

# A Window into their Lives: The Women of the Faubourg Saint-Antoine, 1725-1765

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## Recommended Citation

Leonard, Julie Elizabeth, "A Window into their Lives: The Women of the Faubourg Saint-Antoine, 1725-1765" (2009). *Dissertations (2009 -)*. Paper 7.  
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A WINDOW INTO THEIR LIVES:  
THE WOMEN OF THE FAUBOURG SAINT-ANTOINE, 1725-1765

by

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A Dissertation submitted to the Faculty of the Graduate School,  
Marquette University,  
in Partial Fulfillment of the Requirements for  
the Degree of Doctor of Philosophy

Milwaukee, Wisconsin

December 2009

## ABSTRACT

### A WINDOW INTO THEIR LIVES: THE WOMEN OF THE FAUBOURG SAINT-ANTOINE, 1725-1765

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Marquette University, 2009

This study is an examination of laboring class women of Paris during the early eighteenth century. These women did not leave written records of their lives, so information about them comes from legal and judicial records, specifically the papers of the *commissaires de police* and the records of criminal cases that went before the Châtelet, one of the royal courts of Paris. By examining the challenges and conflicts that individual women faced, we can better understand how laboring-class women of eighteenth-century Paris successfully navigated the legal and customary restrictions that were part of the patriarchal system under which they lived.

The first two chapters set the stage for the drama of eighteenth-century Parisian life that is described the later chapters. The first chapter provides a description of the city of Paris as a whole as well as a detailed look at the Faubourg Saint-Antoine, the focal area for this study. Chapter Two examines the place of women within French society in terms of the early modern views about women and the laws that governed their lives. While eighteenth-century women understood the subordinate position was assigned to them by the law and custom of France, they also demonstrated a willingness to circumvent the controls on their lives when necessary, thus further complicating our understanding of their lives. Chapter Three explores how women made use of language and actions that drew on eighteenth-century understandings of women to either avoid consequences of misbehavior or as part of an effort maintain their position within the neighborhood. Honor and reputation were of vital importance to women's survival in eighteenth-century France, and threats to one's standing were taken very seriously. In Chapter Four, we look at how the strategies explored in Chapter Three were used to confront the conflicts that were part of life in the domestic sphere, especially those that threatened a woman's economic or even physical survival by forcing them to respond to a variety of primary associates. In Chapter Five, we continue this examination of honor and place for eighteenth-century women by looking at how these conflicts played out within the wider community.

## ACKNOWLEDGMENTS

Julie E. Leonard

There are so many people to whom I am indebted and who deserve my thanks. I would first like to thank my parents (William and Marcia) and my siblings (Maura, Liam, Roisin, Pauline, and Eamonn), whose love and unwavering faith in me sustained me throughout the project. I thank Paul for his love and support, especially in the final stages of writing when I needed that extra push to finish the project. Thanks to all of my friends for their encouragement which has been so important to me during every stage of my research and writing. Whenever I doubted myself, you all helped to believe in myself. I would like express my particular gratitude to Martin Quirk, my graduate school office partner and colleague, and Kate Kendall, my archive buddy and dissertation partner, both of whom have acted as mentors when I needed sounding boards for my ideas and as readers for my chapters. I also thank Amy Braam, a kindred spirit, for being my morale coach through the years. Thanks to everyone who shared their ideas and insight into my project, my research, and my writing.

I owe special thanks to Dr. Julius Ruff, my dissertation director, whose patient guidance has helped me to achieve my potential as a historian; without him this dissertation would not have been possible. I also thank my dissertation committee, Fr. John Patrick Donnelly and Dr. Carla Hay, for taking the time to read my dissertation and for helping me to improve it.

I will be eternally grateful to you all.

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## INTRODUCTION

### Literature Review – Women in Early Modern France

“Gender is a constitutive element of social relationships based on perceived differences between the sexes, and gender is a primary way of signifying relationships of power ... and it provides a way to decode meaning and to understand the complex connections among various forms of human interaction.”<sup>1</sup>

“There is no single history to be told of the history of women in any period but rather many stories.”<sup>2</sup>

These words, from two of the twenty-first century’s chief students of women’s history, provide the starting point for the present study. We will further pursue Joan Scott’s interpretation of gender as a means of understanding the patriarchal society of early modern France, especially as it affected women, whose lives were particularly restricted under the system of laws and customs that were in use. Through an examination of the lives of laboring-class women and men of the Paris during the eighteenth-century, particularly their social relationships and the power structures which defined those relationships, we can decode the complexities of life for the poorer sections of French society during this period. At the same time, mindful of the words of Olwen Hufton, we will piece together the stories of the women of the Faubourg Saint-Antoine to achieve an understanding of laboring-class life in eighteenth-century Paris. We will examine the challenges and conflicts that individual women faced on a regular basis, so that we can better understand how laboring-class women of eighteenth-century Paris successfully navigated the legal and customary restrictions that were part of the patriarchal system under which they lived, especially how they were able to work with and around those restrictions. Historians of women and gender have, for the past few

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<sup>1</sup> Joan Scott, “Gender: A Useful Category of Historical Analysis,” *The American Historical Review* 91, no. 5 (Dec., 1986): 1067, 1070.

<sup>2</sup> Olwen Hufton, “Women in History: Early Modern Europe,” *Past & Present* 101 (1983): 126.

decades, attempted to piece together the lives of women by using new approaches to existing sources in order to create a more comprehensive story of humanity, one that corrects the imbalance that was created by those who presented women as merely impassive participants in the events created and controlled by men. The field of women's history or gender history has come a long way from the early works of Joan Kelly, Gerda Lerner, and others of a time when the question of whether or not women had a history was still being debated, though most historians of the field agree that much more remains to be done in some key areas. We, at least, will most likely not be faced with defending the legitimacy of our field of research.

Since the early 1970s, historians have increasingly acknowledged the importance of studying women's experience in past civilizations. To provide here even a basic overview of the historiography of the work that has been done in the field in the past four decades would require an essay far too lengthy for an introductory chapter of a dissertation. Given that my focus is on the history of early modern France, I will, therefore, limit my literature review to those works that concern the study of women and society of France and the eighteenth-century, an area of research that is rather extensive in itself.<sup>3</sup> One challenge faced by those historians who were at the forefront of the effort to illuminate the experience of women during this period in France was that much of what had previously been written about women was based more on anecdote and behavioral manuals, on what was written about the image or status of women and what

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<sup>3</sup> For more general reviews on the historiography of women in European history, see Olwen Hufton, "Survey Articles Women in History: Early Modern Europe," *Past and Present* 101 (1983): 125-141; Joan Scott, "Survey Articles Women in History: The Modern Period," *Past and Present* 101 (1983): 141-157; Karen Offen, "French Women's History: Retrospect (1789-1940) and Prospect," *French Historical Studies* 26, no.4 (Fall 2003): 727-67; and Natalie Zemon Davis, "'Women's History' in Transition: The European Case," *Feminist Studies* 3, no. 3/4 (Spring-Summer, 1976): 83-103.

they were supposed to be, rather than on archival sources about what they did. A pioneering study in this regard was Léon Abensour's book, *La femme et le féminisme avant la Révolution*, intended to place women's experience in eighteenth-century France within mainstream history by going to archival sources (local judicial, financial, and administrative records) rather than relying on printed sources about proper female comportment.<sup>4</sup> Abensour recognized that a true understanding of the female experience requires not only investigation of the image of woman held by others and by women themselves, but also an examination of their actions and relationships, which in and of themselves have meaning and significance.<sup>5</sup>

Nevertheless, many early studies, and especially the general surveys, focused on those elite women whose lives have been preserved through written records they left behind, such as letters and journals. The authors of these works often inferred from limited source material that the experience of one group of women could explain that of all women. Indeed, non-elite women were part of a faceless mass in French society that left little record for students of the past. The majority of the French crown's subjects were illiterate in our period, unable even to sign their names at marriage in their parish registers. As late as the period 1786-1790 in the most literate part of the kingdom, France north of the line from Saint-Malo to Geneva, only 77 percent of men and 44 per cent of women could sign their marital acts.<sup>6</sup> Thus largely in the post-World War II era social and economic historians devised new strategies to study illiterate populations through records kept about them by their literate contemporaries. These included parish priests

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<sup>4</sup> Léon Abensour, *La Femme et le féminisme avant la Révolution* (Genève: Megariotis Reprints, 1977).

<sup>5</sup> Michelle Zimbalist Rosaldo, in Scott, "Gender: A Useful Category of Historical Analysis," p. 1067.

<sup>6</sup> Natalie Z. Davis and Arlette Farge, eds., *Renaissance and Enlightenment Paradoxes*, vol. 3 of Georges Duby and Michelle Perrot, eds., *History of Women in the West* (Cambridge, MA: Harvard University Press, 1993), p. 130. Literacy rates were far lower in the South.

whose registers of baptisms, burials, and marriages inform our present understanding of early modern demography. Notaries' records of marriage contracts, wills, and inventories at death form the basis for our understanding of the material circumstances of the mass of early modern French people. Police forces that kept records of market prices in order to prepare for civil unrest bred of privation provide us records of the cost of living. And records left by the vast legal apparatus of the Old Regime tell us much more.<sup>7</sup>

France is a country whose legal principles and practices are founded on Roman law, not Common law, and the kingdom's magistrates relied on detailed, written records of court proceedings to reach their decisions founded on inquisitorial rules of procedure. There was not the adversarial legal system of the English-speaking world that relied on oral arguments and produced a rather laconic written record at best. French criminal tribunals, especially, produced voluminous written records, including detailed complaints lodged with police officials and judges, *procès verbaux* of judicial examinations of crime scenes and physicians reports of injuries, and, most importantly, largely verbatim testimony of witnesses. Such records, when closely read, provide us a remarkable chronicle of social relations, petty conflicts, and quotidian details of life in another age

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<sup>7</sup> Michel Fleury and Louis Henry, *Des registres paroissiaux à l'histoire de la population: Manuel de dépouillement et de l'état civil* (Paris: Institut National d'Etudes Démographiques, 1956) was the fundamental work in modern demographic history. Daniel Roche, author of *Le peuple de Paris* (Paris: Aubier Montaigne, 1981), is this generation's foremost student of notarial records. Camille Ernest Labrousse, *Esquisse du mouvement des prix et des revenus en France au XVIII<sup>e</sup> siècle*, 2 vols. (Paris: Librairie Dalloz, 1933) and *La crise de l'économie française à la fin de l'Ancien Régime et au début de la Révolution* (Paris: Presses universitaires de France, 1944) pioneered the use of price records. François Billacois, "Pour une enquête sur la criminalité dans la France d'Ancien Régime," *Annales: Economies, sociétés, civilisations* 22 (1967): 340-49, announced the possibilities of criminal justice records, a process pioneered by: students of Pierre Chaunu at the Université de Caen like Bernadette Boutelet, "Étude par sondage de la criminalité dans le bailliage de Pont-de-l'Arche (XVII<sup>e</sup>-XVIII<sup>e</sup> siècles): De la violence au vol: En marche vers l'escroquerie," *Annales de Normandie* 4 (1962): 235-62; André Abbiateci, *et al.*, *Crimes et criminalité en France sous l'Ancien Régime, 17<sup>e</sup> – 18<sup>e</sup> siècles* (Paris: Librairie Armand Colin, 1971); and Yves Castan, *Honnêteté et relations sociales en Languedoc (1715-1780)* (Paris: Librairie Plon, 1974).

that form the basis for the present study and that are available in no other primary sources.

Historians first confined their use of such records to general studies of the lower orders of society. Jeffrey Kaplow and Olwen Hufton did much to counter previous generalizations about the members of the lower orders. Kaplow's study of the Parisian laboring poor brings to light their attitudes and beliefs and the conditions under which they lived. He also discusses the various divisions within the laboring class, clearly stating the case that they were not simply an undifferentiated mass and thus creating a nuanced picture of the Parisian lower classes that greatly contrasts with previous uncritical assumptions about their passivity.<sup>8</sup> Hufton also aims to bring the poor and others from the margins of history to the forefront. She explores who the poor were, how they became poor, how they were viewed by the establishment, and how they survived through use of "an economy of makeshifts" which enabled them to avoid the starvation and destitution that was present in the seventeenth century. We come to see how they used such tactics as seasonal migration and begging as means of survival in what were very difficult economic times for the majority of the French population.<sup>9</sup>

Begging as an occupation was a risky venture in early modern French society because of the legal consequences for those who were caught doing it. Thomas McStay Adams looks at the social policy that developed during this period to address what the government saw as a growing problem.<sup>10</sup> Distinctions were made between those considered honest beggars and those who had the ability to support themselves but who

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<sup>8</sup> Jeffrey Kaplow, *The Names of Kings: The Parisian Laboring Poor in the Eighteenth Century* (New York: Basic Books, Inc., 1972).

<sup>9</sup> Olwen Hufton, *The Poor of Eighteenth-Century France, 1750-1789* (Oxford: Clarendon Press, 1974).

<sup>10</sup> Thomas McStay Adams, *Bureaucrats and Beggars: French Social Policy in the Age of the Enlightenment* (New York: Oxford University Press, 1990).

appeared unwilling (in the eyes of the authorities) to do so. John Frangos examines how the authorities in Paris addressed the problem of the growing numbers of indigent in the city. He explains that institutions like the Hôpital-Général came to function as poorhouses and as “a place of refuge for the aged, abandoned and, in some cases, the sick and morally corrupted.”<sup>11</sup> It was not until the end of the century, however, that changing attitudes led to the re-creation of charitable institutions like the Mont-de-Piété in Paris, which served as a sort of municipal pawn shop. Originating in the middle ages, the Mont-de-Piété of Paris was originally established in 1637, and it functioned until 1644 when a decision of the Parlement led to its closure. However, it was created anew in 1777 through the efforts of the Controller-General of Finances, Jacques Necker and Lieutenant General of Police Lenoir.<sup>12</sup>

For the residents of Paris, and especially areas like the Faubourg Saint-Antoine with its high percentage of laboring-class people, one possible way to avoid falling into destitution and the consequent necessity of begging or criminal activity to survive was to marry and to combine the earnings of two adults. It was in family studies that social historians began to engage women’s history. Formation of a family unit was particularly important for women whose earning power was so much less than that of men. Much of the discussion about women in the eighteenth century has centered on their roles within the family. Because their status within eighteenth-century French society was defined by their roles as wives, mothers, and daughters, their place within the family is a logical means of better understanding the nature of their everyday lives. Philippe Ariès’

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<sup>11</sup> John Frangos, *From Housing the Poor to Healing the Sick: The Changing Institution of Paris Hospitals under the Old Regime and Revolution* (Cranbury, NJ: Associated University Presses, 1997).

<sup>12</sup> Cheryl L. Danieri, *Credit Where Credit is Due: The Mont-de-Piété of Paris, 1777-1851* (New York: Garland Publishing, Inc., 1991), pp. 10-19, 37, and 40-42.

pioneering study of the family examines the position of the family in French society, not from a legal standpoint, but more in terms of the experience of the family itself.<sup>13</sup> In his *La vie conjugale sous l'ancien régime*, François Lebrun also examines the functioning of the family through the nature of relations between women and men, how they chose their spouses, and their view of sexual relations both before and during marriage.<sup>14</sup> Jean-Louis Flandrin's study about the family focuses on the role of kinship in the family structure in an attempt to look beyond demographics to the true dimensions of the family.<sup>15</sup> For the family unit to function successfully, both husband and wife had to uphold their individual responsibilities within the marriage. The husband acted as the primary wage earner and authority figure for the family, and the wife served as caretaker of the family's needs within the home, which she was to accomplish while at the same time accepting the rule of her husband whose authority was to be absolute.

Given the challenges of life in eighteenth-century France, especially for those of the lower classes, a family had to have a strategy in place that would prepare the family unit to face those challenges. Arlette Farge examines the particular challenges facing women in early modern Parisian society, and she explains that women had to have a plan for how they would approach marriage (choosing a spouse, deciding when they were prepared to marry and raise a family, and even avoiding the missteps that would have made marriage unlikely if not impossible). Women had not only to think about their futures and devise a means for attaining what they wanted out of life (which was in essence to successfully survive in the face a myriad of difficulties), they also had to be

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<sup>13</sup> Philippe Ariès, *L'enfant et la vie familiale sous l'Ancien Régime* (Paris: Éditions du Seuil, 1973).

