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Efi Avdela

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"MEDEA" IN THE GREEK COURTROOM: CONTESTING INSANITY AMONG JURISTS, PSYCHIATRISTS AND THE PUBLIC

Efi Avdela

Abstract: This article focuses on the case of the young American woman who killed her three children in 1961 in Athens, attempted to commit suicide and was widely referred to as the "Medea of Kalamaki". Its goal is to discuss the difficulties that psychiatrists faced in Greek courts to establish themselves as experts on matters pertaining to the mental condition of homicide offenders, and the constant calling into question of their expertise by the judiciary and the press alike. At the same time, the article argues that in the particular circumstances of 1960s Greece, press crime narratives brought forward a third factor involved in the controversy between the judiciary and the psychiatrists, namely "public opinion", testifying to an "enlarged publicity". Jane Brown's two trials attest to the prevalence in both the judiciary and the press of the "Medea narrative" that refuted psychiatric diagnoses of diminished or even a total lack of liability for her acts.

Since the nineteenth century, the penal systems of most Western countries have made special provisions for perpetrators of homicides suffering from mental illness or those considered "insane". Liability for one's acts constituted the cornerstone of modern penal systems. When it was lacking, treatment was stipulated as preferable to punishment. However, as American forensic psychologist Charles Patrick Ewing attests, the insanity defence has long been considered "the most controversial doctrine in criminal law".[1]

At issue were two crucial aspects: who determined insanity and whether it was necessarily a total condition, or could also be partial or temporary. Though the roots of the insanity defence lie in the late nineteenth century, it was at the beginning of the twentieth century that fierce debates between jurists and psychiatrists raged over questions relating to whether and to what extent mental

* A first version of this article was presented at the workshop "Pathological Emotions, Disordered Passions (Nineteenth–Twentieth Centuries)". Many thanks to Dimitra Vassiliadou for including my contribution in this special section. I am also grateful to professors Giorgos Alevizopoulos and Dimitris Ploumpidis for answering my questions and Kostis Gotsinas, Dimitra Lampropoulou, Akis Papataxiarchis, and the anonymous reviewers for their suggestions in earlier drafts.

[1] Charles Patrick Ewing, *Insanity, Murder, Madness, and the Law* (Oxford: Oxford University Press, 2008), xvii.

disorder precluded liability and who was qualified to make this assessment. According to French historian Marc Renneville, in France total insanity – "criminal folly", as he calls it – dominated in the nineteenth century, while partial insanity – "the folly of crime" – was only instituted at the end of the twentieth. The acceptance of partial insanity by the courts as a mitigated circumstance involving diminished penal liability, and hence a lesser penalty, testified to the growing influence of psychiatrists, who maintained that mental alienation presented degrees and temporalities.[2] However, there were clear differences in the way "insanity" was understood by the judiciary and by psychiatric circles. Consequently, the twentieth century was marked by recurrent controversies between psychiatrists and jurists on this issue, characterised as "manifestations of rivalries between professional competences".[3]

The Greek penal law, which became a feature of the legal system in the 1830s, stipulated degrees of mental disorder and, therefore, levels of liability. No psychiatric expertise was required until the new Penal Code of 1950. Henceforth the court retained its competence to judge the extent and quality of mental disorder, but psychiatric expertise was also required in some cases. This made heated confrontations between the judiciary and psychiatrists more commonplace within the courtroom. The crux of this debate, which reached its peak in the 1960s, revolved around the legal status of psychiatric expertise. Was psychiatric expertise legally binding? Could the court choose to either ignore or omit psychiatrists' input? The controversy was closely related to the role of the jury, purportedly prone to clemency in cases of insanity and already under constant attack from the judiciary.

The dispute between judges and psychiatrists was regularly reproduced in the press, with journalists often taking the side of the judiciary. Journalists repeatedly castigated the supposed influence of psychiatric expertise on juries and what they perceived as their often lenient verdicts in similar cases. This was not a Greek

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[2] Marc Renneville, *Crime et folie: Deux siècles d'enquêtes médicales et judiciaires* (Paris: Fayard, 2003). According to the author, "diminished liability" was instituted in the French penal code only in 1991 (430–31). For the case of Britain, the idea that those who "came under a temporary excitement of their senses … should perhaps be afforded a partial defence … did not fully come to partial fruition until the enactment of the Homicide Act 1957". Samantha Pegg, "'Madness is a Woman': Constance Kent and Victorian Constructions of Female Insanity," *Liverpool Law Review* 30 (2009): 208.

[3] Renneville, *Crime et folie,* 11. See also Ewing, *Insanity, Murder, Madness, and the Law,* xi; Philip Bean, *Madness and Crime* (Cullompton: Willan, 2008), 128–29; Pegg, "'Madness is a Woman'," 208; Nicola Goc, *Women, Infanticide and the Press, 1822–1922: News Narratives in England and Australia* (Farnham: Ashgate, 2013), 10.

particularity. Many researchers have argued that the differences between legal and medical notions of mental disorder in homicide cases complicated the role of the jury. Juries relied on expert reports and various testimonies presented in court to reach their verdicts. However, according to British criminologist Samantha Pegg, "it was not the medical or the legal understanding of insanity but the social understanding of insanity that was exercised by the jury".[4] Most research reflects this view, with juries tending to reach the insanity verdict often, especially for crimes considered otherwise incomprehensible. In Greece, even before the 1960s, juries were regularly accused of delivering a judgement of "total confusion" too often.[5]

One of the most "incomprehensible" of crimes concern women who kill their children. Some research maintains that the courts consistently treat child killers differently depending on their sex and relationship to the child, and that in such cases juries are more likely to consider women as "mad" and men as "bad".[6] So does the press, which acts as a mediator between legal and medical "experts" and "public opinion". Crime reports in the press represent a series of intertextual narratives, which address and codify a supposedly common system of values and norms, desires and emotions, and ideas of blame and liability.[7] By mixing together facts and judgements, journalists construct narratives of the criminal case at hand, framing these as an objective reconstruction of the facts. At the same time, they often present themselves as recording the private views of the "common person" for the benefit of the wider public, creating a community that shares similar values and emotions with its readers.

The mother who kills her child is a particularly strong and contentious figure because she "challenges understandings of what it is to be a mother".[8] It is this crime which is considered "unnatural" par excellence. This is why it needs to be convincingly explained. To do so, journalists, as well as various judicial actors, draw on familiar cultural scripts to frame their approach and give the

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[4] Pegg, "'Madness is a Woman'," 222.

[5] For references to interwar cases, see Efi Avdela, *"Δια λόγους τιμής": Βία, συναισθήματα και αξίες στη μετεμφυλιακή Ελλάδα* (Athens: Nefeli, 2002).

[6] See Ania Wilczynski, *Child Homicide* (Oxford: Oxford University Press, 1997); also Pegg, "'Madness is a Woman'," 207, 215, 221; Michelle Oberman, "Mothers who Kill: Cross-Cultural Patterns in and Perspectives on Contemporary Maternal Filicide," *International Journal of Law and Psychiatry* 26 (2003): 493.

