power – something she lacked in her childhood, which I invented entirely – at the same time as demonstrating the way the class system of the 1920s made such desires almost impossible for lower-class women to actualise in more socially acceptable careers such as domestic work. In the novel, Lizzie's choice then kept her trapped in cycles of imprisonment and poverty. This characterisation invites the reader to view her not as irredeemable but as structurally oppressed. In these ways, all three texts use the capacity of fictional language to give voice to the female character's interior to challenge the gendered discourses imposed on women criminals that are evidenced in the archives.

The dilemmas of imagining private lives of women who have committed crimes

Yet, despite these successfully rendered intentions, in imagining a real person's private life – and in the case of women who have committed crimes, reviving, dwelling on, or even potentially excusing their violent acts – is there the possibility of causing harm to the subject's afterlife in cultural memory? Rigney (2004, 366) uses the term 'cultural memory' as a way of focusing attention on 'the multiple ways in which images of the past are communicated and shared amongst members of a community'. She argues that being remembered is more than just existing in an archive; 'memories are dependent on being recalled in various media, including literary texts' (368). In this way, the novels in question, through their 're-remembering' and imagining of their subjects in response to archival documents, can aid in 'stabilising and fixing memories in a certain shape' (Rigney 2004, 382). As such novels foreground certain memories and ignore others (380), they can potentially be troubling in their depictions of their subjects. The re-remembering of the lives of women who commit crimes in fiction can return their private lives to public cultural memory, aid in the continued forgetting of less infamous women, and potentially glorify acts of violence.

Paradoxically perhaps, the discourses of women's violent acts as unnatural may also invite a fascination with their lives. Neroni (2012), in her analysis of violent women in media and film, argues that 'we deem violence so antithetical to femininity that when a woman murders someone it does not make sense in our symbolic system', causing us to question her desires (48); in such cases an ideological fantasy is invented to place women's violence within the social order (48). Women who commit violent crimes are thus subject to a fascinated, even voyeuristic, gaze that turns private details into fodder for public attention and acts of sense-making. Historical biofiction might similarly be understood as an act of attempting to understand the motives of women who commit crimes by imaginatively delving into – and potentially invading – their private lives.

Atwood's, Kent's, and my own choice of subject, the so-called 'bad' – as opposed to notable – woman, can be read as a mode of political challenge, but may also silence other, less infamous women's lives. Examining the history of historical biofictions of notable women, Novak (2016) argues that 'the biography's long enduring bias to male subjects was first systematically addressed by the second wave feminist movement in the twentieth century [that led to a] surging interest in women's lives' (84). Novak critiques biographies and biofictions dedicated to notable women because 'they offer patterns of behaviour and modes of female achievement, and reinforce ideas of "greatness" that made the genre gender biased in the first place' (84). However, criminal acts may render women's lives equally (in)famous. Vevaina (2006, 89) argues that, 'our desire for sensationalism causes women like Grace Marks to find their way into the essential male bastion of history, but others with equally interesting pasts disappear without a trace.' The fascination with women's acts of criminality and violence may in fact serve to lead to the continued forgetting in cultural memory of other women's stories that lack taboo or 'deviant' qualities.

Further, historical biofiction can potentially symbolically harm its subjects' posthumous legacy because of the way it alters cultural memory. Novak (2016) argues that historical biofictions, like other literary texts, 'contribute to posthumous cultural memory' (101). Critiques of historical fiction suggest ways such novels can be harmful to cultural memory. For example, Kate Grenville's historical novel, *The Secret River* (2005), has come under heated criticism because it reinforces damaging national mythologies. Curthoys (1999) argues that some literature reinforces the historical mythology that white settlers are struggling victims, which de-emphasises their role in the colonisation of Australia; this national imaginary further reinforces schisms in culture and politics between coloniser and colonised. Collingwood-Whittick (2013) applies this argument to *The Secret River*, contesting that the novel casts Grenville's ancestors as victims, 'diverting attention from the grim truth of the colonisation of Australia' (13). These readings imply that historical fiction can play a significant role in reinforcing national mythologies and popular memory.

This is particularly the case when depicting historical acts of violence, which sometimes can transition to a celebration of these violent acts. Edwards (2001, 298), using *The Last of the Mohicans* by Fenimore Cooper as an example, argues that 'in Cooper are the seeds of a possibly hegemonic popular culture absorption in violence'. Edwards (2001) notes that certain styles of writing invite 'pleasure from viewing and participation in acts of violence, and the uneasy transition between the two' (300). If (women) criminals' violent acts are rendered in a style that invites a merely pleasurable reading of their violent acts, more symbolic damage could potentially be enacted.