<sup>14</sup> François Lebrun, *La vie conjugale sous l'Ancien Régime* (Paris: A. Colin, 1975).

<sup>15</sup> Jean-Louis Flandrin, *Families in Former Times: Kinship, Household, and Sexuality*, trans. by Richard Southern (Cambridge: Cambridge University Press, 1979).

able to cope with any occurrence that might threaten their survival.<sup>16</sup> Natalie Zemon Davis's article "Ghosts, Kin, and Progeny" explores the challenges brought about by the relatively high mortality rate of both fathers and mothers during the early modern period, which resulted in blended families. How families strategized for the immediate and long-term (i.e. multi-generational) survival of the family affected how well the family weathered the difficulties presented by life in early modern France. This involved immediate economic concerns related to property and occupations of the members of the family, but the marriages of the children were also important considerations.<sup>17</sup>

A scan of the papers of the *commissaires de police* on which this dissertation is largely based makes it clear that many families were not successful in creating and/or following strategies toward a successful life.<sup>18</sup> Many cases involve one spouse making a complaint to the *commissaire* that the other spouse had failed to uphold the duties expected of him or her. Another action that could be taken by the aggrieved spouse involved the request of a *lettre de cachet*, which is the focus of Arlette Farge and Michel Foucault's study of disorder within the family and of that done by Claude Quétel. If a husband felt that his wife's behavior had gotten out hand, that her drinking had become excessive, for example, he could seek a *lettre de cachet* from the king authorizing the incarceration of his wife for a length of time. Not only do these cases tell us about the source of problems with the family, they also tell us about the methods used to influence the officials responsible for granting the *lettre de cachet*. Farge and Foucault tell us that

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<sup>16</sup> Arlette Farge, *Fragile Lives: Violence, Power and Solidarity in Eighteenth-Century Paris*, trans. by Carol Shelton (Cambridge: Polity Press, 1993).

<sup>17</sup> Natalie Zemon Davis, "Ghosts, Kin, and Progeny: Some Features of Family Life in Early Modern France," *Daedalus* 106 (1977): 87-114.

<sup>18</sup> A useful recent study of the *commissaires* is Vincent Milliot, "Le métier de commissaire: bon juge et <<mauvais>> policier? (Paris, XVIIIe siècle)," in Claire Dolan, ed., *Entre justice et justiciables: les auxiliaires de la justice du Moyen Age au XXe siècle* (Sainte-Foy, P.Q., Canada: Presses universitaires de Laval, 2005), pp. 121-36.

the words used and stories that were told as part of the process of requesting these letters were only modifications of the truth of the situation, further evidence of the conscious use of strategy toward a particular goal. Quézel points out that not all requests for incarceration were granted, especially in cases where it was clear that the efforts were nothing more than a vendetta against the spouse – a husband filing one because his wife had asked for a supplement to the money her husband gave her, for example.<sup>19</sup> Only after the outbreak of the Revolution of 1789 did divorce become a means of dealing with marital problems in France. Roderick Phillips looks at the role of divorce in familial problems as an end result of the breakdown of family relations.<sup>20</sup>

The breakdown of the family certainly affected the members of the family, but it also had an impact on the public order. We know that neighbors were witness to disturbances caused by spousal conflict and that neighborly intervention was sometimes considered necessary to prevent tragedy coming out of the conflict. But problems within the marital state also involved the very essence of French society, namely the issue of authority. According to Julie Hardwick, “the household was the fundamental block on which the rule of husbands, fathers, and kings was rhetorically and legally founded in early modern France,” and the negotiations for power and authority that occurred within families were reflected in what was happening within the political realm. The personal and familial were, according to Hardwick, directly linked to the public and political.<sup>21</sup> A breakdown of the familial authority structure could possibly threaten to weaken that of

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<sup>19</sup> Arlette Farge and Michel Foucault, *Le désordre des familles: lettres de cachet des Archives de la Bastille* (Paris: Editions Gallimard, 1982); Claude Quézel, *De par le Roy: Essai sur les lettres de cachet* (Privat: Toulouse, 1981).

<sup>20</sup> Roderick Phillips, *Family Breakdown in Late Eighteenth-Century France: Divorces in Rouen, 1792-1803* (New York: Clarendon Press, 1980).

<sup>21</sup> Julie Hardwick, *The Practice of Patriarchy: Gender and the Politics of Household Authority in Early Modern France* (University Park, PA: The Pennsylvania State University Press, 1998), p. 77.

the entire patriarchal system. In two studies Sarah Hanley explores this issue of authority and its reflection in the family of early modern France. As paternal authority supposedly proceeded directly from God, women owed as complete obedience to their husbands and fathers as they did to God. Laws regarding marriage were adjusted and amended to reflect the growing patriarchal power structure of the French state and society, particularly aiming to take control of power over marriage from the ecclesiastical authorities. At the same time, however, women did not simply passively accept this power structure. On the contrary, they “fashioned a counterfeit culture by observing, appropriating, or subverting law and custom to fit themselves.”<sup>22</sup>

Several studies address the issue of self-imaging and self-presentation by women of early modern France. In order to survive in spite of legal and customary restrictions, women had to be creative in how they approached their position within early modern French society. Arlette Farge in her various works has highlighted the ways in which women presented themselves, especially when they had a particular goal in mind, be it defense of themselves when faced with criminal accusations or as a means of achieving some benefit. For example, a young woman who found herself seduced, pregnant, and abandoned by the man responsible for her condition would attempt to persuade the *commissaire* who might be hearing her case that she had only entered into an intimate relationship with the man because she fully expected that they would be soon married.<sup>23</sup>

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<sup>22</sup> Sarah H. Hanley, “Family and State in Early Modern France: The Marital Law Compact” in Marilyn J. Boxer and Jean Quataert, eds., *Connecting Spheres* (New York: Oxford University Press, 1987), pp. 61-72; and Sarah Hanley, “Engendering the State,” *French Historical Studies* 16, no. 1 (Spring 1989): 4-27.

<sup>23</sup> Farge, *Fragile Lives*, p. 27; and Arlette Farge, *Vivre dans la rue à Paris au XVIII<sup>e</sup> siècle* (Paris: Éditions Gallimard, 1979); Arlette Farge and Christiane Klapisch-Zuber, eds., *Madame ou mademoiselle?: itinéraires de la solitude féminine XVIII<sup>e</sup>-XX<sup>e</sup> siècle* (Paris: Montalba, 1984); Arlette Farge, *Le miroir des femmes* (Paris: Montalba, 1982); Arlette Farge, *Le cours ordinaire des choses dans la cité du XVIII<sup>e</sup> siècle* (Paris: Éditions du Seuil, 1994); and Arlette Farge, *Subversive Words: Public Opinion in Eighteenth-century France*, trans. by Rosemary Morris (Cambridge: Polity Press, 1994).

What becomes clear from the studies of women in early modern France is that women faced unique challenges that shaped their experiences in a different way than the men around them, and as such these challenges are but one more argument against the early detractors of women's history who argued that women did not have a history worth studying as a separate field of inquiry. Moreover, law and custom of the time specifically addressed the aspects of life that were unique to women, and they were generally focused to some degree on the issue of morality.

Philip Riley's *A Lust for Virtue* is most helpful in explaining how important attacking immorality (or sin, as it was defined here) was to King Louis XIV and how that translated into policies that focused in large part on the women of his realm, who were seen as primary purveyors of sin and as temptresses who could easily snare men into sin and thus cause the loss of their souls. Women were, in fact, considered "Soldiers of Satan" and as such were particularly targeted by the police charged with the task of attacking sin at the king's behest.<sup>24</sup> Female sexuality was of special concern to those charged with upholding morality within the kingdom, which is made evident by the laws that aimed to control it. Women who found themselves pregnant, for example, were required by law to declare their pregnancies to the appropriate authorities, who could thus better prevent the possible disposal of unplanned-for children. The fear was that babies that were either aborted or killed just after birth were denied baptism, preventing them from entering into a state of grace and thus denying them eternal salvation. Marie-Claude Phan specifically studied the *déclarations de grossesse*, and Cissie Fairchilds has

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<sup>24</sup> Philip Riley, *A Lust for Virtue: Louis XIV's Attack on Sin in Seventeenth-Century France* (Westport, CT: Greenwood Press, 2001).

examined the sexual attitudes that led to a rise in illegitimate births.<sup>25</sup> While a more chronologically extensive study, Robert Wheaton and Tamara K. Hareven's volume *Family and Sexuality in French History* nonetheless addresses an ancillary issue, the use of contraception among the French. Controlling the size of the family was important to families who already struggled to feed themselves in the face of continued economic hardship.<sup>26</sup> Though the effectiveness of breast feeding as a means of contraception continues to be debated today, we know that many women sent their children out to wet nurses even at the risk of potentially increasing their fertility. George Sussman's treatment of the business of wet-nursing attempts to show the issue from the viewpoint both of the parents of the children sent to wet-nurses and of the wet-nurses themselves, and he explains its importance to women and families in France during this period. Women in the artisan class especially relied upon wet-nursing so that they could continue to work and contribute to the family economy.<sup>27</sup>

The primacy of the family unit in the structure of early modern French society cannot be questioned, though we should be careful about viewing women's history only through the institution of the family as we risk overlooking those who may not have fit into the traditional family structure. A sizeable percentage of the population, men and women, remained unmarried in the early modern period. The essay collection of Arlette Farge and Christiane Klapisch-Zuber entitled *Madame ou mademoiselle?* highlights the experience of single women and their importance as part of their society, to bring into

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<sup>25</sup>Marie-Claude Phan, "Les déclarations de grossesse en France (XVIe-XVIIIe siècles): Essai institutionnel," *Revue d'histoire moderne et contemporaine* 22 (1975): 61-80; and Cissie Fairchilds, "Female Sexual Attitudes and the Rise of Illegitimacy: A Case Study," *Journal of Interdisciplinary History* 8, no. 4 (Spring 1978): 627-67.

<sup>26</sup>Robert Wheaton, and Tamara Hareven, eds., *Family and Sexuality in French History* (Philadelphia: University of Pennsylvania Press, 1980).

<sup>27</sup>George Sussman, *Selling Mother's Milk: The Wet-Nursing Business in France, 1715-1914* (Urbana, IL: University of Illinois Press, 1982).

view a previously neglected group of women.<sup>28</sup> Olwen Hufton makes the claim that the number of spinsters rose during times of increased economic hardship, but Christine Adams's case study of the Lamothe sisters makes the argument that spinsters were not always forced into remaining unmarried. She argues that the experience of these two sisters demonstrates that, contrary to popular belief, singlehood did not necessarily translate into destitution and that some women actually chose and seemed to prefer to remain unmarried.<sup>29</sup> In fact, those women who had the means to remain unmarried seemed willing to do so, especially those who had achieved the age of majority and could exert more control over their own decisions.

Widows who did not remarry, at least those of the artisan class, were able to find a "measure of power, agency, and financial security" within the Parisian guild structure. In fact, as Janine Lanza points out, many were able to achieve a level of self-support that meant that they could choose to remarry or not as they wished, and those who did remarry did so as part of a strategic plan to fulfill their own financial goals.<sup>30</sup> That is not to say, however, that widowhood meant complete autonomy, financial or otherwise. As Julie Hardwick explains in her article, "Widowhood and Patriarchy in Seventeenth-Century France," widowers faced much less scrutiny after the death of their spouses than did widows. Despite an increased autonomy than was experienced within the state of marriage, widows were ultimately still subject to the same patriarchal system under

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<sup>28</sup> Farge and Klapisch-Zuber, *Madame et mademoiselle*.

<sup>29</sup> Olwen Hufton, "Women Without Men: Widows and Spinsters in Britain and France in the Eighteenth Century," *Journal of Family History* 9, no. 4 (1984): 355-75; and Christine Adams, "A Choice not to Wed? Unmarried Women in Eighteenth-Century France," *Journal of Social History* 29 (1996): 883-94.

<sup>30</sup> Janine M. Lanza, *From Wives to Widows in Early Modern Paris: Gender, Economy, and Law* (Burlington, VT: Ashgate, 2007).

which they had lived while married.<sup>31</sup>

Although women were able with varying degrees of success to manipulate their individual circumstances to suit their needs, the position of women within patriarchal French society remained relatively static. The laws and customs in place during the early modern period were clear and unyielding in their assessment of the female inability for self-rule and the need for male control over women. One interesting approach to this issue of control and female status is addressed by Susan Brownmiller and Georges Vigarello in their studies of the history of rape. Brownmiller posits that men's need to protect "their women" from being attacked and raped by other men was the original basis for woman's subordination to man, creating a concept of ownership, which would later lead to the solidification of male authority, of patriarchy. That violence in various forms was a part of daily life is well established, but Vigarello argues that the history of rape is about more than just a history of violence, that it "must be the history of a complex interrelationship between the body, attitudes and morality." Eighteenth-century understandings of female physiology led to the belief that a woman could not become pregnant in the absence of sexual gratification, meaning that if a woman is pregnant by what she claimed was rape, her accusation must be false. Even if she was not impregnated by her rapist, however, she was thereafter tainted by the shame of the encounter and was thus doubly victimized.<sup>32</sup>

The shame attached to rape, especially if the victim found herself pregnant, led to the marginalization of the women who were victims of rape. Such women joined the

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<sup>31</sup> Julie Hardwick, "Widowhood and Patriarchy in Seventeenth-Century France," *Journal of Social History*, 26, no 1 (1992): 133-148.

<sup>32</sup> Susan Brownmiller, *Against our Will: Men, Women and Rape* (New York: Simon & Schuster, 1975); and Georges Vigarello, *A History of Rape: Sexual Violence in France from the 16<sup>th</sup> Century to the 20<sup>th</sup> Century*, trans. by Jean Birrell (Cambridge: Polity Press, 2001).

ranks of criminals, beggars, and other “masterless” persons who did not fit into the fabric of early modern life in France. Robert Forster and Orest Ranum have collected several articles from the *Annales* that address the issues of prostitution, abandoned children, criminals, and those who did not otherwise fit into regular society. The authors of these articles define the behavior and the role played by marginals in society, albeit against the controls put in place by an authority that would have preferred they had not existed at all.<sup>33</sup> As much as the authorities of early modern France would have liked to rid their society of such people, these marginals were very much a fixture of it.

Prostitution, for example, functioned as a relatively open part of life in France. The location of brothels was well known by the police and the people, and the Paris police even went so far as to establish regulated houses of prostitution.<sup>34</sup> Attempts were made to control prostitution, but it was clear that it could not be eliminated completely. The demand for prostitutes’ services and the economic opportunities made available to poor women who entered into that profession, even if only temporarily, ensured that this “oldest profession” remained a part of French society. Erica-Marie Benabou’s study of prostitution explains just how engrained into French society prostitution was. She looks at not only the various reasons women entered into the profession and what type of women they were, she also explains the hierarchy which existed among prostitutes, from the low-level occasional prostitute who performed her services in public spaces or cheaply rented rooms to the high-level courtesans. For some women, particularly those

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<sup>33</sup> Robert Forster and Orest Ranum, eds., *Selections from Annales: Economies, sociétés, civilisations*, Vol. IV: *Deviants and Abandoned in French Society*, trans. by Elbourg Forster and Patricia M. Ranum (Baltimore: The Johns Hopkins University Press, 1978). For the issue of *enfant abandonné*, see Claude Delasselle, “Les enfants abandonnés à Paris au dix-huitième siècle” *Annales: Economies, sociétés, civilisations*, 30, no. 1 (1975) : 187-218.

