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Introduction: ‘Dumb Brutes’ and Murderous Mothers

Will the hen drive the chicken from under wing
And leave it to perish, the poor little thing,
Or will dumb brutes desert their offspring, ah! no,
What proofs of affection animals show.
Yet mothers alas their children will slay,
Or else pay another to put it away.¹

This introductory chapter launches a journey into the role of the sexed female body (defined below) in the criminalisation of infanticide and in the moral regulation of women in the nineteenth and twentieth centuries. It also investigates the female body as a construct in two different historical periods when maternal infanticide became major public concerns: 1861–1870 and 1998–2003.

This book focuses on the moral regulation of women at a time when infanticide reached an all-time high, an apotheosis that, seen through twenty-first-century eyes, reveals the oppressive conditions of working-class women’s lives. For those who were prosecuted, their story was one of moral humiliation and moral triumph for society at large. The last stanza of a broadside ballad, quoted above and published in 1871 in response to one of the most infamous baby-farming cases in British history, tells a moral tale about human and animal mothers and those who were paid to put children away. They were called baby-farmers, she-devils or fell-butchers. Many people have never heard the term ‘baby-farming’, and cannot understand how a mother could sell her child to a stranger who, after pocketing the money, sometimes killed the child or neglectfully allowed it to die a slow, lingering death from starvation. It was common for baby-farmers to have a room full of unwanted babies, sometimes using adopted toddlers as child-carers.

A. Cossins, Female Criminality
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Some, however, tried to keep their adopted children alive against all the odds of cholera, congenital syphilis, diphtheria, dysentery and other common diseases, since a healthy, unwanted child was a commodity sought after by cashed-up, childless couples.

While the secretive trade in children during the nineteenth century was legal, the question is why thousands of children were sold or killed each year in England and Wales. To answer that, and to consider the social implications for women tainted by unmarried sex and the baby trade, this book will document a period characterised by indifferent governments, sexed concepts of morality and a morally punitive society by charting the development of the long-term moral campaign surrounding the practice of baby-farming from 1861 to 1872.

But why study infanticide? An investigation of these years reveals that it provoked the first moral campaign in Britain in relation to infant deaths in out-of-home care, even though infant mortality was excessively high as a result of disease and poverty. Infanticide resonated in a society that had been, generally, indifferent to infant mortality because infanticidal mothers were usually young, unmarried and working-class. In the middle of the nineteenth century, this combination created an explosive moral discourse that centred first on irresponsible motherhood and women’s innate immorality, then grew into an attack on all working-class women involved in out-of-home care—from the legitimate to the murderous. At the time, infanticide was considered to be the most ‘horrible and hellish crime that can be committed by a human being’ (Reynolds’s Newspaper, 6/8/1865, p.1).

Two case studies—the trials of Charlotte Winsor and Margaret Waters—will reveal the social reality of illegitimacy in terms of its economic impact on women and the role played by the media in what appears to have been the first moral panic concerning children in Britain, as that term is defined by Cohen (1972) and revised by Critcher (2003). At a time when prosecutions of infanticide were largely unsuccessful because of juries’ reluctance to convict, the cases that attracted the most attention involved not infanticidal mothers but carers, known as baby-farmers, who were unrelated to the child. These cases were not representative of all infanticide cases even if they amounted to the first police attempt to deal with a problem that was not amenable to criminalisation or criminal sanctions. That large numbers of illegitimate babies were dying is not in question; that they were dying as a result of murder was the incorrect perception that was disseminated at the time.

A history of a particular crime such as infanticide is also a history of social life, revealing much about class and gender at a specific