[7] Dominique Kalifa, *L'encre et le sang. Récits de crimes et société à la Belle Époque* (Paris: Fayard, 1995); Goc, *Women, Infanticide and the Press,* 1.

[8] Bronwyn Naylor, "The 'Bad Mother' in Media and Legal Texts," *Social Semiotics* 11, no. 2 (2001): 170.

case meaning. However, this approach often obscures differing interpretations from ever emerging. I will demonstrate these cultural framings with a 1961 case in Athens, where a young American woman sensationally killed her three children and was attributed the title of the "Medea of Kalamaki". Jane Brown, wife of an American lieutenant who worked on the American base in Athens, strangled her three children and attempted to commit suicide. She was tried twice. The first time the jury adjudged that she executed the crime in a state of total confusion and acquitted her. The court decided that the verdict was misguided and Jane Brown was tried a second time. A new jury was subsequently formed, which reached the verdict that she was partially deprived of reason at the time of the crime. She was sentenced to 16 years' imprisonment. Both trials were marked by fierce controversy between jurists and psychiatrists as to Jane Brown's mental condition. The press followed the case closely, publishing lengthy daily reports, which took sides and provided divergent explanatory narratives. Alongside this, reports also highlighted the extraordinary levels of public interest and looked to intertwine this with popular views supposedly expressed during the hearings.[9]

What follows has two goals. The first, to discuss the difficulties faced by psychiatrists in their attempts to establish themselves as experts on matters pertaining to the mental condition of homicide offenders, and the judiciary's and press' constant disputing of their expertise. In the case in question, the main means through which psychiatric expertise was disputed was what I call the "Medea script", the interpretation of the crime as an act of revenge, following the plot of Euripides' homonymous tragedy. Against psychiatric diagnosis that argued Jane Brown was partially or even totally deprived of reason during her actions, she was accused by the judiciary and the press to have clearly planned and executed the crime in order to avenge her husband's betrayal, subsequently suffering from some kind of mental disorder. Dominant in court as well as in the press, the "Medea script" allowed specific emphasis to be placed on particular elements of the Brown case that concurred with it – her foreignness, the relation that she herself drew between her act and her husband's infidelity in the letter she addressed to him, and the murder of her own children. The horror that the

[9] Jane Brown is a pseudonym, although her real name figures in the title of a number of publications and the press. In these cases, I have substituted the real name with the pseudonym in brackets. I had made references to this case in a different context in Efi Avdela, "Making Sense of 'Hideous Crimes': Homicide and the Cultural Reordering of Gendered Sociality in Post-Civil-War Greece," in *Problems of Crime and Violence in Europe, 1780–2000: Essays in Criminal Justice*, ed. Efi Avdela, Shani D'Cruze and Judith Rowbotham (Lewiston: Edwin Mellen, 2010), 281–310.

crime produced made the insanity verdict unacceptable. Hence the crucial role conferred on the jury and its choice between total and partial insanity.

Related to the first, the second goal of this article is to argue that in the particular social and political circumstances of 1960s Greece, press crime narratives regarding the mental condition of homicide perpetrators, represented here by Jane Brown's case, highlighted how "public opinion" (*κοινή γνώμη*) – in the form of a "mass public sphere" – introduced a third factor that influenced the controversy between the judiciary and psychiatrists. In a period marked by rapid social, cultural, economic and political transformations, the press became a crucial component of what can be termed an "enlarged publicity", indicating a much wider role than the Habermasian notion of "manipulative publicity" allows.[10] Acting as both a mediator between the legal and the medical "experts" and as an advocate of "public opinion", the press presented the Medea script as an obvious common ground, a cultural symbol, contrasting the foreign, unnatural and revengeful killing mother to the appalled, yet compassionate, Greek "public opinion". In this context, the jury was given the contentious role of expressing and interpreting the latter's will, rescuing Greek motherhood from defamation.

In the first part, I will present the provisions of the Greek penal law in relation to the mental state of offenders in homicide cases, and the part played by psychiatric expertise in them. In the second part, Jane Brown will be used as a case study to discuss and highlight the controversies that existed between legal and medical experts as to her motives and state of mind at the time of the crime, as well as to the debates around the role of the jury in settling the dispute. In the third part, I will focus on the press reports, highlighting the quasi-universal dominance of the Medea script. In doing this, I will observe the differences and similarities between the narratives that were constructed by a number of newspapers, analysing the links they forged between a particularly outraged and mobilised "public opinion" and the alien character of the crime in question. The analysis is based on seven Athenian newspapers, the records of the two trials, as well as legal texts and psychiatric dissertations.[11]

Mental Disorder in the Greek Courtroom

Since its establishment in 1834, Greek penal law recognised the mental condition of an offender as a factor to be considered in the final verdict and sentencing.

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[10] Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Thomas Burger (Cambridge: MIT Press, 1989).

[11] The Athenian dailies used here are the following: *Αθηναϊκή*, *Ακρόπολις*, *Απογευματινή*, *Βραδυνή*, *Έθνος*, *Ελευθερία* and *Τα Νέα*.

Depending on the intensity and the duration of the mental disorder at the moment of the crime, in other words, the degree of liability attributed to the offender, the penal law envisaged a reduced sentence or even acquittal. Drafted according to the Bavarian model, it differed from relevant stipulations of French and British penal law.[12] In his 1871 treatise *Interpretation of the Current Penal Law*, penologist Konstantinos N. Kostis listed four categories of offenders exempted from liability on the grounds of mental disorder: those who suffered from general or partial insanity, those who suffered from idiocy, those who lost the use of their reason because of age, and those who "executed the act in a condition of unjustified confusion of their senses or their mind, during which they could not be conscious of their act or of its punishable character".[13] When a homicide was committed in a state of instantaneous mental derangement it was termed manslaughter, distinguishing it from murder or premeditated homicide. Four conditions could cause momentary loss of control over of one's acts: "mental furore" (*ψυχική παραφορά*), intoxication, a state of sleep and hallucinations.[14] Kostis explained that "mental furore" was "the momentary overexcitement of one's emotions, heightened to such degree as to remove one's awareness of the attempted act". Of the various degrees of "mental furore", only the highest one excluded liability.[15]

According to the penal law, only the court was competent to judge the intensity and duration of the mental confusion that led to manslaughter, whether the act was perpetrated in a "mental furore" or other "psychic passion" (*ψυχικόν πάθος*), and to issue the appropriate verdict.[16] However, the court could appeal to various experts in its search for the facts. Sources attest the presence of psychiatrists in homicide trials in the interwar period, but the frequency with which their expertise was solicited remains largely unknown.[17] At any rate, in the

[12] See Dimitrios Antoniou, "La justice pénale en Grèce sous la monarchie absolue (1833–1843)" (PhD diss., École des hautes études en sciences sociales, Paris, 2016), 271; Konstantinos N. Kostis, *Ερμηνεία του εν Ελλάδι ισχύοντος Ποινικού Νόμου*, vol. 1 (Athens: Typ. Io. Angelopoulou, 1871), 275.