<sup>34</sup> Riley, p. 169.

who ran brothels, prostitution offered business opportunities not otherwise available for most women. Yet contrasting the “benefits” of belonging to that profession were the efforts to repress prostitution along with the obvious physiological toll that often resulted from such work. Many of those women who entered into the profession did so because they had no other means of self-support, and they returned to legitimate work as soon as such work could be procured.<sup>35</sup>

Despite Louis XIV’s campaign to root out sin and vice from his kingdom, prostitution and other immoral activities continued to occupy a place within French society. Police attempted to control the less respectable side of Parisian life through registers kept by all lodging houses, surveillance of taverns, and regular nightly street patrols. Thomas Brennan’s study of public drinking and popular culture includes a discussion about the reputation drinking establishments had, especially in the minds of the police, for being dens of iniquity where every kind of illicit activity occurred. The taverns played an important role in male sociability and were well patronized throughout Paris. While it was not the case that every patron of the tavern had criminal tendencies, violence and crime did take place in such establishments.<sup>36</sup>

Women were generally excluded from participation in the sociability of the tavern, at least respectable women were. However, the judicial records do include accounts of altercations, some very physical in nature, that occurred in taverns involving women. Violence against women has long been a topic of discussion in studies addressing the history of women in French society. Women were subject to violence from other women, from husbands, from men with whom they might have developed a

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<sup>35</sup> Erica-Marie Benabou, *La prostitution et la police des mœurs au XVIIIe siècle* (Paris: Perrin, 1987).

<sup>36</sup> Thomas Brennan, *Public Drinking and Popular Culture in Eighteenth-Century Paris* (Princeton, NJ: Princeton University Press, 1988).

romantic relationship, from neighbors, and from complete strangers. Violence was a part of life in eighteenth-century France. However, less has been written about violence perpetrated by women. Some cases of women inflicting violence on others, both men and women, can be found in the judicial archives, but in the majority of cases of interpersonal violence, women were the victims and not the perpetrators. Cecile Dauphin and Arlette Farge, in their book *De la violence et des femmes*, have created a collection of essays in an attempt to address the issue of women and violence from both sides of the issue through the course of history.<sup>37</sup> Farge points out that violence of women against men was less common than the reverse, but it was not unknown. She and André Zysberg examine the nature of violence and the role it played in French society in the eighteenth century. Analyzing archival evidence in the form of *plaintes* and *procès-verbaux*, they have created a picture of the types of violence that occurred, who was perpetrating the violence, where the violence occurred, and the role of the police in terms of intervention and even in terms of how they contributed to the overall culture of violence through their sometimes brutal tactics.<sup>38</sup>

Violence was clearly an accepted part of life in early modern French society. In fact, one could not escape it. Life was lived in public as well as private spaces, and the majority of Parisians lived in crowded conditions in which interpersonal interactions often sparked arguments and disagreements that did become intense enough to rise to the level of violence. The works of both David Garrioch and Arlette Farge have done much to enhance our understanding of the spaces in which Parisians lived and worked as well as the types of interpersonal interactions that sparked quotidian conflicts that in some

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<sup>37</sup> Cecile Dauphin and Arlette Farge, eds., *De la violence et des femmes* (Paris: A. Michel, 1997).

<sup>38</sup> Arlette Farge and A. Zysberg, "Les théâtres de la violence à Paris au XVIIIe siècle," *Annales: Economies, sociétés, civilisations* 34, no. 5 (1979): 984-1015.

ways defined early modern French culture. Garrioch's *Neighbourhood and Community in Paris, 1740-1790* lays out for us the community structure in which Parisians lived. He explains that Parisians identified with their local community and that friends and neighbors acted as a support network upon which Parisians regularly depended for assistance. Issues that were essentially private matters, became part of the public discourse when neighbors became involved, often in support of one of the parties involved in the conflict. Using the papers of the *commissaires* and other legal/judicial sources, Garrioch pieces together an account of family life, the nature and substance of work in the city, and the various ways in which the residents interacted.<sup>39</sup> Farge also has demonstrated that historians can extract from the voluminous archival sources "bits of reality" that can be put together to recreate the experiences of people of early modern Paris. We get a clear sense of how the people of Paris lived, how they felt about the police, the importance to them of gossip and the spoken word in its many forms, and the tactics used by the people as they confronted challenges and conflicts that were commonplace in the life of Paris.<sup>40</sup>

As important as they are to our understanding of the experiences of French women of the past, general histories such as Eva Jacobs' *Women and Society in Eighteenth-Century France* (1979) and Olwen Hufton's *The Prospect Before Her*, really only scratch the surface of the history of women, especially when covering such wide geographic and chronological territory.<sup>41</sup> Fortunately much research and writing has

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<sup>39</sup> David Garrioch, *Neighbourhood and Community in Paris, 1740-1790* (Cambridge: Cambridge University Press, 1986).

<sup>40</sup> Farge, *Fragile Lives*, p 5; Farge, *Vivre dans la rue*; Farge, *Subversive words*; Farge, *Le cours ordinaire des chose*.

<sup>41</sup> Eva Jacobs, ed., *Woman and Society in Eighteenth-Century France* (London: Athlone Press, 1979); Olwen Hufton, *The Prospect Before Her: A History of Women in Western Europe, Volume One: 1500-1800* (New York: Vintage Books, 1995).

been done in the past several decades to build upon the general studies and fill in the gaps in our knowledge of many of the aspects of life for women in early modern France.

Daniel Roche in particular has brought us into the homes of the Parisians of the eighteenth century, describing for us the furniture they used, how they dealt with the cold, the need for water, and the procurement of other basic needs. In his *The People of Paris*, he discusses the size of the population of the city, the social breakdown with focus on the popular classes, as well as the nature of housing, consumption, and popular culture of the residents of the city.<sup>42</sup> In the same vein, Annik Pardailhe-Galabrun, in her *Birth of Intimacy: Privacy and Domestic Life in Early Modern Paris*, used inventories after death to document peoples' lives and to take us inside their homes. We see how rooms were organized and used, how people prepared their meals, what typical social interactions with neighbors were like, and how they attempted to make their lives more comfortable.<sup>43</sup>

Other historians have focused more closely on specific aspects of life in early modern Paris. Rene Sue Marion and Claire Crowston, for example, each looked at different occupations and their place within Parisian society. Marion studied the *Dames de la Halle* looking at how market women forged their own identity through use and even subversion of the rules of French society. She explains how their occupation defined their place in their local community, and how they used that status for their own benefit.<sup>44</sup> Crowston looks at seamstresses and their place within the fabric trade as a means of better understanding the place of women in the trade as well as in the wider society.

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<sup>42</sup> Daniel Roche, *A History of Everyday Things: The Birth of Consumption in France, 1600-1800*, trans. by Brian Pearce (Cambridge, Cambridge University Press, 2000); and Daniel Roche, *The People of Paris: An Essay in Popular Culture in the 18<sup>th</sup> Century*, trans. by Marie Evans (New York: Berg Publishers Limited, 1987).

<sup>43</sup> Annik Pardailhe-Galabrun, *Birth of Intimacy: Privacy and Domestic Life in Early Modern Paris*, trans. by Jocelyn Phelps (Philadelphia: University of Pennsylvania Press, 1991).

<sup>44</sup> Rene Sue Marion, "The Dames de la Halle: Community and Authority in early Modern Paris" (unpublished Ph.D. dissertation, Johns Hopkins University, 1995).

Their conflict with the male tailoring guild and their success in challenging the tailors' monopoly on the fabric trade certainly increased the visibility and status of seamstresses, gaining for women more social and economic opportunities, but she explains that this eventually led to a feminization of the needle trades meaning that women were increasingly restricted to occupations like the needle trades that were becoming known as "women's work."<sup>45</sup>

Women earned much lower wages for the work they did than the men around them, but their earning power was just as important to the family economy. Olwen Hufton explores how the success of the family depended upon the contributions of both spouses, even given the reduced earning capacity of women.<sup>46</sup> The role of the household as a locus of women's labor is addressed in Louise Tilly and Joan Scott's *Women, Work, and Family*. They breakdown female labor by the various stages of life for women – as single, as wives, and as widows – to further explain the nature of the work done by women.<sup>47</sup> One of the challenges women faced in finding work in the early modern period involved competition with the male guilds, which fiercely guarded their control over their various areas of expertise. Rene Marion addressed the conflict women faced with male or male-dominated guilds that sought to severely limit if not exclude women from their professions. Even in those professions that had long been strictly female (such as that of seamstresses), men in similar lines of work viewed their female counterparts with suspicion. Claire Crowston shows how such clashes of professions can also reveal changes in social organization along gender lines, and how attempts to exclude women

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<sup>45</sup> Claire Crowston, *Fabricating Women: The Seamstresses of Old Regime France, 1675-1791* (Durham, NC: Duke University Press, 2001).

<sup>46</sup> Olwen Hufton, "Women and the Family Economy in Eighteenth-century France," *French History Studies* 9, no. 1 (1975): 1-22.

<sup>47</sup> Louise A. Tilly and Joan W. Scott, *Women, Work, and Family* (New York: Routledge, 1987).

from professions that they had long been a part of were, in the larger picture, means to further weaken women's standing in French society.<sup>48</sup>

Challenge and conflict faced women at all stages and in many areas of their lives. This is certainly evident for those women who chose to work as domestic servants, a sizeable portion of the female population of early modern France. Two major works stand out on this topic – Cissie Fairchild's *Domestic Enemies* and Sarah Maza's *Servants and Masters* – both help to greatly enhance our understanding of the nature of the work done by servants as well as the relationships between servant and master. Fairchild, focusing on Paris, Toulouse, and Bordeaux, notes the complexity of these relationships. As residents within their employers' homes, domestic servants had intimate knowledge of the lives of the employers and his or her family. They faced the risk of becoming intimately involved with their masters or other male members of the household. She argues that, while most servants faced sexual harassment in one form or another during their careers as servants, others entered into sexual relationships out of a sense of inevitability or fear or reprisal if they refused. Maza, using archival sources for Aix, Marseilles, and Bayeaux, adds to her analysis of the challenges facing female servants a discussion of the representations of the domestic servant. She explains that female servants viewed their employment as servants as a means to achieve a good marriage through accumulation of a dowry rather than as a long-term employment strategy. Both studies emphasize the dangers faced by single women living in the homes of men to

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<sup>48</sup> Claire Crowston, "Engendering the Guilds: Seamstresses, Tailors, and the Clash of Corporate Identities in Old Regime France," *French Historical Studies* 23, No. 2 (Spring, 2000): 339-71.

whom they were not related.<sup>49</sup>

While the above is certainly not a complete review of all the works written on women in early modern France, it does at least provide an overview of the history of women and their experiences during this period. From the early studies, new questions arose along with calls for deeper or more comprehensive examinations of various areas of women's lives. Each new generation of historians of women and gender has attempted to address the gaps in the historiography. New approaches to archival sources have been particularly helpful in expanding our understanding of women's experiences, yet gaps in our knowledge still remain to be filled. Arlette Farge has certainly done much to add to our knowledge of women and the laboring classes of Paris, but more needs to be done on a local level. David Garrioch has demonstrated the importance of the neighborhood in the daily life of Parisians and addresses the general experiences of women and men within neighborhoods throughout Paris. Clearly the experiences of women in Paris were affected by the specific areas in which they lived. Those women living in more affluent areas had different challenges than those living in the poorer areas like the Faubourg Saint-Antoine.

Two important studies have been done on Saint-Antoine, but neither of these has added much to our knowledge of the lives of women who resided there.<sup>50</sup> Like their sisters throughout France, the women of Saint-Antoine occupied a position subordinate to the men of their society, which was solidified by law and custom. Throughout their lives,

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<sup>49</sup>Cissie Fairchilds, *Domestic Enemies: Servants and their Masters in Old Regime France* (Baltimore: Johns Hopkins University Press, 1984) and Maza, Sarah, *Servants and Masters in Eighteenth Century France: The Uses of Loyalty* (Princeton, NJ: Princeton University Press, 1983).

<sup>50</sup>Raymonde Monnier, *Le Faubourg Saint-Antoine, 1789-1815* (Paris: Société des Etudes Robespierriistes, 1981) and Alain Thillay, *Le Faubourg Saint-Antoine et ses « Faux Ouvriers »: La Liberté du Travail à Paris aux XVII<sup>e</sup> et XVIII<sup>e</sup> Siècles* (Seysssel: Champ Vallon, 2002).

from childhood until old age, the women of Saint-Antoine struggled against the controls placed upon them by the patriarchal society. Yet, as we will see in chapter two, the area of Saint-Antoine occupied a unique place in eighteenth-century Paris, and the experiences of people who lived there often differed somewhat from those of the rest of Paris because of that uniqueness. If women had simply accepted the place in society that was defined for them by the established patriarchy, they would have been much less able to survive the economic and social fluctuations that were commonplace among the laboring classes.

The research that I have done and which is presented in the following chapters is intended to fill a gap that exists in our understanding of the daily challenges confronting laboring class women and their strategies in facing them, as well as the image these women had of themselves in the face of a patriarchal system that represented them as an undifferentiated group of people with limited logical and self-control abilities. What did these women know about the complexities of the laws that governed their lives, and what strategies did they employ to ensure their own survival in spite of these laws? What were their expectations for life as they entered into life as adults? Was marriage their only option, or did they see possibilities for an independent existence outside of marriage? How did they negotiate a place within their local community and how did they contend with attacks on their status among their neighbors? These were important issues for laboring class women which I hope will be addressed in the chapters that follow.

### Methodology

Before these questions could be answered, the issue of source material has to be addressed. David Garrioch and Arlette Farge both made use of the collection of

documents designated Series Y in the Archives Nationales, therefore, it seemed the obvious place to begin my own research. This collection of more than 18,000 boxes of documents comprises the records of the Châtelet, one of the royal courts of Paris with civil and criminal authority over the city itself and much of the surrounding countryside. Made up of five main chambers – the Civil Parquet, Civil Chamber, Presidial Chamber, Council Chamber, and the Criminal Chamber – the court ruled on cases involving property and inheritance, cases involving disputes over money issues (rent, wages, and the like), appeals from lower courts, and criminal cases. Records of the Criminal Chamber have been the primary source for this study. All criminal cases were tried and judged in this chamber, including cases of petty crime and serious criminal cases in the first instance, and these documents have yielded an incredible amount of information detailing the lives of the laboring class people of Paris.<sup>51</sup>

The records of the Criminal Chamber consist of more than 1,300 boxes of documents. I have focused my research on three sections that I felt would provide the most information about life for the women of Saint-Antoine. The first is the collection of the records of the *commissaires de police*, men who served as “judicial handymen” responsible for a wide variety of tasks ranging from inventorying the property of deceased individuals, to conducting searches on behalf of the crown, to hearing criminal cases and passing preliminary judgment on them.<sup>52</sup> These men acted as a first step in the process of criminal and civil litigation and prosecution, and it was to them that people turned when involved in minor disputes and when they wished to file complaints, of both

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<sup>51</sup> Richard Mowery Andrews, *Law, Magistracy, and Crime in Old Regime Paris, 1735-1789* (New York: Cambridge University Press, 1994), pp. 56-59.

<sup>52</sup> Alan Williams, *The Police of Paris, 1718-1789* (Baton Rouge: Louisiana State University Press, 1979), pp. 119-121.

civil and criminal nature. They were visible symbols of justice for the people of the area of Paris in which they lived and which served as their areas of jurisdiction. The other two sections of records of the Criminal Chamber that have been included in my research are the minutes of the *Petit Criminel* and the minutes of the *Grand Criminel*. The *Petit Criminel* minutes document cases of petty crimes that came before the Criminal Chamber sessions. These included cases of petty theft, slander, insult, brawls, and other interpersonal conflicts that generally were punishable with fines or damages. The cases that were recorded in the *Grand Criminel* minutes included those cases that were more serious in nature, such as rape, murder, and more serious cases of theft that were subject to harsher penalties, including physical punishments such as death, branding, whipping, and torture. These cases were automatically appealed to the *Parlement de Paris* for final judgment.

All three collections of documents contain an abundance of information about both the incident in question and about the people involved, whether directly or indirectly. Information such as age, marital status, occupation and residence is recorded for plaintiffs, defendants and witnesses, and statements by accused and accusers are supplemented by witness accounts. These statements are recountings of events and conversations between ordinary people, and from these statements the nature of the relationships between those involved in the case, even those acting as witnesses to the event or occurrence, becomes clear. We learn what types of insults and gestures were employed in a given situation to inflict the most damage. The expectations of the people of Paris are revealed by the words used by those filing complaints as well as of those accused of wrongdoing.