While it is important to note that not all vulnerable subjects should be considered as the same (representing Indigenous Australians, for example, comes with a very different set of difficulties than representing white women who commit crimes), this critique can be theoretically applied to the representation of biographical subjects in historical biofictions: symbolic harm can be done through the reinforcing of cultural memories that are harmful, using a character to serve an author's own cathartic ends, which may be unconscious to them at the time.

Indeed, one of the critiques levelled at historical fiction is the way that the texts are reflections of the author rather than their subject. The historian Clendinnen (2006) challenges *The Secret River* and historical fiction more generally on these grounds. Similarly, Jones (2010) describes the importance of an 'unsettled' empathic engagement with characters from the past: 'a difficult and ongoing process where one is careful not to project one's own culture/experience/belief system in the guise of understanding' (33). Bird (1998, 19) also warns that to 'accept moments of identification at face value is to participate in a process where difference is ignored'. However, writers of historical biofictions, such as Mujica (2016, 11), point to the impossibility of a writer not imposing their subjectivity on accounts of the past and suggest that, 'one way to deal with this issue is to accentuate the subjective element that is unavoidable in all historical writing by inventing an unabashedly opinionated narrative voice.' Atwood usefully conceives of fictional language as a serious game between reader and writer, rather than a direct depiction of reality (Vevaina 2006, 90). This would suggest that one way to avoid harming the legacy of biofiction's subjects is to draw attention to the fictive (and sometimes playful) nature of the invented representation, and the presence of a contemporary author in the construction of the subject. Reflecting on the development of the character of Lizzie O'Dea, I agree with Mujica (2016) and Padmore (2017) that my own experiences, values, and attitudes infuse the development of subjects in my historical biofiction novel.

While it may be argued that the categorising of the work as a 'novel' is sufficient to alert the reader to the invented nature of the representation, historical biofiction is a special case because of its use of real names, which blurs the lines between the known facts of an individual's life and imaginative narrative (Lackey 2016). The naming of an individual in biofiction clearly links the character in fiction with an actual individual, yet acts of invention may permissibly take place. Parini (2016, 26) asks, 'is it fair to invent a real person? Can one act immorally by suggesting that things happened to a person that did not?' While invention may allow an author to represent a character's subjectivity and her motives missing from the historical record, it may also open up the possibility of this invention being read as a historically accurate – and therefore possibly defamatory because untrue – account of a person's life.

Historical biofiction's hybrid status as invented depictions of real subjects opens them up to contested readings. While Michael Lackay (2016) critiques readings of biofiction that evaluate the form on the basis of the qualities of biography, namely, the accuracy of the depiction of the subject, Dalley (2014, 14) argues that when 'engaging in the public spheres in which the past is subject to dispute, pressure is placed on the *truth* of fictional narratives'. Novak (2017) asserts, 'no matter whether biographical novels *should* be read as fiction (and, thus, as non-referential), their biographical content clearly interests readers and is recognised as contributing to the subject's afterlife' (12; emphasis added). Thus, while authors may intend their work to be read as fictions, this does not account for the ways readers might interpret historical biofictions as either fiction and therefore an invented account of the subject's life, or biography and therefore an accurate depiction (even if invention has taken place), nor does it absolve a writer from causing potential harm to their subject's legacy or cultural afterlife.

A work's level of self-awareness can alert readers to imaginative and interpretative acts. Bird (1998, 22), discussing German historical biofictions, argues that works may have degrees of 'self-reflexivity': an in-built awareness of the text as a construct, which reflects theories since the 1970s that all representations of the past are narrative constructs (Froeyman 2016; White 1987), and a conscious gap between the author and the narrator. Bird (1998, 24) further posits that 'fictionalising the past is not equivalent to falsifying it', but that this depends on the extent to which 'historical sources are rendered insignificant by fictionalising trends'. Similarly, Dalley (2014) argues that historical fiction can be read as 'referentially heterogeneous', that is, the text's fictionality operates unevenly. This suggests that it is within the texts themselves that readers might find clues as to how to read the work, as the text refers to publicly available sources and engages in open acts of imaginative play. For exmaple, *Alias Grace* uses the open-endedness available in the fictive form to offer agency to its female subject; the novel offers Grace freedom by showing her being pardoned while leaving her guilt or innocence ambiguous. In this way, Grace's acts are neither labelled nor completely excused, at the same time as she is allowed to escape further punishment as a result of judicial misogyny.