[13] Kostis, *Ερμηνεία,* 274.

[14] Ibid., 285.

[15] Ibid., 285–86.

[16] Konstantinos N. Kostis, *Ερμηνεία του εν Ελλάδι ισχύοντος Ποινικού Νόμου,* vol. 2 (Athens: Typ. Io. Angelopoulou, 1877), 288. Kostis discussed extensively why judges could not accept the opinion of "phrenologists" regarding the lack of liability in cases of crimes committed "under the influence of urges". Kostis, *Ερμηνεία,* 1:278–79.

[17] Forensic psychiatry was instituted as a section of the Laboratory of Pathological Anatomy and Histology, which was founded in 1888 and included forensic medicine and toxicology; it soon became autonomous. My thanks to Prof. Giorgos Alevizopoulos,

1940s forensic psychiatrists still invoked the terms of the Criminal Procedure Code regarding expert opinion as a means of proof in order to promote the necessity of their expertise in criminal cases.[18]

The new Penal Code of 1950 abolished the distinction between murder and manslaughter. In respect to mental disorder, the code postulated two possibilities: either non-liability in situations when the act was executed under "unwholesome derangement of mental function or derangement of reason, making it impossible for the offender to perceive the wrongful character of his or her deed and to act accordingly"; or reduced liability, when reason "was not totally lacking but was essentially diminished".[19] In the same spirit, "diminished liability" and, hence, a reduced sentence was envisaged for offenders who committed homicides "in a fit of rage" (*βρασμός ψυχικής ορμής*), a notion that replaced the previous "mental furore". The decision to attribute a lack of or a diminished liability was taken by the court, namely the jury that answered the questions formulated by the judiciary. However, apparently rationalising existing practices,[20] psychiatric expertise was also stipulated, according to the case. In cases where the offender was judged to have had a complete lack of liability, but if it was considered that the offender constituted a threat to public safety, the law provided that he or she be committed to a psychiatric institution rather than a prison.[21]

The above shows that from an early stage, Greek penal law distinguished between varying degrees of mental disorder, between total and diminished mental confusion at the moment of the crime, as well as between general or

specialist in forensic psychiatry, for this information. Historian Thanos Varverakis has detected the first controversies between penal and medical experts in the 1880s around the issue of capital punishment. Thanos Varverakis, "Η ποινική δικαιοσύνη στην Ελλάδα στα τέλη του 19ου αιώνα: το παράδειγμα των θανατικών εκτελέσεων" (MA diss., University of Crete, 2020). In the interwar years the leading forensic psychiatrist was Konstantinos Ach. Mitaftsis, who appeared repeatedly in court. See Kostis Gotsinas, *Κοινωνικά δηλητήρια: Ιστορία των ναρκωτικών στην Ελλάδα (1875–1950)* (Athens: Crete University Press, 2021). My thanks to Dr Gotsinas for this information. See also Konstantinos Ach. Mitaftsis, "Ο ανθρωποκτόνος Δαμιανός Μαυρομμάτης ενώπιον του Κακουργιοδικείου Αθηνών από εγκληματοψυχοπαθολογικής απόψεως," *Πρακτικά Ιατρικής Εταιρείας Αθηνών*, Session of 13 November 1937, 481–92.

[18] Michael G. Stringaris, *Ψυχιατροδικαστική: Ψυχοβιολογική και ψυχοπαθολογική εγκληματολογία* (Athens: s.n., 1947), 388–404.

[19] Articles 34 and 36, Law 1492, "Περί κυρώσεως του Ποινικού Κώδικος," *Εφημερίς της Κυβερνήσεως,* A, no. 182, 17 August 1950 [henceforth PC 1950].

[20] My thanks to Professor Dimitris Ploumpidis for his suggestion on this point.

[21] Konstantinos G. Gardikas, *Αι ειδικαί των εγκληματιών κατηγορίαι και η μεταχείρισις αυτών* (Athens: Nik. A. Sakkoulas, 1951), 18–20.

temporary insanity. These legal notions were crucial because they determined liability and subsequent sentencing. Total mental confusion could lead to a lack of liability and even an acquittal. Partial mental confusion could lead to diminished liability and a reduced sentence. Also, the legal notion of a "fit of rage", which was not a medical term, was the main mitigating circumstance in verdicts of total or diminished mental confusion of the offender. It involved the admission of some degree of temporary mental disorder.[22]

In the early 1960s a number of sensational homicide cases fuelled debates between jurists and psychiatrists regarding the mental condition of perpetrators of "hideous" homicides. Not only were the debates aired in the courts but they were also played out on the front pages of the national press. At issue was the question whether psychiatric expertise was binding and mandatory for the court's verdict regarding the liability of a homicide offender. It was alleged that the expertise frequently had a misleading effect on the jury, making it both dubious and controversial. Psychiatrists were commonly called into court during cases where the defence claimed the offender was suffering from mental disorder, using this as a mitigating circumstance that needed to be certified by an impartial expert. However, in most homicide trials in which the perpetrator was acknowledged to have suffered from a momentary "fit of rage" that led to complete or temporary mental confusion, the court would issue a verdict without calling on psychiatric expertise. In these cases, the court would base its verdict on a variety of mitigating circumstances, including "improper behaviour on the part of the victim", "rage or violent sorrow caused by an unjustified attack", "the non-petty motives of the act", for example in cases of "crimes of honour" and "crimes of passion". With the limited intervention of medical experts and with much less developed and established fields of "psy" power-knowledge than in other European countries, the role of jurors in the Greek penal system took on greater importance. It was they who were called on to assess the mitigating circumstances put forward by the perpetrator.[23]

In the 1950s the presence of psychiatrists in homicide trials remained unusual and was, for the most part, forcefully contested by both the judiciary and the press. The confrontation, which culminated in the early 1960s, became a matter of public concern through a number of sensational homicide trials in which the perpetrators were acquitted on grounds of temporary insanity. Part of the press blamed the

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[22] Article 299, PC 1950. Also, Georgios A. Vavaretos, *Ποινικός Νόμος: Κείμενον, εισηγητική έκθεσις υπουργού Δικαιοσύνης, αιτιολογίαι συντακτικής επιτροπής, ερμηνεία, σχόλια, νομολογια υφ εκαστον αρθρον* (Athens: s.n., 1956).