In one example of a case that came before Commissaire de la Grave, we are given information about a woman named Jeanne Bautié when she went before de la Grave to file a complaint against her husband, Pierre Cocquerel, in July 1751. She may have had high hopes about the marriage, which had begun the previous November, and she may have believed that she was beginning a new life that would be happy and productive. What is presented in this case, however, is a story of a wife who feared for her life and that of her unborn child at the hands of a husband who turned out to be very abusive.<sup>53</sup> Such a scenario was far from uncommon for the women of eighteenth-century Paris, and the record in which her story appears gives us a glimpse into her life. Her attempt to seek protection from an abusive husband provides us with a window into the life of a woman who would otherwise have simply faded away into the mists of the past. What we have is but a brief glimpse into her life; we lack the “whole story” of her life, but if it were not for the legal and criminal records of eighteenth-century France, we would have no knowledge of what life was truly like for any of the lower-class women of Paris. These women did not keep journals in the way their socio-economic superiors sometimes did, meaning that the only detailed information we have of their lives comes from legal records such as those collected by the various *commissaires*. The occasion for coming before the *commissaire* or other government official might have involved a dispute between neighbors, a personal conflict with someone in the marketplace, or the accusation of a serious crime, but for most of the women who appear in legal and court records, it was probably a unique occasion as they might have otherwise remained outside the notice of judicial officials. This brief moment, which happened to be

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<sup>53</sup> Archives Nationales (Hereafter referred to as AN) (Paris) Series Y, *Châtelet de Paris et Prévôté d’Ile-de-France*, Y15946, Papers of Commissaire de la Grave, July 1751. For more of this case, see Chapter Three.

recorded, provides us with the opportunity to piece together an understanding of what the life was like for the Parisian woman of the early eighteenth century. Although the events which caused the records to be created may have been one-time incidents and provide only a piece of the puzzle, the information (including witness statements) provides a broader picture of life in eighteenth-century Paris.

When I set out to conduct my research on the laboring class women of eighteenth-century Paris, my initial plan was to compare two neighborhoods, the Faubourg Saint-Antoine on the Right Bank and the Faubourg Saint-Marcel on the Left Bank, which were the poorest districts of Paris and whose societies raised issues of transience and rootless women. Both areas had populations that were at least fifty per cent women. My initial foray into the judicial archival collections was a sort of fishing expedition. Not only were my expectations that the records would include adequate information about women met, the amount of information was so extensive that I realized that it would be necessary to pare down my project to just one of the two neighborhoods. As I had begun by looking at the records for the Faubourg Saint-Antoine, I chose to focus solely on that area of Paris.

Having already adjusted the scope of my project geographically, I set out to examine the records for most of the eighteenth century, from 1725 (the first year of the term of office for Commissaire Rousselot) until 1789 on the eve of the French Revolution. Once again, because of the sheer volume of records in which useable information could be found, I had to adjust the scope of this study, this time chronologically. The question then was what years would be included in the study, and I decided to change the end date of the study to coincide with the final year of the tenure of

Commissaire Trudon, who served as one of the *commissaires* for Saint-Antoine from 1732 until 1765. As I plodded through the boxes that make up the three sections of the Criminal Chamber of the Châtelet, it also became evident that a comprehensive study of every year in the tenure of each of the *commissaires* who served in Saint-Antoine would be impossible within the timeframe of my research trips. Therefore, I decided that it would be best to conduct a survey of various years within each *commissaire's* time in office to create a sampling of the records available for the entire period. The same decision was made for the records of the *petit criminel* and *grand criminel*. While this prevents an accurate quantitative analysis of the source material I have compiled, I feel the current choice of time period has enabled a more complete study of the women of Saint-Antoine. The objective of the study is to create a picture of what life was generally like for the laboring-class women of eighteenth-century Paris, and including a series of years throughout the first half of the eighteenth century provides a broader foundation on which to base my findings than would have been possible had the time frame been limited to just a few years.

### The Dissertation

In the first chapter a description of the city of Paris and of the Faubourg Saint-Antoine sets the stage for the subsequent chapters by giving the reader a clear picture of the environment in which the residents of Paris lived. The types of sights, smells, and sounds that were part of life in Paris during that period, and the sense of the crowding that was common to the city and which made conflict likely, will help us to appreciate what the people of Paris as a whole and of Saint-Antoine specifically experienced. Because the focus of this project is on the challenges of survival faced by lower-class

women in the face of very strong restrictions on their agency, it is important to include a discussion of the development of the patriarchal system that governed the lives of the women of Saint-Antoine and of all people within the French kingdom. This is included in chapter two along with a survey of the police and judicial mechanisms that enabled the patriarchal system to function, and a definition of civil and criminal law, particularly as it affected women. Despite their limited formal education, the women of Saint-Antoine demonstrated an understanding of their place or status within French society, as well as of the tactics that could be employed to both use and work around or even contradict the legal controls placed on them and that would enable them to act as independent agents, which is the focus of chapter three.

We see these tactics put into use in the last two chapters, in which I examine the conflicts faced by women in both the private and public spheres. Chapter four follows the lives of women as they move from living as dependents in the homes of their parents, through the transition to adulthood, including the development of their earning potential and the efforts to marry. At each step women were expected to uphold social and moral standards in the face of temptations and hardships that at times caused women to make choices that, even if only temporarily, placed them at the margins of acceptable society. For the most part the plans these women set out to realize were not necessarily remarkable. They hoped to attain a skill with some earning power and to possibly make a good marriage. In considering what kinds of conflicts occurred within the domestic sphere, it is clear that the line between private and public was not fixed; quarrels that began in private spaces were often pushed into the public sphere and made to be part of the public discourse. Chapter five explains the nature of the interpersonal conflicts

between those in the public sphere. The issues at the heart of the quarrels that were routine occurrences involved honor and status vis-à-vis the other residents of the local community. How the people handled these conflicts, the words and gestures used, and even whom they entered into altercations with speak to the expectations and aspirations of the laboring classes of early modern Paris.

What follows will, I hope, not only add to our understanding of the lives of women in eighteenth-century France, but also show how those lives intersected with the patriarchal system of their society and how laboring class women often successfully overcame the challenges placed before them at every stage of life.

## CHAPTER ONE: PARIS AND THE FAUBOURG SAINT-ANTOINE

### Paris

Paris was a cesspit and a hell, a domain of ever-present death, in the corpses exposed in the morgue, in the undertakers' carts of the Hôtel-Dieu, in the surgeons' dissecting rooms, in the mores of the professionals of death – executioners, grave-diggers, medical students. It was a theatre of shadows threatened by infection, where the ground streamed with muddy, polluted waters, blood and excrement, and the black tide of sewage. Water and air were infected; people were obsessed with the fear of poison.<sup>1</sup>

Such an assessment of Paris was for some people the only accurate way to depict the city. No one could deny that this description was to a degree accurate; some areas of Paris were well known for the poverty of the inhabitants, and for the filth and disease that were ever present. Yet, contrasting such dark images as that described above were areas where prosperity and luxury were predominant, such as the Faubourg Saint-Honoré. Paris was a city of contrasts. With elements of both extreme poverty and vast wealth, of well-spaced *hôtels* housing the well-to-do as well as hovels that were barely habitable, Paris was a study in humanity and its various conditions. Many people expressed surprise at the contrast, having expected Paris to live up to its reputation of a great city, a city of superb streets and palaces of marble and gold. Upon arriving in Paris, for example, Rousseau remarked that instead of the wealth that he expected, all he saw were “dirty and stinking streets, ugly black houses, an air of filth, poverty, [and] beggars.” He went on to say this first impression was enough to diminish the magnificence he eventually came to recognize in the city.<sup>2</sup> While immigrants to Paris saw the city as a source of opportunity, and many may have shared Rousseau's optimistic preconceptions about it, Paris presented different experiences to different people, depending on their

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<sup>1</sup> Roche, *The People of Paris*, p. 50.

<sup>2</sup> Kaplow, p. 3.

situation in life. Money bought some residents a world of luxury, allowing them to enjoy the wonders ever present in the capital. The majority of the population, however, was not so fortunate. In fact, most residents of the capital found the challenge of mere survival to be the only “gift” presented to them by the city.

In spite of the hardships and struggles experienced by so much of the population of Paris, the population continued to expand, though generally through immigration rather than natural increase. In this regard, Paris was not unlike other early modern cities, but its position as the political, financial, and cultural center of the kingdom made it a great magnet, indeed. Following employment opportunities in particular, large numbers of people from the rural areas surrounding the capital looked to Paris as a city of opportunity. By the mid-eighteenth century, the city’s population was perhaps 600,000, making it Europe’s second largest metropolis after London.<sup>3</sup> More than fifty percent of that population during the eighteenth century was not native to Paris, with the number rising as the century progressed.<sup>4</sup> The destinations of these arrivals within the city depended upon a variety of factors, including socio-economic standing, skills or training, and previously existing connections within the city. For the majority, the promise of a different life than the one left behind was the enticement that caused them to leave their home villages and to face the uncertainty of life in Paris. The focus of this study, the Faubourg Saint-Antoine, was one area that became home to a large number of the working-class immigrants.

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<sup>3</sup> The destruction of all of the parish records of Paris in the Commune fire of 1871, means that we can never know the city’s population in this period with complete accuracy. For a discussion of estimates, see Jean Chagniot, *Nouvelle histoire de Paris: Paris au XVIII<sup>e</sup> siècle* (Paris: Hachette, 1988), pp. 217-39.

<sup>4</sup> Andrews, p. 17.

For many young women living in small, rural villages north of the capital, Paris represented the promise of a better life than could have been found at home. The choices of employment were more varied, while the opportunities for earning an adequate living and the possibility of making a good marriage improved in Paris. Following the path most likely taken by a young female immigrant from one of these villages, we can recreate what she might have seen as she journeyed to Paris. Departing from her native Belleville, one such immigrant might have first seen the city from the hill atop which her village was situated. Coming down the steep slope toward her destination, she took the rue de Belleville, her journey taking her into an ever more urban landscape. As she passed windmills and farm land, she gradually would have noticed more buildings and fewer open farm areas the closer she got to Paris as well as the *guingettes*, the disorderly drinking establishments just outside of the wall of the Farmers General surrounding Paris. She doubtless hurried past the infamous establishments of Ramponeaux. She then passed through the Barrière de Belleville, and took the rue Faubourg du Temple into Paris through the Porte du Temple. As she descended from the hills above Paris, she would have noticed not only the size of the city, but the varied nature of the different neighborhoods, from the spacious areas in the wealthier quarters to the dark and crowded areas where she eventually might have found a home.<sup>5</sup>

From the heights above Paris, she saw stretched out before her the city she hoped would become her home, a city that was not only important because of its size, but also because of its role as France's capital. Cutting through the center of the city, the Seine divided Paris into two distinct halves: to the north was the Right Bank, where some of

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<sup>5</sup> Jacques Hillairet, *Connaissance du Vieux Paris* (Paris: Éditions Payot & Rivages, 1993), Pt. III, p. 185-98.

Paris' wealthiest residents lived, and to the south, the Left bank, home of the Sorbonne and the Latin Quarter. Serving as the dividing line between the two halves of the city, the Seine would have looked somewhat like a snake making its way between the two banks. In the heart of the city and in the middle of the Seine were the Ile-de-la-Cité and Ile-Saint-Louis, the former being home to one of the city's most well known structures, the cathedral of Notre Dame, the primary symbol of the religious influence over the city, and indeed over all of France. Sharing the island with the great church were the Palais de Justice and the Conciergerie, which represented the judicial and administrative segments of Paris.<sup>6</sup> Chances were that if we were to come across a record of our young traveler in an archival source, it would be due to her involvement in one of the judicial processes regulated by officials in the Palais de Justice.

Upon beholding the city for the first time, Paris seemed to our immigrant a vast urban expanse of buildings of varying sizes, a complicated web of roadways, and a scattering of semi-rural areas, but once she settled in Paris the young woman would eventually come to know the names of the major buildings she saw below. If Paris became a permanent home for her, she would eventually be able to find her way through the web of streets and avenues, and the contrast of urban and semi-rural would seem less unusual to her. In addition to the great cathedral on the Ile-de-la-Cité, she would be able to identify the Hôtel-Dieu, the hospital where many Parisians received treatment, and to which she might one day go if she found herself ailing and destitute, or if she resorted to prostitution for her livelihood, certainly a possibility for someone in her position.

On the Right Bank she would have seen the great palaces of the Tuileries and the Louvre, whose inhabitants occupied a part of society with which our young traveler

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<sup>6</sup> Kaplow, p. 5.

would have no connection. To the west of that lay the Faubourg Saint-Honoré with its “wide avenues, mansions with enclosed gardens, spacious apartment buildings, expensive shops and luxury ateliers, neoclassical public edifices and squares.”<sup>7</sup> Her gaze continuing eastward, she would have been able to make out Les Halles, the great marketplace, whose offerings she might one day find herself perusing either on her own behalf or that of a mistress or master. Nearby she would see the Hôtel de Ville and the Place de Grève, where many Parisians like her would witness the punishment and possible execution of those found guilty of crimes in the city. Scanning the area, she would then encounter the Place Royale and finally the fortress of the Bastille, a symbol of royal authority and power that would come to be a rallying point for revolutionary energies that later in the century would forever change the city and the entire country.

Across the river, she may have been able to make out, amidst smaller structures, the Palais Luxembourg and its gardens. The Left Bank, as was the case on the Right Bank, was a collection of affluent areas and very poor sections, along with areas that could be said to have been somewhere in between. The Luxembourg palace and adjacent Luxembourg gardens and the Faubourg Saint-Germain were examples of the wealth that was found on that side of the Seine.<sup>8</sup> If she one day chanced to wander through the streets of the Left Bank’s quarters, she would see the contrasts between these areas and those like the Faubourg Saint-Marcel, one of the city’s poorest areas, where she would witness conditions of abject poverty in which many of the inhabitants of that quarter lived. Nearby she might also have noted the large number of students in and around the Latin Quarter, which was “a tangle of old streets occupied by great religious

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<sup>7</sup> Andrews, pp. 9-10.

<sup>8</sup> Ibid., p. 10.

establishments and the largest agglomeration of educational institutions of any city in Europe.”<sup>9</sup> She would come to understand that the wealthy of Paris included not only the aristocratic element, but also the Church as well. Evidence of church landownership could be seen throughout the city in the form of fairly substantial areas that remained free of the dense building patterns that cramped the rest of the city. Church property in Paris included “three cathedral chapters and fifty-two parishes, the university and *collèges*, some forty monastic establishments, and more than one-hundred convents,” thus making the Church the major single landowner in the capital and a power that was felt by all levels of society, even down to women like our young traveler whose morality was to be safeguarded through the guidance of religious authorities.<sup>10</sup>

As she descended into the city, she would have quickly come to realize that the city’s inhabitants were as diverse as its physical features. In Paris she would find glamour, filth, music, theatre, thievery, brawling, prostitution, and everything in between.<sup>11</sup> Ladies and gentlemen of unlimited means shared the city streets with people in abject poverty; well-equipped carriages carrying wealthy Parisians on their way to various amusements splashed mud upon the poorer sort who trudged home to or from the one-room hovels that had to be shared with other people. For those with enough money to enjoy it, Paris was a magnificent city. Those with more modest means often aspired to taste even a small fraction of those delights enjoyed by wealthier Parisians, while the poorest people, by far the largest segment of the population, hoped to simply make it through the week with enough to eat. Among the many neighborhoods of Paris that were

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<sup>9</sup> Kaplow, p. 8.

<sup>10</sup> Andrews, pp. 11 and 28.

<sup>11</sup> Robert M. Isherwood, “The Festivity of the Parisian Boulevards,” in James L. McClain, John M. Merriman, and Ugawa Kaoru, eds., *Edo and Paris: Urban Life and the State in the Early Modern Era* (Ithaca: Cornell University Press, 1994), pp. 293-5.

home to the poorer classes, the Faubourg Saint-Antoine stands as an example of the hardship faced by many Parisians, and the people who lived there demonstrated the frustration and determination with which the laboring classes faced the challenges of life in Paris. As we will see, the residents of Saint-Antoine and other laboring-class areas fought not only for survival but also against a society that restricted them in many ways.