In *Burial Rites*, however, Agnes is not excused nor offered escape. Instead, she is 'reduced to a terrifying animal brought by force to the axe' (Petković 2016, 77). While, as stated earlier, through the voicing of Agnes's narrative, the reader is invited to understand that she is executed as a punishment for her deviance from expectations of how a woman should behave, the novel still symbolically replicates this act of violence, although it certainly does not glorify it. It could be argued that this is merely a depiction of the historical verifiable facts or their absence: Grace Marks was spared, while Agnes' execution is recorded in numerous historical accounts. However, this does not fully utilise the capacity of the fictive form to revise the past, and to offer agency for silenced victims; indeed, by maintaining a strict allegiance to the historical archives, the text invites a reading of the novel as a historically accurate representation, minimising the self-reflexive act of constructing the past. So, while Kent presents Agnes as something more than the 'types' and labels she has been given in the archives, just as Atwood does with Grace, the novel symbolically portrays her as a victim with no hope of escape from the patriarchal system that labels her. In this way, a literal rendering of her life does not offer the possibility of hope or healing for Agnes in her afterlife. While her story has been voiced, the punishment enacted on her body has been repeated and reinforced in cultural memory.

Finding an ending to my own novel, in the silence after Lizzie O'Dea ceased to appear in the digitised newspaper articles, was particularly difficult. In earlier drafts, I showed Lizzie disappearing into a symbolic wilderness – the 'frontier' of North Queensland – her fate unknown. But, in later drafts, it seemed important to imagine a more hopeful end for Lizzie O'Dea without diminishing the structural barriers that would make a positive outcome for the actual O'Dea difficult if not impossible. I chose to end the novel with an image of light and weightlessness. Lizzie hears:

> the notes of a saxophone from the street and finds herself buoyed up, as though a weight that has pressed her to the bottom of a lake has been lifted and she's sprung to the surface, to the open air, to a vision of the horizon. Next day … she sets up a pair of Chinese lanterns … She imagines the light … welcoming the strays, the drifters, the bohemians. She's a new presence here in this city. (280)

Yet even this ending is unresolved. It seems that the open-endedness of fiction, and its capacity for both revision of historical events and intertextual dialogue with other historical accounts and archival materials, is one means by which symbolic harm to the legacy of the dead can be avoided.

Conclusion

Women who have committed crimes are vulnerable subjects because gendered discourses shape the textual traces of their lives, and because their acts challenge accepted notions of feminine behaviour. The revisionist capacities of historical novels to imagine a character's subjectivity can powerfully draw attention to the way gender influences the treatment of women who commit crimes and their representation in the archives. Although scholarly arguments point to the narrative construction of both fictive and historical accounts, and imaginative acts and the imposition of an author's consciousness must necessarily take place when rendering a character's subjectivity in the absence of historical records, historical biofictions return deceased women's lives and violent acts to cultural memory. In doing so, these texts may silence infamous women, reinforce national mythologies that are damaging, or symbolically celebrate and re-enact acts of violence.

However, text's 'fictionalising trends' (Bird 1998) can, through revision and open-endedness, symbolically offer female characters agency over their fate by revising the historical record. Such open-endedness also invites further dialogue with historical accounts. The spectre of Lizzie O'Dea conjured by my subconscious mind is perhaps indicative of this elusiveness: the novel represents not a definitive conclusion, but a testing out of a possible version of the past. In the novel, Lizzie is rendered imaginatively as larger than life, a construct of my own imagining and present-day concerns. At the end of the novel, her future is left open-ended. Yet, I think her haunting presence reflects that I am still uncomfortable with aspects of my writing practice, in particular the use of Lizzie's name in the novel, which invites a reading of the representation as accurate. Further, the kind of realism in which I chose to write invites a reading of historical fiction as capable of accurately representing the past. This suggests that, as I develop my creative practice, I need to consider the ways I might choose subjects, understand their vulnerabilities, and use the fantastical and imaginative capacities of fictional language more fully to problematise the act of representing them.

Disclosure statement

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Notes on contributor

Ariella Van Luyn is a lecturer in writing at the University of New England, Australia. Ariella is the author of the historical novel *Treading Air* and several short stories. She is co-editor of the collection *Sharing Qualitative Research: Sharing Lived Experience and Community Narratives* (Routledge, 2017). Her research interests include historical fiction, historical biofiction, practice-led research, oral history, and community narratives.

ORCID

Ariella Van Luyn http://orcid.org/0000-0002-8230-3181

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