[23] Efi Avdela, "Emotions on Trial: Judging Crimes of Honour in Post-Civil-War Greece," *Crime, Histoire & Société/Crime, History & Societies* 10, no. 2 (2006): 39–40.

jury for this, and in several cases prosecutors asked judges to repeat the trial and declare these verdicts as misguided. The trials of criminals such as the "ogre of Amorgos", who, in 1961, brutally slaughtered the daughter of his boss because she resisted his attempt to rape her; the Iranian army officer who in 1963 murdered his Greek fiancé, following their break up; the insane murderer who killed a woman he did not know on the street in 1964 because he hated all women, along with many other cases, covered the front pages of newspapers and dominated the headlines for many days.[24] Their trials attracted crowds of spectators and were set against a backdrop of contrasting sentimental public expressions of horror and sympathy towards the perpetrators. But cases such as these also generated heated debates as to the jurors' verdict and to psychiatrists' role in it, testifying to the "enlarged publicity" advocated by the press. The first case mentioned above culminated in two trials. In the first trial the defendant was found to have acted in a "fit of rage" and acquitted, while in the second he was sentenced to life imprisonment with no mitigating circumstances. The second offender was acquitted on the ground that he acted in a "fit of rage", while the third was judged insane, acquitted and committed by the court to a public mental hospital.[25]

It was in this context that the controversy around the "Brown case" took place. The case differed from all the others in many aspects: the perpetrator was a woman, foreign at that, and a mother who had killed her three children. Its identification with the Medea script was almost forcé. Regardless of the reasons, there was no doubt that in order to have done such a terrible thing, she must have been somehow deranged. The question was whether this made her "insane", and therefore nonliable, or whether she had to be punished, nonetheless.

A Crime Committed Due to Melancholia or Revenge?

As already mentioned, on 27 May 1961, Jane Brown, the 28-year-old wife of Lieutenant Jerry Brown, who was serving at the American base, strangled

[24] Avdela, "Making Sense of 'Hideous Crimes'."

[25] It is impossible to discuss these cases in more detail here. However, it should be noted that the verdict in each was closely related to the particular circumstances of the crime in question, the perpetrator's personality and background history. In the case of the "Ogre of Amorgos", in view the abhorring circumstances of the crime, the acquittal of the first trial created a public outrage, expressed in the press. In the case of the Iranian officer, his history of mental disorder due to a dramatic accident that caused his wife and son's death, but also the fact that his victim was a "modern woman", played a crucial role in the public's sympathy. As for the third case, the offender's history as an abandoned child and impotent man, and his appealing appearance provoked a wave of mainly female sympathy, which most of the press decried as "unhealthy". See Avdela, "Making Sense of 'Hideous Crimes'."

her three children with a piece of silk cord while they slept at their home in Kalamaki, southern Athens. The children were aged just two, four and eight. Following their murder, she wrote a letter to her husband, castigating him for his adulterous and sinful behaviour. Next to the letter she left a Bible open on a chapter about adultery. Finally, she tried to kill herself with a knife. Her husband found her bleeding and his three lifeless children. The American authorities were called first, followed by the Greek ones. Jane Brown was admitted to hospital and was interrogated days later, having regained consciousness and recovered from her wounds. She justified her actions by claiming she was shocked to find photographic evidence of her husband's affair. Alone in Greece and after years of submitting to his violent behaviour, she maintained that she saw no other way out. Refusing to leave her beloved children behind to be raised by an adulteress, she decided they would have to die with her. Therefore, she denied that her intention was revenge. As the interrogations proceeded, it was found that the "third" woman was a Greek telephone operator at the American base. Jerry Brown had hired her to teach him Greek, which led to their affair.

The deeds, the settings and Jane Brown's statements made the case outrageous and incomprehensible. There were no prior indications that she suffered from insanity or that there were family problems. To their acquaintances and neighbours, the family seemed happy and Jane Brown was devoted to her children, whom she adored. She was, however, described by observers as a very private and religious person. Immediately psychiatric assistance was deemed necessary. The question, formulated by the press, was whether Jane Brown was "insane" or simply a vengeful betrayed woman, a "contemporary Medea", as they all called her. Everyone asked why she did not kill her husband instead and why she did not succeed in killing herself. She was examined by several psychiatrists at different moments, three Americans and four Greeks. Their diagnoses differed, but all concurred that she had at a certain time suffered from disturbance of her mental capacities.

Jane Brown's trial was set for September. The court was faced with a complex question: was the accused of a sound mind? If she was, she had executed her crime in cold blood and therefore should be subject to the rigours of the criminal law. If she was not of sound mind, her actions could be substantiated on account of a mental condition that led to her total loss of reason and then she could be acquitted. Consequently, psychiatric expertise became crucial.

Early on in the case, the authorities had called on two eminent psychiatrists to examine Jane Brown and compile an expert report. Konstantinos Konstantinidis, professor extraordinarius of psychiatry and neurology at the University of Athens, and Konstantinos Boukis, forensic psychiatrist and neurologist, met

with Jane Brown repeatedly before her trial. In their report they stated that a few days prior to the crime, when she realised her husband's betrayal, she had entered a state of "psychogenic melancholia" (*ψυχογενής μελαγχολία*) or "melancholia by reaction" (*μελαγχολική ψυχοπαθολογική αντίδρασις*). She was in that state when she committed her crime, which was in fact an "enlarged suicide" (*διευρυμένη αυτοκτονία*), and had started to recover from it after her arrest. In their expert opinion, the main symptom of this condition was the idea and sincere intent to commit suicide. In her case, this idea was extended to include her beloved children, whom she was convinced would suffer were they left behind. Consequently, in their view, she committed the crime in a state of "diminished liability, because of the pathological condition of melancholia, caused by the derangement of her mental functions".[26]

The indictment opposed the psychiatric assessment of Jane Brown's mental condition during the crime and insisted on her liability. According to the judges of the Court of Appeal, who composed the indictment, the crime was triggered by Jerry Brown's behaviour in the previous six months and Jane Brown's discovery of his girlfriend's photo, and it was executed in cold blood as an act of revenge. In their view, its meticulous planning proved that she was in "a calm and normal condition" during the act. It was after she completed the crime and survived her attempted suicide – if it was genuine at all – that she realised the consequences of her actions and suffered from melancholia, from which she was gradually recovering. In other words, the indictment refuted the psychiatric opinion that Jane Brown's loss of reason was the consequence of her mental condition *before* the crime, leading to a diminished liability, and maintained that, on the contrary, it was the consequence of her crime. Accordingly, she was charged with serious premeditated murder.[27]

Not all psychiatrists agreed with the psychiatric expert report. Two additional opposing opinions were submitted during the two trials, one for the defence by Michael G. Stringaris, forensic psychiatrist and neurologist, and the other for

[26] In the Greek penal system, the expert reports were not included in criminal proceedings. We can only know their content from press reports. *Τα Νέα,* 4 August 1961; *Έθνος*, 2 September 1961, 1; *Βραδυνή,* 16 September 1961, 5; *Αθηναϊκή,* 23 September 1961. See also the testimonies of the two experts in General State Archives (GAK), Court Archives, Athens Mixed Jury and Judge Court, Athens Assessors' Records and Judgements, nos 12–13, 23–24 September 1961 (henceforth: GAK Athens Assessors, I) and nos 30–36, 16–19 November 1961 (henceforth: GAK Athens Assessors, II). The psychiatric terminology of the sources is used here. However, it should be noted that psychiatric terminology is fluid and changes in relation to developments in the discipline.