As our young traveler continued on her journey into Paris, the details of the city would have come into greater focus, the true diversity of the city becoming evident as she moved through the city. Her senses were enlivened as she looked around at the jumbled collection of buildings and squares, her ears beginning to be bombarded by a myriad of sounds from every quarter. The calls of the market sellers alerting passersby to the quality of their wares, the clatter of horses' hooves, and the various animal noises that emanated from the divers quarters, these all made up the chorus of urban living that all Parisians experienced. Such volume must have been difficult to become accustomed to for one used to life in a small village. Perhaps even more difficult, one might imagine, were the assaults to the olfactory senses. The byproducts of human and animal life created an unbearable odor, upon which many visitors and residents of the time had remarked. Louis-Sébastien Mercier described one area of the city thus:

the rue Pied-de-Boeuf ... abuts narrow alleyways, which are fetid, bathed in animal blood, partly stagnant, partly flowing into the river. A pestilential fume is ever present, and where the sewer empties into the river near the Pont-Notre-Dame, in the rue de la Planche-Mibray, one is obliged to hold one's breath and to pass quickly to avoid the suffocating odor.<sup>12</sup>

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<sup>12</sup> Louis-Sébastien Mercier, *Tableau de Paris* (Paris: Mercure de France, 1994), p. 102. “la rue *pied-de-boeuf*, qui aboutit à des ruelles étroites, fétides, baignées de sang de bestiaux, moitié corrompu, moitié coulant dans la rivière. Une exhalaison pestilentielle n'abandonne jamais cet endroit, et dans le débouché qui donne près la chute du *pont-notre-dame*, dans la rue de la *planche-Mibray*, on est obligé de retenir sa respiration et de passer vite, tant l'odeur de ces ruelles vous suffoque en passant.”

As she walked through the streets, experiencing the sounds and smells of the city, she would also certainly have realized that Paris was an old city, one that had been built up over the centuries as population growth required. The resulting mixture of medieval and more modern buildings that had been built along a tangle of streets both wide and narrow gave the city a feeling of disorder, lacking any true sense of organization. Adding to the sense of disorder, the typical scenario of the Parisian buildings and streets consisted of a “profusion of shops and workrooms intersected by passages and alley-ways and packed to the roof with lodgings and dormitories.”<sup>13</sup> Although the well-to-do lived in homes of vastly different size and quality than those of the lower sort, they shared the roadways and other public spaces of the city in a way not possible or acceptable in the domestic sphere.

A continued scan of the city revealed that despite a degree of intermingling of the various socio-economic groups in the streets of Paris, a definite segregation based on socio-economic standing existed within the spaces where people lived. The architecture and building usage in more affluent areas differed greatly from that of areas like the Faubourg Saint-Antoine. In areas such as the Faubourg Saint-Honoré the buildings were not as closely packed as in the poorer quarters. Early eighteenth-century maps show in great detail the spaciousness of Saint-Honoré, with the large *hôtels* and the accompanying gardens and courtyards.<sup>14</sup> In contrast the buildings in the less affluent areas were crowded together, with little or no space for any gardens or sizable courtyards. In the more affluent quarters large houses stood apart from each other, resting on parcels of land that, in another area of the city, might hold several apartment buildings that were home to

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<sup>13</sup> Farge, *Fragile Lives*, p. 9.

<sup>14</sup> Nicolas de Fer, *Huitième Plan de Paris, pour servir au Traité de la Police* (Paris: Jean & Pierre Cot, 1705); and H.V. Loon, *Plan de la Ville, cité, université et faubourgs* (Paris: Chez Sr. Jaillot, 1700).

fifty or more residents. Wealth brought with it much better living conditions, both inside the home and on the street.

While there were some regulations regarding the city's buildings, a sense of uniformity was lacking. For example, although an edict of 1667 forbade the erection of buildings more than 15.6 meters high, during the eighteenth century buildings often rose to six stories in height with some as high as nine.<sup>15</sup> Likewise the quality of building materials and method of construction varied from one area to the next and from one type of building to the next. "Private construction was often done on the cheap, in brutal contrast to the sumptuous public buildings of Paris, where limestone and marble were amply displayed." Although substandard building materials were used in construction of some of the building done in the wealthier quarters as well as in the poorer ones, the size of the buildings in the wealthier areas and the amount of space between and around them certainly made them more agreeable than what was found in areas like Saint-Antoine. Moreover, when building improvements and renovations began, they were concentrated more in the western sections of Paris, the wealthier areas like Saint-Honoré, rather than in areas like the Faubourg Saint-Antoine.<sup>16</sup>

Parisians of the lower levels were packed together into small living spaces, with basic necessity rather than comfort being the guiding factors in building design. The typical Parisian apartment building, built using medieval techniques, averaged four or five stories in height and was "fragile, unsanitary and dilapidated by the late eighteenth century, with cracks in the walls and crumbling foundations that gave rise to numerous

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<sup>15</sup> David I. Kertzer and Marzio Barbagli, eds., *The History of the European Family*, Vol. I: *Family Life in Early Modern Times, 1500-1789* (New Haven and London: Yale University Press, 2001), p. 7.

<sup>16</sup> Allan Potofsky, "The Construction of Paris and the Crises of the Ancien Régime: The Police and the People of the Parisian Building Sites, 1750-1789," *French Historical Studies*, 27 (2004): 20.

complaints.”<sup>17</sup> Witnesses of the period remarked on the filth, the horrid smells, and the general misery that were hallmarks of the poorer quarters, such as Saint-Antoine, with which they contrasted the beauty of the homes and neighborhoods of those with the wealth to truly enjoy life in Paris. As Daniel Roche pointed out,

In the upper-class *quartiers* wide, healthy, spacious streets, elegant, salubrious houses, mansions with gardens, airy, clean, dry dwellings; in the poorer districts, narrow, dirty, dark streets, humidity, open drains, gutters, mud, irregular and badly-built houses, damp and close-packed, dingy, tall and very crowded.<sup>18</sup>

In some areas population density reached as many as 500 people per hectare, which certainly created problems in terms of difficulty of waste disposal and subsequent spread of disease.<sup>19</sup>

Although one’s residence was important to life – it was where the cooking, cleaning, sleeping occurred – the street played an equal, if not more important, role in the life of all Parisians. The street in Paris was, as Arlette Farge has pointed out, a place for living, and much of one’s life was spent there in various pursuits, both practical and pleasurable.<sup>20</sup> The street was ultimately a space in which all aspects of life played out, both violent and peaceful in nature, and where barriers of social class were, albeit temporarily, bent, allowing a certain degree of intermingling. All types of people could be found there, with beggars brushing up against well-dressed merchants and the carriages of the wealthy rushing past day laborers on their way to work. It was in the street where many people made a living, where they enjoyed social outings, connected or re-connected with friends and neighbors, and found an escape from cramped living

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<sup>17</sup> Potofsky, pp. 19-20.

<sup>18</sup> Roche, *The People of Paris*, pp. 100-101.

<sup>19</sup> Kertzer and Barbagli, pp. 7-8.

<sup>20</sup> Farge. *Vivre dans la rue*, p. 19.

quarters. For the lower classes the street had more than just a practical importance; it was also an escape from the appalling conditions in which they lived.<sup>21</sup>

Though the streets of Paris were by no means uniform in size, unplanned as they were for the most part, they were comprised of three basic types: the few avenues 42 to 60 feet wide; the ordinary streets measuring 18 to 30 feet wide; and the narrow winding backstreets and alleyways of 6 to 18 feet in width.<sup>22</sup> Intersecting the city, the avenues connected the various areas of Paris, allowing for large numbers of people and animals to traverse the distances between the various areas. These main thoroughfares were vital arteries for human and commercial traffic. The rue Saint-Martin, for example, began at the northern edge of the city and cut through the smaller streets down to the Ile de la Cité. On the other side of the island, it became the rue Saint-Jacques and eventually the rue Faubourg Saint-Jacques before exiting the city to the South. Already two of the oldest streets of the city, dating back to the time of the Romans, the rue Saint-Martin and rue Saint-Jacques/Faubourg Saint-Jacques together made up a major throughway allowing travelers to traverse the city from its northern edge to its southern edge.<sup>23</sup>

Slightly smaller than the avenues, but still important conduits of people and goods, the ordinary streets formed a web of connectivity throughout the city. Along these roads could be found the kind of homes and businesses owned and occupied by the majority of the population, varying from relatively well-kept buildings to decaying slum buildings housing the poorest sort. Many of the streets, however, could barely be classified as throughways as they were only wide enough for human traffic. Moreover, the height of the buildings along these narrow streets created a claustrophobic setting

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<sup>21</sup> Farge, *Vivre dans la rue*, p. 19-20.

<sup>22</sup> Kaplow, p. 17.

<sup>23</sup> Fer, *Huitième Plan de Paris*; and Loon, *Plan de la Ville*.

which added to the difficulty of traversing them, though this also made them invaluable for those who might wish to elude the police. No matter who used them, these back ways served as important conduits for foot traffic.

The street was where many people found employment – working for shopkeepers, selling goods in the market, reselling second-hand articles, even selling themselves. Women who worked as *revendeuses* (sellers of used goods) for example, those who did not necessarily have a set place from which they sold their goods, made generous use of the roadway in the pursuit of their wages. Some set up their stalls at set spots, while others moved around from street to street in search of the best spot for securing customers. Other Parisians relied on the roadways for the success of their businesses in a more settled manner. Shopkeepers relied upon people coming from the street to their shops, either because they were able to see what was for sale in the windows or because they knew the shop because they lived in the neighborhood. Still others transported their goods to established marketplaces, such as Les Halles, which were still a part of the public space. Just as important were the bridges traversing the Seine, providing vital connection between the Right and Left Banks of the city. From the Pont Royal, the first bridge coming from the West, to the Pont Neuf, to the various bridges connecting the two islands to the rest of Paris, the bridges not only provided accessibility to both banks, they also provided space for commerce and socializing, and even at one time for living. The various roads and avenues were further interconnected by a series of open spaces, such as the Place de Grève, where public executions became very much a part of the spectacle that was life in Paris. It was often in these open spaces where much of the socialization

of Paris life occurred as people gathered around public fountains or wells, or simply open spaces within the neighborhood.

By necessity the people spent much of their time in the public space that was the street. Traveling to or from work, gathering food and other items necessary in daily life, Parisians inhabited the street as much as the domestic sphere. They also were drawn there, however, for reasons other than just those of a practical nature; in the street they sought escape from dismal living conditions, the chance to meet up with friends and neighbors, or perhaps to enjoy one of the many forms of entertainment available around Paris.<sup>24</sup> The Parisian roadways fulfilled an important function as a distraction from people's domestic space. From promenades through the various parks and gardens to planned open-air entertainments, the streets provided a much needed respite for the majority of the population from the small, crowded, dark, and often barely habitable domestic spaces they called home. The streets were filled with movement and a wide variety of sights, sounds, and smells especially during the day. Children could be seen and heard playing, while neighbors called to each other from doorways. Vendors hawked their wares, shouting to potential customers in a verbal competition for customers. The drama of human life was played out there with the rest of the populace as its audience.

During a typical day, our young traveler, once she had established herself in her new neighborhood, would have become involved in the socialization that occurred in the public space. She might stop on her way to the market to watch a group of ladies pass by in dresses fancier than anything she could hope to wear. Or a group of quarreling boys might distract her as she made her way to the nearby well to get water for her mistress, their shouts amusing her and possibly reminding her of her own childhood back in her

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<sup>24</sup> Garrioch, *Neighbourhood and Community*, pp. 20-21.

home village. She might have delayed as long as possible returning “home” where she shared a bed with that awful woman she suspected of eyeing the cross she wore around her neck, the cross her mother had given her before she left for Paris. The street certainly seemed at times a better place than home, overcrowded and dirty as it generally was.

She might have been joined by other individuals and families, who also sought the distraction the public spaces offered. A family’s leisure-motivated venture into the street often began as a *promenade*, “the universal leisure occupation” enjoyed by people of all classes, albeit in slightly different modes. Whole families enjoyed regularly taking strolls together, seeing friends and neighbors, and generally benefiting from the sights and sounds of the city. Not only was this important for the respite it provided, but it was also a means of maintaining neighborhood sociability, which was especially important for the working-class population who relied upon a network friends and neighbors for various forms of assistance. Regular outings allowed people to meet up outside their shops and homes to share news and even to stir up trouble; they were able to be a part of the life of the city and of their particular neighborhood. They could participate in discussions about the important issues of the day, which could serve to establish or maintain their place within the neighborhood.<sup>25</sup>

Occasionally discussions escalated into full-blown arguments, which were a typical part of the daily public discourse, and became so heated that they silenced other voices. People stopped what they were doing to watch and listen to the combatants. They poked their heads out of windows and doors to investigate the matter, sometimes getting involved themselves. Antoinette Bolin and Jeanne Lainé both heard the argument that took place on 2 December 1758 between two couples on rue de Charonne, and both

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<sup>25</sup> Garrioch, *Neighbourhood and Community*, pp. 192-93.

women put their heads out their windows to see what was happening. While Bolin chose to remain an observer of the altercation below, Lainé went down to the street to attempt to stop the fighting between the two women. The argument by this point had become quite physical, and in such cases, there was the fear that the Watch would be called in to restore order and that in the process they would ask questions that could lead the police to uncover details of people's lives that they would have preferred to have kept hidden.<sup>26</sup> As will be seen in chapter five, the words and gestures used in such altercations were part of the neighborhood drama in which all Parisians had a part to play. Interpersonal exchanges allowed people to define and/or defend their place within the neighborhood, particularly vis-à-vis their neighbors. They used these opportunities to redress wrongs done to them, especially when this involved repairing damaged reputations. Whether in concert or in conflict with each other, spending so much time together in the street led Parisians to develop a sense of sociability and an *esprit du quartier*, which itself helped to define daily life for the people.

As important to community life and neighborhood sociability as were chance meetings resulting from promenades or other outings, so too were public celebrations, open-air entertainment, and other diversions. Most feast days were not as well attended in Paris as in rural areas, but Parisians did make the most of Carnival, going into the streets in masks and costumes. Though efforts would be made later in the century to curb the more boisterous aspects of the people's behavior in these types of celebrations, Parisians were still able to temporarily step out of their day-to-day roles and leave behind

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<sup>26</sup> See Arlette Farge and Jacques Revel, *The Vanishing Children of Paris: Rumor and Politics before the French Revolution*. trans. Claudia Mieveille (Cambridge: Harvard University Press, 1991), for the discussion of the relationship between the people and the police; AN Y9649B, Minutes of the Petit Criminel, November 1758.

their daily toils to experience something other for a few hours. Likewise, official celebrations, such as those accompanying royal marriages and coronations gave the people a break from work and other obligations often at the government's expense.<sup>27</sup> Low-cost forms of entertainment were especially important to those who struggled to stay financially afloat during a century when food costs rose at a rate well exceeding that of wages.<sup>28</sup>

For those with even modest means, however, cheap entertainment could be readily found throughout the city. One could find cheap theaters, dance halls, and gambling dens, open-air entertainers, and vendors of all manner of goods (from foodstuffs to charms and talismans).<sup>29</sup> The two great fairs of Paris, that of Saint-Laurent on the right bank of the Seine and Saint-Germain on the left bank, were also sites of public entertainment and spectacle. Any number of different kinds of small and/or amateur performers could be found along the streets of Paris, including acrobats, carnival barkers, and hucksters, all of whom added to the level of entertainment offered on the street.<sup>30</sup> Such public spectacles were generally well attended and provided a wide range of entertainments for the Parisian public. Also included were circuses, animal shows and animal fights (involving bears, deer and bulls, and dogs), aquatic shows (with mock ship battles), and other activities, enough to suit most anyone's preference.<sup>31</sup> The streets, therefore, fulfilled several important functions for Parisians of all classes. For the working class, who could ill afford to spend much for distraction from the hardships of

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<sup>27</sup> Garrioch, *Neighbourhood and Community*, pp. 196, 198-99.

<sup>28</sup> Garrioch, *The Making of Revolutionary Paris* (Berkeley: University of California Press, 2002), p. 48.

<sup>29</sup> Andrews, pp. 12-13.

<sup>30</sup> Robert M. Isherwood, *Farce and Fantasy: Popular Entertainment in Eighteenth-century Paris* (New York: Oxford University Press, 1986), pp. 23-59, 167.

<sup>31</sup> Isherwood, *Farce and Fantasy*, pp. 209-12.

their daily lives, the cheap entertainment available in the street was especially appreciated.

