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A b s t r a c t

“Killed her husband with an axe…”: Narratives of Mariticide and the Female Criminal Subject, Transvaal, 1917-1935

by

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This thesis examines the crimes of mariticide, attempted murder and assault with intent to murder in the Transvaal between 1917 and 1935. This was a period marked by increased migration to the cities, rapid industrialisation and urbanisation, crucial legislative changes, and socio-political transformations as the Union government firmly established a new system of administration. The thirteen cases examined in this study were tried before the Supreme, Magistrate, and District Circuit Courts. The cases used in this study explore the crimes of mariticide, attempted murder and assault with intent to murder, with a particular focus on how the women accused of these crimes were treated by the legal system. By exploring the development of the Criminal Procedure and Evidence Act of 1917, this study endeavours to examine these cases on the basis of intent, premeditation and malice. Additionally, this thesis pays special attention to the relationship between mercy and the death penalty and how it impacted the ways in which these women were sentenced. The relationship between urbanisation and the agency of women within these spaces is an important point of consideration that influenced the verdicts reached by juries. This project explores the various motives some women proffered to justify why they committed these crimes and how others manipulated the court system to warrant a lighter sentence. By exploring the legal and social history of this time, the study then concludes with an analysis of how these women were represented in newspaper narratives of the *Rand Daily Mail*. Additionally, it explores how these media narratives in conjunction with legal discourses pandered to common ideologies of racial and class hierarchies. Therefore, this study focuses on the female criminal subject and their agency within the courts and society more broadly, as their crimes were seen as considerably rare cases of violent acts. This dissertation contributes to the historiographies of female criminality and subjectivity, the socio-legal context of the early Transvaal, women’s agency, the domain of marriages and domestic violence, and the racial and gender dynamics of an unfair and biased legal system that operated in segregation-era South Africa.