[27] *Ακρόπολις*, 23 September 1961, 7, published long excerpts of the indictment. Also, *Τα Νέα,* 4 August 1961, and *Αθηναϊκή*, 23 September 1961.

the civil action by Charilaos Mikropoulos, psychiatrist. Both had examined the defendant at some point after the crime. The first advocated that Jane Brown suffered from "stupor", "psychic anxiety and melancholia to the degree of stupor of the functions of thought and judgement" (*άγχος ψυχικόν και μελαγχολίας μέχρις "αποκλεισμού" (Στούπορ) των λειτουργιών σκέψεως και κρίσεως*); consequently, he considered that she was in a state of total mental confusion during the crime and, therefore, totally lacking in liability.[28] The second was only summoned during the second trial. His diagnosis was that the defendant was not mentally retarded nor a psychopath, but had an immature personality with incomplete social adjustment. In his opinion, she killed her children in order to punish her husband and with the sincere intention of killing herself; she had her senses, she was conscious of her actions while committing the crime and was therefore liable.[29]

These disagreements between psychiatrists weakened their position in court and made their terminology confusing to the judiciary, the jury and the public. This was further compounded when during the trial it was admitted that "the psychiatric discipline is still in its beginnings and a psychiatrist needs to observe a patient for a long time in order to be able to assess his [sic] psychological condition".[30] On this ground the prosecutor repeatedly accused them of providing an ambiguous discourse. Following the first trial and Jane Brown's acquittal, the confrontation between the judiciary and psychiatrists intensified, with the prosecution keen to avoid the second trial ending in a verdict of total mental confusion. It is, however, interesting to note the discrepancies between the indictment and the prosecution: for the first, Jane Brown was a cold-blooded killer, while the second accorded her in both trials the mitigating circumstance of a "fit of rage" and partial mental confusion.[31] Be that as it may, three interrelated points stand out from the court records and the press reports: the resistance of the judiciary to accept psychiatric rationality as valid in a homicide case; the use of literature, myth and history as both counterarguments and evidence in court; and the widespread scepticism with which the institution of popular justice and the role of the jury were met by the judiciary and the press alike.

All of the surviving evidence – the press reports as well as psychiatric studies about the case – points to the fact that the judicial agents (prosecutor, judges,

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[28] GAK, Athens Assessors, I, and GAK, Athens Assessors, II. Also, *Αθηναϊκή,* 23 September 1961.

[29] GAK, Athens Assessors, II and *Ελευθερία,* 19 November 1961, 11.

[30] Testimony of K. Boukis, in GAK, Athens Assessors, II.

[31] *Αθηναϊκή,* 25 September 1961; *Έθνος,* 25 September 1961, 1, 8; *Ακρόπολις,* 19 November 1961, 8; *Έθνος,* 20 November 1961, 1, 6.

civil action lawyers), with the exception of the defence attorneys, distrusted the evidence put forward by the psychiatrists. In both trials, the prosecutor and the civil action lawyers did not hesitate to play one psychiatric opinion against the other. Additionally, they disagreed with the psychiatric diagnoses when they suggested the defendant was not liable for her actions – a view that was contrary to their own belief that the murders were an act of revenge.[32] Melancholia was the consequence of the defendant's crime, of her realising its enormity, they stated, and did not precede it. During the second trial, psychiatric rationality became the central point of contestation as the outcome hung in the balance. Faced with the risk of a renewed verdict of "total mental confusion", distrust turned to overt rivalry and even hostility. The press conveyed this confrontation in vivid language: "Tough fight between prosecutor and psychiatrists" and "electric atmosphere in court", "sharp altercations" and "violent battle of opinions", "intense battle over the psychiatric report", etc.[33]

The prosecutor was most insistent on refuting the validity of psychiatric expertise, asserting that Jane Brown faked her suicide and only wanted to avenge her husband, even if the consequences were so terrible that she became temporarily deranged. The Medea script shaped his reasoning: a foreign mother had killed her children after finding out about her husband's adulterous behaviour. This, and other literary or mythical accounts, offered him some sort of fictional explanation for her actions. Psychiatry, he suggested, could not settle this matter; it was a "discipline studying an immaterial world" that did not convince him. Drawing "lessons" from literature, history and mythology, he explained that in normal circumstances, a mother who killed her children was a common murderess. However, all circumstances were not the same. Women who perished with their children but were "imbued by noble values", such as the Souliotisses, the women of Souli who chose to die with their children in order to save them and themselves from the Turks, differed radically from the "barbaric" bride of the ancient Greek king – Medea – who, like Jane Brown, was driven to her act by her terrible passion for revenge.[34] Likewise, Jane Brown's attempted suicide was a faked one. In that she differed radically from Lucretia, who committed suicide out of shame, after her rape.[35] The prosecutor repeatedly stressed in both trials that like the tragic queen Medea, Jane Brown was not

[32] *Βραδυνή*, 25 September 1961, 1, 7.

[33] *Βραδυνή*, 18 November 1961, 1; *Ακρόπολις*, 18 November 1961, 1; *Έθνος*, 18 November 1961, 1, respectively.

[34] *Έθνος,* 18 November 1961, 6.

[35] *Βραδυνή,* 18 November 1961, 7; *Έθνος,* 18 November 1961, 6; 18; *Ελευθερία,* 18 November 1961, 5; *Έθνος,* 20 November 1961, 6.

Greek but a foreigner. By killing her children, she had committed "one of the most horrible and rare crimes, similar to which can only be found in prehistoric times". And as with Medea, the "child killer", one could feel more pity for her than indignation. However, she had to be condemned so that "the world's children be kept safe from slaughter".[36] Hence his demand for a verdict that would find her guilty but would also recognise her partial mental confusion. He resumed his closing argument with Jason's last words in Euripides' *Medea*: "No Greek woman would have dared to do this."[37] Not only was the use of literature, myth and history as counterarguments in the juridical debate never disputed in court, but – as it will be shown below – it abounded in the press as well. It was as if the Medea script, and especially her alterity – both as a non-Greek and as a momentarily deranged woman-mother – was the only means to make this horrible crime intelligible.[38] Otherwise it contradicted all accepted notions of womanhood and motherhood synonymous with the love and protection of a mother for her children. As the defence lawyer argued: "The mother who gives birth and raises her children with constant pain, care and risk, can she kill them if she is mentally sound? No, she cannot!"[39]

In his discussion of the case, published some years later, Stringaris was the only one who vividly contested the "superficial comparisons and parallels with Medea, that is, between a myth and an unrepeatable individuality". He called them "unscientific" and insisted that they created a false and misleading sense of comprehension. He considered the "arbitrary interpretation of [Jane Brown's] act by Media's passion for revenge" to be most inadmissible and totally contrary to fact.[40]

From a juridical point of view, the confrontation between the judiciary and psychiatrists concerned the central question: who had the ultimate responsibility to assess the offender's mental condition? Had the judge the prerogative to disagree with the psychiatric diagnosis? Or would this amount to an "impermissible abuse of power", as Stringaris claimed? In his words: "For the judge, psychiatric expertise has the binding importance of perfect evidence". If the court continued to have doubts, it was possible to summon additional

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[36] *Έθνος*, 25 September 1961, 8.