The streets offered a respite from less-than-desirable living situations, yet regardless of its condition, one's home did offer protection from the elements, a place to rest one's body at the end of the day, and perhaps a place to keep a few belongings.<sup>32</sup> Moreover, though many visitors were appalled at the conditions in which many people lived, the streets were often worse, given the effect of the presence of both humans and animals, but also because of the many dangers one faced on a daily basis. Such seemingly simple actions as walking down or crossing the street could have been, and often were, life-threatening endeavors. Except perhaps for those in carriages and other modes of transport that placed them above the level of the street, traveling through the streets of Paris could be quite treacherous. Most streets lacked sidewalks, with the exception of a few bridges and recently built *quais*, and pedestrians risked life and limb trying to get from place to place, particularly from carriages speeding past.<sup>33</sup> Cart drivers rushing down narrow streets at high speeds often hit pedestrians, as evidenced by cases such as that filed on behalf of Catherine Bourgeois, a water porter who was struck by a carter while walking down the rue Vieille du Temple. Along with several other women, she was forced against the wall to avoid the speeding vehicle, but she still received many bruises. She was able to make note of the vehicle's number and where it was hired from, and with this information she addressed herself to Commissaire de la Grave to file a complaint against the carter who was responsible for the injuries she received. The doctor who visited her declared that the injuries were serious enough to require several

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<sup>32</sup> Daniel Roche, *Everyday Things: The Birth of Consumption in France, 1600-1800*, trans. by Brian Pearce (Cambridge: Cambridge University Press, 2000), pp. 123-45.

<sup>33</sup> Kaplow, p. 16.

days of rest. The loss of working days meant the loss of income, which Bourgeois felt entitled her to some compensation from the person who caused her injuries.<sup>34</sup>

Other dangers that awaited the unlucky pedestrian included things like signboards falling from their perches above shops and boutiques, human waste being thrown out open windows, and of course the basic muck that was ever present and which one could not always successfully avoid. Not only was traveling in the streets and roadways often difficult, finding one's way through the labyrinth of passageways and alleys was compounded by the fact that before 1729, few of the names of streets were displayed and the numbers of many buildings were not clearly visible.<sup>35</sup> Added to the lack of signage was the sheer lack of light in many of the poorer areas where the height of the buildings and their close proximity to each other prevented sunlight from penetrating to the street level.

However, the streets were at their most dangerous after daylight faded away, leaving most areas in complete darkness. Respectable Parisians retreated to their homes as night set in and streets were given over to a different element of Parisian society. Darkness was a particular problem in eighteenth-century Paris because there was no good street lighting to mitigate the lack of natural light, and shadows abounded in which criminal elements could conceal themselves and their activities. This was in large part due to the problem of lighting the streets at night. Combating the darkness was the job of the urban administration, which had installed 2,736 lamps in public places by 1697, and at least 7,000 by 1766, but despite the improvements, street lighting during the early

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<sup>34</sup> AN Y15946, Papers of Commissaire de la Grave, June 1751.

<sup>35</sup> Hillairet, pp. 4-5.

eighteenth century remained minimal at best.<sup>36</sup> The bustle of daily activity slowed during the night-time hours, and the sounds of the market sellers and vendors, the people calling to each other, the sounds of animals, carts, and the like gradually faded, to be replaced with the murmur of voices coming from the various drinking establishments, the suggestive calls of the *femmes de monde* seeking customers, and the occasional calls for the police. The streets took on a different character at the end of the day, when they were turned over to the police and the criminal elements of Parisian society.

The night had always been a time of disorder, when the phantasms of popular literature shared the street and public spaces with the criminal elements. Peaceful, law-abiding citizens were expected to avoid going out after dark for fear of becoming victims of the night activities or of being mistaken for one of the denizens of darkness against which the police were to protect the rest of the population.<sup>37</sup> The police regularly picked up and questioned those found out after reasonable hours. Restif de la Bretonne described such a scene when he recounted having come upon the Watch in the process of arresting a woman who was out late one evening. She explained to the officers that she was a *honnête femme* who had been harassed by a horrid young man who would not leave her alone. She had been hiding from him, trying to elude him, when she was found by the Watch.<sup>38</sup> She was not where she was supposed to be, and that was enough for the police to take notice.

The city's population was mixed and mobile, a hodgepodge of peoples, both native Parisians and immigrants, visitors and permanent residents, with the flux of the

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<sup>36</sup> Kertzer and Barbagli, p. 8.

<sup>37</sup> Roche, *Everyday Things*, p. 113.

<sup>38</sup> Rétif de la Bretonne, *Les Nuits de Paris* (Paris: Hachette, 1960), p. 44.

populace helping to create an overall confusion that was Paris.<sup>39</sup> Underneath the apparent confusion, however, the city's population was organized along rather distinct, if somewhat complex, lines and based on set categories: residence, occupation, and birth to name a few. Despite the temporary blurring of socio-economic lines that occurred on the streets and public spaces of the city, and in spite of attempts made by many to move up the socio-economic ladder, Parisians knew their place within their society. As Roland Mousnier points out, it was a society of orders which was extremely complex in its make-up. From the clergy and nobility, through the various levels of the common people, down to the poorest of the poor, each group was defined by specific factors and by the roles they were expected to play in French society.<sup>40</sup>

Within this complex collection of peoples in the various sections of Paris, however, clear social and economic divisions did exist. From the king, in principle the source of authority from whom all others derived whatever power they held, down to the lowliest beggar, French society was divided along very clear lines. French men and women belonged to one of three main divisions called estates: the clergy, the nobility, and the people. We should note, however, that these basic classifications were not sufficient to define the true nature of the different levels of French society. The clergy, for example, was further divided into secondary orders, based on ecclesiastical rankings. Each of the other estates was similarly subdivided, as will be seen below, but the issue was further complicated by the fact that the boundaries between the three major divisions

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<sup>39</sup> Garrioch, *Neighbourhood and Community*, p. 2.

<sup>40</sup> Roland Mousnier, *The Institutions of France under the Absolute Monarchy, 1598-1789: Society and the State*, trans. by Brian Pearce (Chicago, IL, and London: University of Chicago Press, 1979).

were not easily defined because of a certain amount of overlapping that occurred between the classes.<sup>41</sup>

At the top of the socio-economic scale were the clergy and the nobility, groups which represented a much smaller portion of the population than did that of “the people.” While many of the clergy were also members of noble families, this was not the case across the board as the lower levels of the clerical ranks included people of more humble origins. Given the role of religion and the power of the Church in eighteenth-century Europe, it is not surprising that at least in law the clergy occupied a higher standing than did the nobility, God’s law being of a higher plane than secular law. However, in social terms it was the nobility that held a superior position. Regardless of the power designation though, together the first two estates constituted a minority of the population, the nobility making up about two percent of the population and the clergy about one percent.<sup>42</sup>

Within these relatively small numbers (as compared to the third socio-economic division) there existed a complex system of degrees of nobility. Nobility was understood to have been a quality one was born with, and although one could become ennobled, nobility in the true sense could not be obtained. The ability to attain noble status, in part, helped to create the various sublevels of the nobility. The highest were the court nobility, those in close service to the king, followed by the provincial higher nobility, then *noblesse de robe* (officeholders), and finally the middle and petty *gentilhommerie*.<sup>43</sup> What one did often determined one’s level of ennoblement, whether one’s office was venal or not, but it also might lead to the loss of that same noble status. Making money,

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<sup>41</sup> Mousnier, pp. 112-13.

<sup>42</sup> Ibid., pp. 121-22, 147, 319.

<sup>43</sup> Ibid., pp. 152-65.

manual labor when done for other than one's own consumption, non-maritime retail trade, and bankruptcy or insolvency were all reasons for derogation of noble status.

Likewise, the clergy was divided and subdivided along similarly complicated lines, and there were members of the clergy who fit into both the other estates. Members of the major, or holy orders included bishops, priests, deacons, and subdeacons. These were men who made a life commitment to the church and religious life. The men in the minor orders (acolytes, lectors, exorcists, porters, and mere tonsured clerics) could marry, but those who chose to do so ceased to be clerics.<sup>44</sup> What truly set these men apart from the rest of the population, however, were the special privileges they held. These included honorific designations and positions in processions, but also exemptions from military service, from prosecution under much of secular law, and from various financial burdens such as taxes and tolls.<sup>45</sup>

Ranking below both of these groups were "the people," who made up by far the largest segment of the population and constituted widely varying socio-economic conditions from the well-to-do bourgeois, who aspired to and in some cases achieved ennoblement for themselves or their families, down to the poorest beggars in the street. The wealthier city-dwellers who did not perform manual labor but owned property included the merchants (from small shopkeepers to the heads of large trading firms), manufacturers, lawyers, and government workers. Generally possessing some level of education (reading, writing, and calculations), they lived in multi-roomed homes with more furniture than the "laboring classes." Most importantly perhaps, they had savings, which they could invest and which kept them out of grinding poverty which many

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<sup>44</sup> Ibid., pp. 282-85.

<sup>45</sup> Ibid., pp. 294-96.

Parisians experienced. Although one's income was not always a true indicator of one's place within Parisian society, some within the Third Estate had attained a level of wealth that rivaled, if not surpassed, that of some members of the Second Estate.

Next came the skilled tradesmen, who were organized into guilds and were looked on as the aristocracy of the working class. These men and women often had a certain amount of schooling before starting an apprenticeship, and were then given years of training in specialized skills. Some of the men went on to become journeymen, and then possibly became masters of their craft. Based on the *règlement* of 1582, this group could be subdivided into five ranks. The first, "the best," included such occupations as apothecaries, grocers and dyers of cloth. The second or "between the best and middling" included barbers, butchers and drapers. The "middling crafts" made up the third rank and included shoemakers and beltmakers, while the fourth, the "crafts between the middling and minor" comprised haberdashers and cobblers among others. The fifth group, the "minor crafts" incorporated ropemakers, wool carders, and gardeners. While this classification may have been modified over decades between 1582 and the early eighteenth century, it is clear that different occupations brought one a certain place within Parisian society.<sup>46</sup>

For the women of this group, career options were limited. A few of the female occupations were organized into guilds, but most female occupations lacked the protections such organizations offered. Many women helped their husbands run the shops, but they also managed the money, provided food and lodging for their own family as well as the journeymen and apprentices who worked for their husbands. Although their assistance in their husbands' shops was invaluable, the women were barred from

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<sup>46</sup> Ibid., p. 240.

most guilds and could only run the shops on their own if they survived their husbands. As long as their husbands were alive to keep an eye on them, women were given a certain degree of latitude within the workplace, but without male supervision women were considered unable to effectively work on their own, and unqualified to make business decisions.

The rest of the working population (below the artisans) consisted of people working as day laborers, street vendors, unskilled workers, and domestic servants, among many other occupations. Finally, at the bottom of the socio-economic ladder were found the truly destitute – beggars, prostitutes, criminals (10-20 percent of the population) – those living outside the traditional social structure and therefore viewed with great suspicion by authorities.

One of the obvious truths of eighteenth-century French society was that the poor greatly outnumbered the wealthy, but also that the country and society were ruled by the wealthy. Centuries of superior wealth and its accompanying power and privilege created a gulf between the haves and the have-nots in France, and the privileges of the wealthy were ingrained into French law. As a result, life for the upper classes of French society was very different than that of “the people.” The imbalance of wealth and political power in many respects created the difficulties under which the majority of the population struggled. The laboring and poor classes were particularly victimized by the socio-economic structure that deprived them of economic advancement but that still required them to pay rather high tax rates. Most troubling for the majority of the population, though, was the simple act of procuring of bread, the staple of the French diet. Shortages of bread could and did lead to uprising among the people, which threatened the public

tranquility, and this was a constant worry for city officials.<sup>47</sup> An unhappy populace could be a dangerous populace, and provisioning the population of Paris was an important concern, especially because dearth and hardship were very well known among a large portion of the population. Many of the people were forced to endure miserable living conditions because they simply did not have the means to change their situation. Visitors like Rousseau may have bemoaned the negative aspects of Paris, but they had the means to escape them and to enjoy at least a portion of the wonders the city had to offer. The majority of the residents of Paris, however, were unable to do so as their lives were focused mostly on survival. Taking the Faubourg Saint-Antoine as our focal point, we can delve deeper into the life of the laboring class to try to create a clearer picture of life for that segment of the Parisian population.

### The Faubourg Saint-Antoine

Larousse defines a *faubourg* as “A quarter of a city that, in former times, was situated outside the wall.”<sup>48</sup> Even though broad ring boulevards, today’s Grands Boulevards, had replaced the wall by the early eighteenth century, the location of the Faubourg Saint-Antoine on the capital’s early modern periphery fundamentally shaped its development. Indeed, a remnant of the fortifications of King Charles V (reigned 1364-1380) stood until 1789 at the Faubourg’s western extremity. Built as a strong point in the fourteenth-century wall, the Bastille, with its eighty-foot-high walls dominated the western Faubourg, and by its proximity to the Porte Saint-Antoine, the main passage for *faubouriens* into Paris, it was a landmark few of them could miss. It was, moreover, a

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<sup>47</sup> Steven L. Kaplan, *Provisioning Paris: Merchants and Millers in the Grain and Flour Trade During the Eighteenth Century* (Ithaca: Cornell University Press, 1984), p. 7.

<sup>48</sup> *Petit Larousse Illustré* (Paris: Larousse, 1999), p. 422.

landmark of tremendous significance for residents of the Faubourg. At a most basic level it doubtlessly served to remind residents of the separateness of their quarter from the Parisian mainstream, despite the administrative incorporation of the Faubourg Saint-Antoine into Paris in 1702. The Bastille also possessed even more negative symbolism for locals due to its function by the period of our study. Rendered militarily obsolete by developments in early modern artillery, the Bastille became a royal political prison by the ministry of Cardinal Richelieu in the 1630s.<sup>49</sup>

Lying beyond the Bastille and the boulevards that replaced the medieval walls, the Faubourg had a distinctly different character in the eighteenth century than that of the densely-built capital. It traditionally had been an agricultural district, but by the eighteenth century the Faubourg was beginning to develop urban residential and commercial areas along its major thoroughfares, like the rue du Faubourg Saint-Antoine, the rue de Charenton, and the rue de Charonne.<sup>50</sup> Nevertheless, the Faubourg was much less densely inhabited than the districts of central Paris. In 1755, when les Halles had a population of 555 persons per acre, no part of the Faubourg Saint-Antoine had more than fifty persons per acre.<sup>51</sup> The traditionally rural character of the Faubourg had long attracted establishments of female religious orders. The largest of these was the Abbaye de Saint-Antoine-des-Champs, whose *abbesse*, under an edict of Louis XI of 1471, administered justice in the Faubourg until the seventeenth century. Other such establishments, whose cloisters, gardens, and fields helped to sustain the rural character of parts of the Faubourg, included the Filles Anglaises and the Filles de la Trinité. In

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<sup>49</sup> The study of Hans-Jürgen Lüsebrink and Rolf Reichardt, *The Bastille: A History of a Symbol of Despotism and Freedom*, trans. by Norbert Schürer (Durham: Duke University Press, 1997), pp. 6-37, examines the Bastille's negative symbolism for eighteenth-century Parisians.

<sup>50</sup> Garrioch, *Neighbourhood and Community*, pp. 238-39.

<sup>51</sup> Kaplow, p. 21.

addition, in 1779, the crown relocated another religious institution, the kingdom's major institution for the blind, the Hôpital-des-Quinze-Vingts, to a large, surplus military barracks east of the Bastille in the Faubourg. Thus, clerical property covered twenty per cent of the Faubourg in 1789.<sup>52</sup>

The southern and eastern peripheries of the Faubourg remained largely undeveloped into the late eighteenth century. The district's southern boundary, the Seine River, flowed past farms or fallow fields, and the eastern boundary of the Faubourg, defined in the late 1780s by the wall of the Farmers General built to facilitate the collection of taxes on goods bound for the capital, was semi-rural. Only at the barriers, where such entry taxes (*octrois*) were collected, were there built-up areas, at the hamlets of Bercy (Barrière de Bercy), Charonne (Barrière de Charonne) and Picpus (Barrière de Picpus), and the Place du Trône (Barrière du Trône), today's Place de la Nation.<sup>53</sup> To the north of Saint-Antoine was the relatively more densely populated Faubourg du Temple.

The location of Saint-Antoine outside the former walls of Paris also defined another aspect of the Faubourg's character. A 1657 decree of Louis XIV allowed merchants and artisans not practicing the trades of the prestigious six corps (drapers, dry goods merchants, goldsmith, and jewelers, silk merchants, and spice merchants) to operate in the Faubourg without guild regulation.<sup>54</sup> Thus, the thoroughfares of Saint-Antoine in our period increasingly became the location for various artisans, working outside the guild rules, who sold their products to citizens of the capital. By the late

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<sup>52</sup> Raymonde Monnier, *Le Faubourg Saint-Antoine, 1789-1815* (Paris: Société des Etudes Robespierriennes, 1981), p. 15.

<sup>53</sup> Garrioch, *Neighbourhood and Community*, pp. 238-39; Kaplow, p. 4. The wall, 3.24 meters high, encompassed an area of about 9,000 acres, representing all of medieval Paris and the *faubourgs*. There were 54 barriers by 1789.

<sup>54</sup> Garrioch, *Neighbourhood and Community*, p. 241.

eighteenth-century the Faubourg was particularly noted for mirror-making, fine cabinetry characterized by intricate inlay work, textile production, coppersmithing, and the manufacture of porcelain and ceramics.<sup>55</sup> The absence of guild regulations also facilitated innovations in manufacturing. Thus it was probably no accident that the wallpaper printing firm of Jean-Baptiste Reveillon, with its machinery, grew in the Faubourg to employ over 300 workers by 1789.<sup>56</sup> Practitioners of all of these numerous trades lived side-by-side in the streets of the Faubourg.

The Faubourg's location literally at the gates of Paris also meant that many new arrivals in the capital settled there. Saint-Antoine's population, therefore, grew in numbers, reaching perhaps 40,000 by the mid-eighteenth century, but also in diversity. By 1789, perhaps one-third Saint-Antoine's population had been born in Paris; the rest were immigrants in origin. The largest single group of immigrants came from the Paris region, especially the present *département* of the Seine-et-Oise. Large numbers of immigrants also came from northern and eastern France, and Normands, Picards, Flemings, and Champagnois also called the Faubourg home. Saint-Antoine, like the rest of the capital also attracted large numbers of rural poor from the Massif Central, and large numbers of Auvergnats lived in the Faubourg.<sup>57</sup>

While the Faubourg's economic pursuits were varied, and its population from diverse regions of France, it was quite homogenous socially. Indeed, this was perhaps the most socially homogenous quarter of eighteenth-century Paris, a fact which certainly shaped relations between its residents as much as their diversity of occupations and

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<sup>55</sup> Jean H. Prat, *Histoire du Faubourg Saint Antoine* (Paris: Anciens Editions du Tigre, 1961), pp. 31-89.

<sup>56</sup> Garrioch, *The Making of Revolutionary Paris*, p. 242.

<sup>57</sup> Chagniot, p. 346; Monnier, pp. 27-34; and Thillay, *Le Faubourg Saint-Antoine et ses « faux ouvriers »*, pp. 25-26; Roche, *The People of Paris*, p. 22.

geographic origins. The social and economic elite of the capital largely lived within the boulevards which marked the line of the wall of Charles V by the eighteenth century. A wealth of research suggests that the population of Saint-Antoine was overwhelmingly of more modest means. Studies of marriage contracts, for example, reveal that, in 1749, eighty-seven per cent of grooms in the Faubourg worked as artisans or as small-time merchants. Nor did such grooms find much upward social mobility in their marriages; fully fifty per cent of them shared a common social identity with their fathers-in-law.

Other social indicators convey the same picture of a limited level of wealth in Saint-Antoine. The Faubourg's residents employed fewer domestic servants than any other part of the capital and more of those they did employ were lower-waged females than in other parts of the capital. The distribution of Parisian artisans engaged in the clothing trade also is suggestive. Three quarters of Parisian tailors, mistress dressmakers, and linen drapers lived and worked in central Paris parishes, wealthy districts virtually within sight of the Louvre. In contrast, Saint-Antoine had only one tailor for every thousand residents but many more dealers in used clothing (*fripiers, revendeurs, revendeuses*) because *faubouriens* could most readily afford used, rather than new, apparel. Finally parishioners of Saint-Marguerite, the sole parish church of the Faubourg, paid a lower average poor tax (*taxe des pauvres* assessed on the basis of one's wealth) for 1743 than members of any other parish.<sup>58</sup>

All of this suggests that the Faubourg overwhelmingly was the home of modest or poor wage earners, many of them artisans, who with their families labored in their home

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<sup>58</sup> Chagniot, p. 338; Adeline Daumard and François Furet, *Structures et relations sociales à Paris au milieu du XVIII<sup>e</sup> siècle* (Paris: A. Colin, 1961), p. 53; Daniel Roche, *The Culture of Clothing: Dress and Fashion in the "Ancien Régime,"* trans. by Jean Birrell (Cambridge: Cambridge University Press, 1999), pp. 311, 344-63.

district or trudged off on foot to work elsewhere in the capital. Indeed, in the late eighteenth-century over two-hundred *faubouriens* walked for an hour each way to labor at the lace works of Bellanger and Dumas-Descombes in north central Paris. Middle class practitioners of the professions, investors, and the aristocracy were quite rare in the Faubourg, although the *scellés après décès* found in the records of the *commissaires* show they were not entirely absent. Nevertheless, the most densely-populated streets of the Faubourg were areas of considerable social homogeneity, inhabited by people who seldom seem to have moved on to other parts of Paris.<sup>59</sup>

In the eighteenth-century, these *faubouriens* had a reputation for collective violence. We find that the attorney Edmond Jean-François Barbier (1689-1771), whose journal is one of the best sources for Parisian events in our period, recorded a uniformly negative image of Saint-Antoine residents and their propensity for violence in the streets. He noted major unrest on three occasions in the first half of the eighteenth-century, in 1725, 1743, and 1750.<sup>60</sup> The Faubourg Saint-Antoine was the scene of the most serious bread riot of the reign of King Louis XV (1715-1774). The affair had its roots in the poor harvests north of the Loire River in 1724 and the resulting late spring and early summer (1725) rise in grain prices fueled by speculation over the next crop. The first indication of trouble occurred on June 23, 1725 in a side street off of the rue du Faubourg Saint-Antoine when the wife of a cabinet maker got into an argument with a baker over the elevated price of bread. Ejected from the shop, the woman was soon joined by over a hundred neighborhood women who threw stones at the shop, tore off its doors, and

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<sup>59</sup> Garrioch, *The Making of Revolutionary Paris*, p. 243; Monnier, p. 37; and Pardailhé-Galabrun, pp. 30-31.

<sup>60</sup> Edmond Jean-François Barbier, *Journal historique et anecdotique du règne de Louis XV (1718-1763)*, ed. by A. de la Villegille, 8 vols. (Paris: Charpentier, 1857-1868); Thillay, pp. 31-32.

threatened to sack it and other bakeries. Only the arrival of the Watch forestalled further violence, but tensions remained high. Thus, on June 26, 1725 the attempt by police authorities to arrest some of the growing number of beggars in the Faubourg led to an additional disturbance. Then, on July 9, full-scale rioting erupted.

Once again, difficulties began in an argument between a woman of the Faubourg and a baker charging an elevated price for bread. Soon, a crowd largely composed of women looted that shop of over 600 pounds of bread and turned on other bakeries. Since bakers of the Faubourg were numerous and supplied more than a quarter of the capital's aggregate bread supply, the crowd had plenty of targets, and it rampaged for a number of hours before the authorities could marshal their forces. Everywhere crowd members seized bread and engaged in other acts of vandalism driven in part by the rumor that bakers were part of a plot to raise the price of food. When the authorities restored order, they arrested thirty-six persons, including five women, twelve children, and, among the males, a cross-section of the practitioners of the Faubourg's trades. The riot shocked royal officials, who took several steps in its wake. Determined to deter future violence by making examples of a few of those arrested, the judges of Paris executed a stone cutter and a journeyman shoemaker on July 17. At the same time, the monarchy intervened in the market to assure more regular food supplied to the capital and thus stabilize prices.<sup>61</sup>

*Faubouriens* disquieted Parisian authorities on a second occasion, in 1743, at the time of drawing lots for service in the militia (*milice*). Military service was never popular during the Old Regime, and the Faubourg reflected this sentiment in February 1743.

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<sup>61</sup> The rioting of June and July 1725 is the subject of an extended article by Steven Laurence Kaplan, "The Paris Bread Riot of 1725," *French Historical Studies* 14 (1985): 23-56. Kaplan deals with the popular fear of plots to raise bread prices in *Le complot de famine: histoire d'une rumeur au XVIII<sup>e</sup> siècle* (Paris: Armand Colin, 1982).

Thus the quarter was plastered, under the cover of night, with seditious, handwritten placards voicing threats against Paris police officials and calls to burn the city.<sup>62</sup>

The third major disruption of the peace occurred in 1750, again at a time of bad harvests, high food prices, and economic distress. The famine of 1747-1748 had driven unusually large numbers of poor into Paris. Police authorities, using an established legal arsenal, began in December 1749 to round up the indigent and stirred up considerable friction between themselves and the populace of much of central Paris and the Faubourg Saint-Antoine. Then, in May 1750, police actions gave rise to erroneous rumors that the authorities were seizing not only beggars but children and that perhaps these were to be shipped to the Louisiana colony. The rumor brought *faubouriens* and other Parisians into the streets, killing police officers and besieging *commissaires* in their homes. The crowd's composition replicated that of 1725; it included large numbers of women and many of the artisans and tradesmen of the Faubourg. It was not a revolt of the impoverished so feared by early modern authorities, but, as in 1725, repression was selective and it was members of the lowest orders who paid the price.<sup>63</sup>

By 1774, Barbier was dead, but the Faubourg Saint-Antoine continued to live up to the disorderly reputation that the lawyer had sketched. In that year, poor harvests and an ill-timed attempt by the Controller General of Finances, Anne-Robert-Jacques Turgot, to free the grain trade of traditional restrictions and controls led to the Flour War of 1774-1775. The great grain producing zone of northern France, the Paris Basin, erupted in

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<sup>62</sup> Capitaine Herlaut, "La recrutement de la milice à Paris en 1743," *Revue du XVIII<sup>e</sup> siècle* 2 (1914): 275-90, 368-88; and 3 (1915-1918): 47-56; Jean Nicolas, *La rébellion française: mouvements populaires et conscience sociale, 1661-1789* (Paris: Editions du Seuil, 2002), pp. 392-400; Thillay, p. 32.

<sup>63</sup> Farge and Revel, *The Vanishing Children of Paris*, is the brief, standard history of this event. Nicolas, *La rébellion française*, especially pp. 356-62, surveys the rebellion and places it in a broad historical context.

revolt and the Flour War's chief modern historian counted 313 violent incidents in the winter of 1774 and spring of 1775, the repression of which required the army.<sup>64</sup> On May 3, 1775, these disturbances reached the Faubourg Saint-Antoine as residents of the Paris region streamed into the capital for their usual marketing. Confronted with higher bread prices, the rural shoppers, aware of disturbances in the Paris Basin, turned violent and were joined by Parisians of the popular orders. These crowds pillaged the markets of the Faubourgs Saint-Antoine, Saint-Marcel, and Saint-Laurent and sacked perhaps as many as 1,300 bakeries, sometimes simply confiscating bread, and sometimes paying bakers what crowd members deemed, a "just price." The crowd in Saint-Antoine included both men and women, with the men drawn from the ranks of journeymen, apprentices, water carriers, and other unskilled, low-paid workers, and the indigent so numerous in the Faubourg.<sup>65</sup>

The events attending the opening of the Revolution of 1789 cemented the reputation of the Faubourg as a place of considerable unrest. As France elected its representatives to the Estates General in the spring of 1789, a bloody riot rocked Saint-Antoine. Again, we find its origins in elevated food prices and rumor. The poor harvests of 1788 drove spring and summer bread prices in Paris to their highest levels of the eighteenth century amid the turmoil of the election campaign. Then, in April 1789 a rumor circulated that two substantial employers of the Faubourg, the wallpaper manufacturer Jean-Baptiste Reveillon and the saltpeter maker Henriot, had said in their

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<sup>64</sup> Cynthia A. Bouton, *The Flour War: Gender, Class, and Community in Late Ancien Régime French Society* (University Park: Pennsylvania State University Press, 1993), pp. 147-54; Bouton largely addresses events outside the capital.

<sup>65</sup> Bouton, p. 88; Nicolas, pp. 253-58. Both Bouton, pp. 121-61, and Louise Tilly, "The Food Riot as a Form of Political Conflict in France," *Journal of Interdisciplinary History* 2 (1971): 23-57, offer informative typologies of food riots.

local electoral assembly that workers' wages ought to be reduced. The rumors were never substantiated, and Reveillon, in particular, was known for paying good wages and following what were considered enlightened labor practices. Indeed none of Reveillon's employees took part in the violence, and thus historians would like to know more about the genesis of the events that came to be called the "Reveillon Riot." Events came to a head on April 27, 1789, a Monday holiday for Saint-Antoine workers. That afternoon, a crowd gathered near the Bastille, burned Reveillon in effigy, paraded through the streets carrying effigies of Reveillon and Henriot, and grew in numbers. In the evening, the crowd burned Henriot's house, but spared Reveillon's house because they found it guarded by soldiers. The next evening, an even larger crowd drove away the soldiers at Reveillon's home and pillaged it. When additional troops arrived, they opened fire on the crowd, killing perhaps as many as 150 persons and reestablishing order. Police records of those killed and arrested revealed a largely working-class group of victims including cabinet makers, construction workers, and textile workers – in short a cross-section of the population of the Faubourg.<sup>66</sup>

The bloody events of April in the Faubourg were concluded by the capture of the Bastille on July 14, 1789 amid the crisis precipitated by the King's attempted coup against the National Assembly that had emerged from the Estates General. The King's firing of the popular Controller-General of Finances, Jacques Necker, and the movement

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<sup>66</sup> The Reveillon Riot has yet to find its historian, and there is much about its victims that we do not know. George Rudé, *The Crowd in the French Revolution* (Oxford: Oxford University Press, 1959), classed the Reveillon Riot as a typical Old Regime riot bred of food shortages and corresponding high prices. Needless to say, purveyors of plot theories thrive on the events of April 27-28, 1789, some alleging that the rioters were paid to make trouble by the duc d'Orléans. Because the police very probably understated the loss of lives to avoid making the situation more dangerous, the numbers of dead and wounded vary widely from source to source. See also on the Reveillon events relevant volumes in the *Nouvelle histoire de Paris*, Chagniot, *Paris au XVIII<sup>e</sup> siècle*, pp. 526-28, and Marcel Reinhard, *La Révolution, 1789-1799* (Paris: Hachette, 1971), pp. 114-17.

of troops to Versailles and Paris, accompanied by the continued economic distress of high food prices, brought the people of Saint-Antoine into the streets again in the event that really marked the end of the Old Regime. Word of Necker's firing put thousands into the streets on July 12 and 13. On July 14, a crowd of 20,000 or more surrounded the Bastille demanding the gunpowder stored there for the 40,000 muskets it had earlier seized at the Invalides. We know identities of some 600 of the crowd members since some left record of their status by dying in the action, while others were subsequently honored for their efforts in capturing the Bastille. About seventy per cent of those we can identify came from the Faubourg Saint-Antoine, and fifteen percent of those whose occupation we know were woodworkers, practitioners of one of the Faubourg's largest trades.<sup>67</sup>

As France descended into Revolution, *faubouriens* continued to uphold their district's reputation for disorder. Residents participated disproportionately in the great *journées* of the Revolution, and the districts that comprised the old Faubourg were among the last bastions of resistance to the Thermidoreans.<sup>68</sup> Whether eighteenth-century France was governed by a monarchy or a republic, however, the Faubourg Saint-Antoine and its workers seemed to have been a threat to public order. Such threats and, even more the very diversity of the district, make Saint-Antoine a very interesting place to study within the context of Paris of the eighteenth century. While Saint-Antoine's reputation as a hotbed of popular dissent during the eighteenth century is now well-established, the people of Saint-Antoine lived their lives as ordinary people in any period do, and their aspirations ran a rather ordinary course: birth, acquisition of a skill or at

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<sup>67</sup> Rudé, pp. 244-48; still standard on events of July 1789 is Jacques Godechot, *The Taking of the Bastille, July 14, 1789*, trans by Jean Stewart (New York: Scribner, 1970).