[37] Ibid.; *Αθηναϊκή*, 25 September 1961; *Έθνος*, 20 November 1961, 6.

[38] On alterity as an interpretive narrative for "hideous crimes", see Avdela, "Making Sense of 'Hideous Crimes'."

[39] *Έθνος*, 25 September 1961, 8.

[40] Michael G. Stringaris, "Η περίπτωση [Brown] (παρατηρήσεις και συμπεράσματα από δύο δίκες)," *Επιστημονική Επετηρίς Σχολής Νομικών και Οικονομικών Επιστημών Αριστοτέλειου Πανεπιστημίου Θεσσαλονίκης* 14 (1966): 482.

expert opinion.[41] In fact, this is what happened, with the new psychiatric expert, Mikropoulos, taking a radically different position than his colleagues and stating that the defendant had full mental capacity during the act and, therefore, could be held liable for her acts.[42]

Having been verbally attacked in court, the psychiatrists believed that the criticism they had received reflected an ignorance on the part of the judges: they were inadequately informed about scientific developments on issues concerning liability. This made psychiatric expertise even more necessary, as forensic psychiatrists insisted on their effort to promote their presence in penal cases. According to Stringaris, psychiatric expert reports were the quintessential scientific assessors in a criminal trial and, as such, were incontrovertible. In this specific case, in spite of the discrepancies among the various diagnoses in respect to Jane Brown's mental condition, almost all psychiatrists who had examined her concurred that she was mentally disturbed during the crime and, therefore, was not fully conscious of its wrongful character. The testimony of the only psychiatrist who, summoned by the civil action as a supplementary expert during the second trial, declared that, in spite of her mental disturbance, Jane Brown was liable, was described by Stringaris – and the defence attorneys during the trial – as "a parody".[43]

The controversy did not solely concern the judiciary and the psychiatric experts. It concerned equally the jury, namely the popular judges. This was evident to everyone involved, the prosecutor, the attorneys for the defence and the civil action, the judges, but also the press. As representatives of the "common people", the jurors were considered impressionable and their verdict unpredictable. Consequently, their existence was repeatedly questioned. After the Athenian jurors reached a majority verdict of total mental confusion in the first trial, the prosecutor asked the judges to invalidate it, arguing that "according to his information" the majority was narrow and that "three women jurors were adamantly in favour of acquittal and dragged with them two male jurors".[44] Women jurors were still a relatively new feature in juries, having only

[41] Stringaris, "Η περίπτωση [Brown]," 491.

[42] GAK, Athens Assessors, II and *Ελευθερία*, 19 November 1961, 11.

[43] Stringaris, "Η περίπτωση [Brown]," 491. See also *Τα Νέα*, 5 June 1961, when, a few days after the crime, the daily sought the opinion of the old forensic psychiatrist and former director of the Judicial Psychiatry of Athens (Δικαστικό Ψυχιατρείο Αθηνών) Konstantinos Mitaftsis. Without examining Jane Brown, he declared that "the crime derived from the pathological mind of the child-killer; that Medea did not kill her children for revenge", and that Jane Brown had no liability and should be admitted to a psychiatric facility.

[44] *Αθηναϊκή*, 25 September 1961.

been allowed to sit on them in 1953, and their presence was still a source of resentment for the judiciary. The outcome of the case did little to mitigate these feelings. Additionally, the president of the court stated that "in central Europe the institution of jurors has been abolished".[45]

Stringaris was also sceptical as to the capacity of the jurors to determine liability, since their more or less random composition made their verdict unpredictable. As he explained, in the first trial the majority of Athenian jurors were medical doctors and other scientists, who understood better and accepted psychiatric rationality, whereas in the second, held in a Piraeus court, they were less educated. More representative of "public opinion", the latter were more influenced by the extraordinary social pressure to condemn Jane Brown for her crime. He defined "public opinion" as "the shocking impression that was produced in society by the horrible strangulation of three innocent beings, three small children, in their sleep, by their own mother … Such were the intense emotions of the crowd that it demanded satisfaction with punishment as atonement."[46] This "public opinion" exerted pressure on the jurors, but also on the judiciary and even on some psychiatrists through the irony and the ridicule that they repeatedly faced.

The Press as Advocate of "Public Opinion"

The Athenian press followed the Brown case extensively in all its stages – the crime, the first trial and the second trial. With lengthy front-page reports that continued inside, large photos with dramatic captions, bold headlines of various sizes, the presentations stressed the "enormous social content" that was attributed to the case and the "vivid emotion and the huge interest" that it was believed to have generated in "public opinion".[47] In several newspapers the reports were bylined by known journalists, "special collaborators" of each daily. Their articles often contained very fictionalised melodramatic presentations, constructed narratives with supposedly detailed descriptions of places, acts and thoughts, as if the author – always a man – was himself a witness.[48] They were

[45] Ibid. It was a rare occurrence for a conservative judge in the early 1960s to admire whatsoever was happening in "central Europe", meaning mostly communist countries. For the introduction of women jurors and the critique of the supposed leniency of juries, see Avdela, *"Δια λόγους τιμής"*, 166–75.

[46] Stringaris, "Η περίπτωση [Brown]," 485, 487–88.

[47] *Τα Νέα*, 21 June 1961, and *Βραδυνή*, 16 November 1961, 1, respectively.

[48] Namely: Ilias Malatos (*Βραδυνή*), Nik. G. Stathatos (*Έθνος*), N.I. Marakis (*Τα Νέα*), (*Αθηναϊκή* and *Ακρόπολις*). N. Papadopoulos, E. Thomopoulos, and Ilias Malatos excelled in fictionalised narratives, but they were not alone.

accompanied by excerpts from the official texts – the psychiatric expert report, the indictment, etc. – and the court records. This was not a local particularity. According to Australian legal expert Bronwyn Naylor, press crime narratives

> involve patching together and reworking of pre-existing texts – police reports, police press conferences, legal documents, various preliminary court appearances … – and the trial itself: counsels' packaging of the story in different ways, the witnesses' evidence, the judge's re-presentation of it … Of course, the press also reports the trial as performance: how people looked, whether the accused wept or showed no emotion, who was there, how the jury responded.[49]

Likewise in this case, the reports during the two trials gave detailed descriptions of the defendant's appearance and attitude, of the behaviour of the various witnesses, of the public's reactions, as if the trial, a public event by definition, was indeed a stage on which different actors performed their roles: the "heartless and apathetic" killing-mother, the "agonising" father, the "confusing" scientists, the "rational" prosecutor and the "passionate" audience.

With minor exceptions, all newspapers adopted the Medea script. Jane Brown was called alternatively the "Medea of Kalamaki", "American Medea", "Medea of the twentieth century", "Medea in a modern variation".[50] The crime was styled to be unprecedented in Greece. References to women child-killers in other countries, together with the constant mention of Jane Brown's nationality, underlined the "foreign" character of her case. For some dailies she was "a raging mother who kills", the "heartless, barbarian Medea", "the worst criminal that humanity has given birth to", "a perverted mother". For others she was a miserable and crazy woman, "the American defendant, who in a fit of rage ceased to be the mother of her three children".[51] That the same journalists may in the past have more than once reported – often using the same rhetorical forms – on Greek cases of new-born infanticide, especially in the countryside, was temporarily set aside.[52]

The question that arose over and over again was: "How is it possible for a woman, a mother who felt three times the breath of life stir in her entrails, to come to this point of degradation?"[53] The identification of Jane Brown with Medea provided an intelligible answer: they were both foreigners, imbued with mores

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[49] Naylor, "The 'Bad Mother'," 157.

[50] Passim in all newspapers but *Ελευθερία*, with only one reference in *Έθνος*.

[51] Respectively: *Βραδυνή*, 29 May 1961, 1; 30 May 1961, 7; *Αθηναϊκή*, 30 May 1961; *Έθνος*, 15 November 1961.

[52] Avdela, "Making Sense of 'Hideous Crimes'," 312.

[53] *Βραδυνή*, 26 September 1961.

and ethics different from the "pure patriarchal Greek traditions". Most journalists described Jane Brown as a fanatically religious individual, but framed as Medea some replaced those earlier observations. For them, she was now an over-sexualised being, inadmissible as this was for a married woman. She was even attributed a "manic thirst for carnal passion" that was "evident in her repeated births" (sic); her "dark erotism", once unsatisfied and betrayed, led her to this terrible revenge.[54] At the same time, her evident apathy and frostiness in both trials, her expressionless and unemotional attitude – a sign of her pathology, according to the psychiatrists – were considered a common feature of "Northern peoples", further underlying her foreignness. The apparent contradictions of the different journalistic accounts went unnoticed. It was repeatedly maintained that no Greek mother could remain so passive and apathetic after killing her three children. No Greek mother would have reacted to the infidelity and violent behaviour of her husband with such a horrible act. No Greek woman could tolerate such an abomination.[55] The crime was described to have particularly affected "Greek mothers", who were said to have attended the trials in large numbers. There,

> they were looking at [Jane] and their maternal instinct, deeply wounded by her unholy act, collided with the human emotion of clemency … Yet as much as they wanted to behave humanely, as much as they tried to find a word, an excuse that would lighten her position, they could not.[56]

The emphasis on the offender's foreignness culminated after the unexpected verdict of the first trial. It even drove the journalist and playwright Alekos Lidorikis to pen a vignette, imploring the Greek authorities to hand Jane Brown over to American jurisdiction: "Ladies and gentlemen, [Jane Brown] does not belong to us! She has nothing to do with Greece nor with Greek justice … She does not fit here … Send the 'Medea' back to whence she came!"[57]

This emphasis on Jane Brown's alterity supported the press' resistance to accepting the psychiatric opinion that her mental condition could have rendered her not altogether liable. To the question whether she was mad or evil, most journalists concurred that she was deranged in one way or other, but made clear from the outset that the court should not accept this as "a mitigating circumstance, as is often the case, for her terrible crime".[58] This last point proved

[54] *Αθηναϊκή*, 30 May 1961.

[55] See especially *Βραδυνή* and *Αθηναϊκή* for such emotional formulations.

[56] *Βραδυνή*, 21 November 1961, 5.

[57] *Ακρόπολις*, 29 September 1961, 1, 7.

[58] *Βραδυνή*, 30 May 1961, 1.

decisive because immediately the press clarified, with more or less intensity, that "public opinion" would not accept a verdict of total insanity and acquittal. Jane Brown had to be somehow punished for her abominable act.

"Public opinion" was constantly evoked in the press narratives, with vivid descriptions that often conveyed a sense of corporeal presence: "crowds of people", "congested courtroom", people "in the corridors and outside the court", expressing "strong emotion and immense interest", "overflowing audience" defying "the law of overcrowding" were some of the expressions used to convey the great public interest in the case.[59] The "Greek mothers", the numerous women who were said to comprise the majority of the court's audience in both trials, the dense crowds described to have "flooded" the courtroom and gathered outside, the "people" avidly following the case, constituted in the press narratives a protagonist in its own right, next to those directly involved in the crime, along with the judicial agents and the psychiatric experts. Far from passive, this massive "public opinion" was highly expressive in public: it commented on the case and expressed its strong feelings about the defendant, the psychiatrists and the jurors. The performative aspects of the court trial accentuated the embodiment of "public opinion" in the press, and comments directed towards Jane Brown's attitude and appearance reflected this. Her coldness and apathy, even indifference, was repeatedly compared with what was described as her prim sartorial choices, her jewellery, her manicured hands. The latter were said to have provoked indignation among women in the audience, purportedly heard to exclaim: "God, no! She takes care of her hands with which she strangled her own children!"[60] The first verdict of acquittal was said to have provoked "major surprise" and "indignation" in the audience and negative comments about the Athenian jurors, but also "a storm of criticism" in the general public. The second trial drew an even denser crowd, "silent and mute", presented as relieved by the new verdict, which condemned Jane Brown but also recognised her "fit of rage" due to her husband's adultery as a mitigating circumstance.[61]

"Public opinion" did not comprise only those attending the trials in person, but also the generic "people" who were moved and horrified by the case as it unfolded. Even when conceding that Jane Brown was somehow deranged, it was presented as demanding some sort of retribution for this "unnatural" crime. Stringaris acknowledged the pressure of "public opinion" as a crucial factor for

[59] See all of the above-mentioned reports.

[60] *Ακρόπολις*, 29 September 1961, 5.

[61] Respectively: *Ακρόπολις*, 26 September 1961, 1; *Αθηναϊκή*, 27 September 1961; 17 November 1961.

the invalidation of the first verdict and the condemnatory second one. In his words: "They generally blamed the psychiatrists for designating everyone as crazy, because no one could tolerate, in the midst of this generalised frenzy, the involvement of the cool scientific reflection."[62]

Of course, psychiatrists were not the only ones in the case with "scientific reflection". There was also the judiciary, for the press an important barrier against the confusing psychiatrists and the easily misled jurors, ensuring that the "common sense of justice" would be respected. As *Βραδυνή*'s leading crime reporter put it after the outcome of the first trial:

> Certainly, the mind of the jurors, these simple and mentally healthy individuals, with deeply rooted, pure patriarchal Greek traditions, could not possibly conceive and believe that a rational being could commit such a crime. And they gave their answer: "Yes, [Jane Brown] is guilty of homicide, but with the mitigating circumstance of total mental confusion. However, the dispassionate reasoning of the objective judges of Themis came to revoke their verdict. They thought differently. And with their decision to proclaim the verdict wrong, they gave them the answer: "Maybe you are wrong. Let us discuss the matter again…"[63]

In other words, for part of the press "popular judges" could prove to be unworthy representatives of the "people", misled, in spite of their sincere intentions, by confusing "experts". Exerting pressure on the "rational" judiciary to bypass both and punish Jane Brown, journalists declared themselves exponents of "public opinion", promoting it to the position of a decisive actor in the resolution of this social drama. "Public opinion" was presented as expressing the "common sense of justice" that the penal law and juries' verdicts were supposed to satisfy.

Conclusion

The Brown case continued to provoke public interest long after Jane was condemned to 16 years' imprisonment. In 1962 she was visited by Princess Marie Bonaparte, a French writer and psychoanalyst, closely connected with Sigmund Freud.[64] And in

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[62] Stringaris, "Η περίπτωση [Brown]," 488.

[63] *Βραδυνή*, 26 September 1961.

[64] *Τα Νέα*, 15 June 1962, 1, 7. Journalists Nikos Kakaounakis and Errikos Bartzinopoulos in their book, *Οι μεγάλες δίκες στην Ελλάδα* (Athens: s.n., 1971, 383), mention, without citing their sources, that Jane Brown was accorded a pardon two years after her conviction and left for the United States. They maintain that she later wrote a letter to her counsel, St.

1978, Jules Dassin used the case as the basis for his movie, *A Dream of Passion*, in which he identified her with Medea.[65]

In the end, three different rationalities confronted each other in Jane Brown's case – but also in other "unheard of" crimes tried in the same period: the penal, the psychiatric and the rationality of "public opinion" claimed by the press. The court, of course, is by definition a place of power, of preservation and reproduction of hegemonic values embedded in law. Whenever psychiatrists are summoned, it also becomes a site of conflict for hegemony between scientific rationalities. Yet, the narrations generated in court are varied and often opposing. Their interpretation is subject to negotiation at different levels: during the trial by the different participants, but also in its wider reception, through the audience and their reaction during the trial or in the press and its comments. The court narrations circulate in a variety of "publics" that perceive them in multiple ways, place them in different conceptual frameworks and, according to the historical context, appropriate or reject them. The different interpretations that are confronted during the trial are multiplied through their circulation and are related to other more general issues, such as – in our case – the administration of justice, the prerogatives of motherhood, the contribution of psychiatry, the content of Greek identity, the role of the jury, etc.[66]

In the Brown case, there are few indications that the public interpretations varied in any significant way. The Medea script dominated. As a cultural symbol, it combined a positive Greekness from its ancient creator and a negative foreignness from the attributes of its homonymous heroine. It saved Greek motherhood, that is, proper motherhood as a core value of Greekness. So powerful was it that it made it impossible for psychiatrists to have their expertise accepted by either the judiciary and "public opinion". The possibility that Jane Brown totally lacked her sense of reason during her crime generated disbelief and anxiety, with the psychiatrists' discourse proving unintelligible. The sense of justice against the indefensible death of three small children at their mother's hands prevailed over the acknowledgement of Jane Brown's mental disease. Because the Brown case stirred up deeply rooted cultural norms and values, especially regarding motherhood and national identity, it became a public site. In other words, it acquired a wider meaning than its

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Triandafyllou, saying that she was well and missed Greece and wished to visit it sometime in the future. I was unable to corroborate these claims.

[65] In the film, Melina Mercouri impersonates a famous Greek actress who, trying to play Medea convincingly, visits repeatedly in prison an American woman who had killed her three children out of revenge. Even today, a Google search of Jane Brown's actual name in Greek produces some 582 results.

[66] Avdela, *"Δια λόγους τιμής"*, 99–100.

constituting facts. In the court, the confrontation between institutional discourses was, by definition, unequal and provoked loud reactions, with the "public" following the case – either present, as an audience, or absent, as readers – as a sort of spectator-witness of the drama. Through the Medea script, the press reports, but also the juridical approaches, imposed from the outset a rather univocal interpretation of Jane Brown's crime to the watching public. In this framework, her silence and apathy were construed as indications of her foreignness and as proof of her cold-blooded satisfaction in her revenge; hence the possibility of acquittal on the grounds of insanity was refused. Her rejection as unnatural, alien and disturbingly feminine underlined her alterity from anything "Greek". This way, the hegemonic values regarding femininity, motherhood and Greekness – central notions in Greek culture – were safeguarded. Only the mitigating circumstance of acting in a "fit of rage" that produced partial mental confusion was accepted because it did not preclude punishment, and it was a familiar variant in the Greek courts in cases of violent crimes of passion or honour, provoking vivid public emotions during this period.

These were times marked by what we called an "enlarged publicity". In a period of increasing circulation and diversification of the daily press, rapid urban migration and massive mobilisation, when new political subjectivities were formed that provoked cultural anxieties, when the extreme poverty of the previous years seemed to have been left behind, and mass consumption and the cinema proposed new norms, "public opinion" was presented to be massively present and loquacious. In homicide cases involving violent emotions and murderous passions, such as Jane Brown's and those referenced at the beginning of this article, the loud reactions in the courtroom; the letters written by admirers of the perpetrators; the expressions of support for the victims; and the abhorrence of the offenders all characterised the growing demand for a public discourse that captured the expectations and fears that had been generated by a rapidly changing world. Crowds packed the courtrooms in the 1960s, thirsty for fearmongering, revering those whose attitudes sounded familiar and intelligible, hating and abominating whatever was deemed "monstrous" and strange. Front-page headlines surrounded by big snapshots with lurid captions and sensational narrations placed private affairs in the public domain, enticing the public's reactions. Demanding that Jane Brown be punished was in tune with the cheering that followed the acquittal of the Iranian officer, the paroxysm around the Athenian "psychopath murderer" or the "ogro-phobia" that swept the country.[67] However, it also differed from these cases in the fact

[67] Avdela, "Making Sense of 'Hideous Crimes'." See, in this volume, Despo Kritsotaki and Panagiotis Zestanakis, "'Pervert, Sadist, Voyeur and Necrophile': Pathological Sexual Desire in the Case of the Dragon of Sheikh Sou, 1959–1963."

that she was a foreign woman, a mother who had killed her own children, in an outrageous affront to both motherhood and Greekness.

The "public opinion" that the press repeatedly evoked was elusive and hypothetical, a bodiless witness mediating between the crowds of attendees and a generally interested public, codifying values that were considered common. Gender relations and the place of women within the private and public setting were at the centre of anxieties generated by the surrounding cultural transformations. It was precisely as a process of mediation and codification that "public opinion" was framed as a "third" factor in the evolving relationship between judges and psychiatrists. In this process, issues of established consent were validated or questioned, politicising the growing and massive presence of "public opinion". Although it is impossible at this point of the research to generalise, it becomes obvious that in order to understand what the constant invocation of "public opinion" meant during the 1960s, we need to place it in the context of the social and cultural transformations that were taking place, acknowledging that these were both deeply profound, but also ambiguous and fragile.

University of Crete