<sup>68</sup> During the Revolution Paris was reorganized into forty-eight sections. Those formed out of the Faubourg Saint-Antoine were the Popincourt, Montreuil, and Quinze-Vingts sections; see Monnier, pp. 122-65.

least an occupation, marriage (if possible), children, and on until passage into the sweet hereafter. The greatest difficulty for us in understanding their lives is in recreating an accurate picture of what that life was like for them based on what records are available.

While commentators such as Louis-Sébastien Mercier do paint a vivid picture of Paris for us, for a more balanced picture of Saint-Antoine, we must also examine other more official sources, such as the police and court records.<sup>69</sup> Within these records, much detail has been recorded in the process of the prosecution of civil and criminal cases, even the minor ones, which provides us with a glimpse into the lives of ordinary Parisians who did not otherwise leave behind a record of their lives. From these records we discover that neighbors often trusted each other with their keys and their children, they kept an eye on each other, and they noticed when neighbors were in difficulty. The residents of Saint-Antoine understood what was expected of them in terms of personal relationships, what words to use to defend each other or to accuse each other, and what to say when confronted by officials investigating disturbances or conflicts. They understood the value of the spoken word among themselves as the less-than-literate public. They also fought with each other, with their disagreements sometimes leading to a long-standing enmity which could involve everyone within the immediate vicinity. Although they did not leave their own evidence about interpersonal relationships, the court and police records more than make up for that. As a result, what would otherwise have been a faceless mass of humanity becomes a colorful mix of personalities.

Through police records we come to know people like Catherine Bourgeois, the widow and water carrier, who was hit by a cart and whose injuries made it difficult for her to do her job, and thus to earn her living. She was a victim of the typical dangers of

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<sup>69</sup> Louis-Sébastien Mercier, *Tableau de Paris* (Paris: Mercure de France, 1994).

life in a busy city, but she had resources on which to draw and she knew what they were (i.e. *commissaires*).<sup>70</sup> Others, like Anne Goussot, through their criminal acts were the origin of dangers faced by the people of Saint-Antoine, and indeed all of Paris. Goussot was arrested for being a part of a gang of highway robbers that robbed and murdered a lace merchant.<sup>71</sup> The details included as part of the official record show us not only the extraordinary but also hint at the mundane or commonplace.

Leaving home and traveling to Paris in search of work was not unusual, and countless French men and women did just that. Moreover, most did not leave a record of their journey or subsequent life in Paris. They worked, perhaps married, and stayed in Paris to raise a family. However, occasionally during an otherwise ordinary life one's actions led to a case being filed in the court records, and we come to learn more about the kind of work people did, where they went to relax and with whom, as well as the difficulties that life often presented. For example, through the records of the criminal court, we meet Françoise Vincent who was forced by the hardships of life in rural France to travel to Paris at a young age to work to support herself. Her widowed father was unable to support both Françoise and her younger sister, and as a result he was compelled to find employment for her in Paris with the help of his brother. While this situation was not, in and of itself, noteworthy, Françoise became so homesick that she risked punishment to return to her father's home. The simple act of leaving her employer without permission led the employer to seek the assistance of royal authorities for the return of his "lost" employee, and as a result the details of this young woman's life

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<sup>70</sup> AN Y15946, Papers of Commissaire de la Grave, June 1751.

<sup>71</sup> AN Y10037, Minutes of the Grand Criminel, August 1729.

became a part of the official record. We come to understand that finding employment – which could aid in basic survival – was not enough to make life in Paris bearable.<sup>72</sup>

Police and court records not only allow us access to the people of Saint-Antoine, but they also allow us to see into the physical spaces in which they lived. As the facts of the case were collected and recorded, shared public and private space was described, often in great detail. Buildings were crowded together along the streets and alleys, connected by passageways and courtyards, and people were crowded into small apartments and common spaces. People could not help being in close contact with each other, as they passed through these spaces on their way to and from their homes. Women especially were found in and around common areas: in the marketplace, in the street, at public water supply sites (rivers, wells, and the like). Daily contact with neighbors provided them the opportunity to catch up on the news of the day, to share some gossip, or even to feel solidarity against someone for whom they shared a mutual dislike. While much of this contact occurred in public spaces, a great deal happened in more private areas as well, in people's apartment buildings, courtyards, and even within the homes themselves, yet the walls of most homes in Saint-Antoine were so paper thin as to allow involuntary sharing of intimate details of people's lives. Many witnesses attested to this fact when they admitted that they had heard what had passed between quarrelling spouses or that they had been privy to other types of communication. During the course of an investigation into the claims that Françoise Marechal (called Fanchon) had stolen some laundered items from a man who had hired her to do his laundry, Marie Boucot explained that she had been the auditory witness to the confrontation between Fanchon and the man when he and his wife forced their way into Fanchon's apartment in search of the missing

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<sup>72</sup> AN Y9665, Minutes of the Petit Criminel, 1754.

items. Other witnesses who lived nearby also heard the confrontation between the parties involved in what became a dispute over the truth of the accusations leveled against Fanchon.<sup>73</sup> Witness accounts helped Commissaire Trudon to gather information about the case and about the people involved, but they also demonstrated the almost complete lack of privacy for the residents of Saint-Antoine.

The urban poor of Saint-Antoine did not have the luxury of privacy that was a way of life for the more well-to-do. They lived in small apartments with few furnishings, and they often shared their living quarters with several people, even sleeping two or more to a bed. In fact, immigrants to the city in search of a place to stay often found themselves sharing a bed with a complete stranger. When Marie Jeanne Martin, a young rural immigrant, applied for a place to stay upon her arrival in Paris, she found herself sharing a bed with a “Femme Ecosseuse.” While this may have been a financially sound decision – sharing a room and a bed was certainly cheaper than renting a room alone – it did create a chance for foul play, such as theft, to happen as Martin herself soon discovered. She had come from the countryside to Paris in search of employment and had taken lodgings with a woman named Femme Cierge, who had also rented out space to Ecosseuse. Martin found herself sharing a bed with Ecosseuse, and when one morning she could not find that the cross she always wore around her neck, Martin automatically suspected her bedmate.<sup>74</sup>

However, lack of privacy was not always disadvantageous. Knowledge of one’s neighbors’ daily activities could be a source of protection. Neighbors were generally familiar with the day-to-day goings on of the people living near them. They noted when

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<sup>73</sup> AN Y9678, Minutes of the Petit Criminel, September 1762.

<sup>74</sup> AN Y9662, Minutes of the Petit Criminel, June 1760.

something seemed amiss with a neighbor, and even said as much to the authorities. Marie Anne Gousselle, for example, told the authorities that she had seen a woman named Heron making off with property belonging to 90-year old Widow Michlet. Gousselle had been in the habit of taking food to the elderly woman and looking in on her from time to time because Michlet was sickly and unable to care for herself. Gousselle became increasingly concerned about Michlet when she was taken to the Hôtel Dieu, and she worried about Michlet's property when she noticed Heron hanging around the apartment.<sup>75</sup> People noticed when something was amiss – when a door was left open that was usually closed or when people diverged from their usual schedule – and they often investigated the matter or even went so far as to act as a witness to an official inquiry. Their testimony was very important to those people who sought compensation for wrongdoing, especially in cases where the victim expected the officials to give the accused preferential treatment. For example, when a husband abused his wife and failed to uphold his basic responsibilities toward her and his family, the statements made by witnesses could mean that the wife's complaint had merit. In the complaint lodged by Margueritte Duchatel against her violent husband, it was noted that the entire *voisinage* (neighborhood) hoped to protect her from his violence.<sup>76</sup> The support of the neighborhood could provide much more legitimacy to her claims that her husband abused her than if she stood against him alone. Instead of it being his word against hers, it was his word against that of all the neighbors.

Interpersonal disputes often became part of the public discourse, even when they had begun in private. Many arguments were taken out into the street where they came to

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<sup>75</sup> AN Y15945, Papers of Commissaire de la Grave, October 1750.

<sup>76</sup> AN Y9688, Minutes of the Petit Criminel, August 1763. For similar cases see AN Y10998 February 1757, AN Y11750B August 1733, and AN Y12571 5 June 1725, 13 June 1725, and 28 June 1725.

involve a larger group of people. These public arguments were a sort of entertainment for some, but they could also lead to unfortunate consequences. A friendly competition between two men in a cabaret escalated into a brawl that ended with the death of the wife of the contest's winner. The loser of the competition, a soldier named Hyemelay, was to pay for the wine of the winner, René Catillon, but the soldier's response to his loss was to simply hit Catillon and leave the cabaret. The winner's wife, Marie de la Pierre, later joined her husband for a drink, and after her husband invited some other soldiers to drink with them, she began chastising them about their friend's not having paid for the wine. One soldier's response was to tell de la Pierre to save it for Hyemelay, but she persisted in harassing him, which led to a physical altercation between the two. Catillon stepped in to protect his wife, and then several of their neighbors became involved. The fight ended when the soldier pushed de la Pierre so hard that she fell. Realizing that his wife's injuries were serious, Catillon promptly took her home where she died a short time later. A physician attested to the fact that de la Pierre's death was caused by the blows she had received in the fight. Some of the neighbors and Catillon himself had tried break up the fight, but they were unsuccessful.<sup>77</sup>

Often the police were brought in, in some capacity, to deal with such incidents. Police involvement in daily disputes was beneficial for those who hoped to have the *commissaire* decide the case in their favor against the other party, but for others, having the police become involved could mean their prying into other personal affairs and perhaps the discovery of a bigger infraction than simply having a public dispute. In Fanchon's case, for example, the investigation into charges of theft led to the discovery that she and her male roommate were not married, yet another transgression on

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<sup>77</sup> AN Y9668, Minutes of the Petit Criminel, December 1761.

Fanchon's part, and potentially further evidence of her character flaws. While audible arguments between people within the neighborhood were rather common, they became problematic when they became violent or prolonged and caused a scandal in the neighborhood. At these times the police intervened because scandal and public order were mutually exclusive, and as representatives of the king, the *commissaire* and the police were expected to maintain public order and tranquility. Failure to do so could put the well-being of the entire kingdom in jeopardy.<sup>78</sup> As will be seen in subsequent chapters, maintenance of the public order was of primary importance to the king and his ministers.

### Conclusion

Although maintenance of public order was a city and kingdom-wide concern, our attention is focused on one area of Paris, but an area that was important in terms of public tranquility for the rest of the city. As David Garrioch points out in his *Neighbourhood and Community in Paris, 1740-1790*, the neighborhood was the focal point of daily life. Material and emotional support was often found among one's neighbors, and most Parisians did not travel any great distance for the goods and services needed for daily survival.<sup>79</sup> On one side of the street one might find a cobbler to repair damaged shoes, while on the other there was a *revendeuse* from whom one could purchase used clothing. The companionship shared by neighbors created a sense of community and mutual support that enabled people to survive difficult times. Such closeness, however, could also mean that conflicts between neighbors and even between family members could negatively affect the entire neighborhood. Tensions between neighbors could become so

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<sup>78</sup> Farge, *Fragile Lives*, p. 13-14.

<sup>79</sup> Garrioch, *Neighbourhood and Community*, p. 19.

intense that the *commissaire* was called in to settle the dispute. While this could work in one's favor, involvement of royal authorities and their intrusion into private life was not sought after by most people. People were well aware of the presence of police spies throughout Paris, and they hoped to avoid being brought to their attention or that of any other royal representative. Suspicion and rumor were enough to land one in police custody. As a result, protection of one's reputation and good standing in the neighborhood was of utmost importance.

The people of Saint-Antoine, in general, may have been illiterate and therefore unable to read the statutes that governed their lives, but they knew what could bring them in front of the authorities and possibly land them in jail. They understood the systems, social and legal, under which they lived, and they knew what was required to successfully navigate through them. We shall see in the subsequent chapters that each group occupied a particular place within Parisian society, with all women having been relegated to secondary status, but with women of the lower classes being even more disadvantaged than their more well-to-do sisters. However, the women of the Faubourg Saint-Antoine understood that survival required that they know how to live within and outside the system of laws and regulations that aimed to keep them firmly in their proper place.

## **CHAPTER TWO: THE LEGAL POSITION OF PARISIAN WOMEN**

The society in which the women of Faubourg Saint-Antoine lived was one in which women's legal independence was limited at best. Indeed, at least in principal the position of women in eighteenth-century French society was very clear: women were subordinate to men. Their position in society grew out of a long-standing tradition of the dominance of patriarchal power based on classical and medieval thought, Jewish and Roman Catholic theology, medieval and early modern customary law, and the political theory of absolute monarchy. However, the reality of women's lives made their position within their society far more complex than this. Eighteenth-century Parisian women understood their subordinate position, both in terms of the law and customary attitudes, with all of the inherent limitations and controls therein, but they also realized that in order to survive, such artificial ideas had to be ignored sometimes or at least bent to suit the realities of life. Survival required that life at times had to be lived independently of accepted rules, thus creating a greater challenge for women in terms of daily living, but also complicating our understanding of the true nature of their status within early modern French society. Moreover those who crafted the laws did so with the understanding that women needed protection as well as control, whether that meant protection from an abusive, wasteful spouse or from their own female weakness. The result was a combination of restrictions and rights that further defined the place of women within early modern French society. In the chapter that follows, we will assess the status of Parisian women, both *de jure* and *de facto*, in the eighteenth century as we examine early modern European and French thought on women, the institutions for their legal control, and the position of women in Old Regime civil and criminal law.

### Early Modern Thought on Women

Before 1500 secular and religious writers agreed upon women's inferior position within society, basing their arguments on both pre-Christian and biblical sources. They argued that neither God nor Nature had endowed women with the same innate abilities as those possessed by men and that they were inferior to men in every way. Writers such as Aristotle argued that women's very physiology created internal turbulence for them, that as imperfect males, women were subject to uncontrollable passions and were too weak to avoid the accompanying temptations. If not kept under strict control (by men), these women would become slaves to their passions and would ultimately lead the men around them down a path of ruin. The ultimate statement of this view in classical thought was the supreme authority of the *paterfamilias* in the law of the Roman Republic.<sup>1</sup> Couching such sentiments in terms of morality, the Catholic Church further circumscribed the woman's position in Christian society as mandated by God and supported in biblical texts that stated that man was the head of woman, that women were not to usurp the authority of men, and that they should submit to their husbands.<sup>2</sup> The authority of men as husbands and as fathers was abundantly clear in countless biblical and theological statements of the proper arrangement of family authority and subordination ultimately founded on Old Testament portrayals of Eve. Western religious tradition held Eve up as a willful character who was partly responsible for the fall of humanity and the expulsion from the Garden of Eden through her influence over Adam. Not only was she unable to make good decisions for herself, she also was able to tempt Adam into joining her in

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<sup>1</sup> Merry Wiesner, *Women and Gender in Early Modern Europe* (Cambridge: Cambridge University Press, 1993), p. 25.

<sup>2</sup> Julia O'Faolain and Lauro Martines, eds., *Not in God's Image: Women in History from the Greeks to the Victorians* (New York: Harper & Row, Publishers, 1973), pp. 128-29.

disobeying God's rules. Eve represented female weakness and women's tendency to corrupt men.

That same religious tradition offered a contrasting vision of woman in Mary. The Virgin mother of Jesus was held up as the perfect example of the dutiful daughter and mother through her total acceptance of the will of God, the Father. Catholic women were to emulate Mary, to strive to follow in her obedience and chastity. However, the majority of writers acknowledged that this model was unattainable for most women and that the virtuous woman was, in fact, a rare exception rather than the rule. Most women were true descendents of Eve, aiming to corrupt those around them with their natural wickedness, something that no woman could completely avoid. Indeed, the Bible was full of representations of this lesser model of woman. Jezebel, the Whore of Babylon, and Delilah, for example, were known for vanity, manipulation, deception, and for using their sexuality for evil ends.<sup>3</sup> Theologians admonished men to be on guard against such feminine wiles and taught that a father or husband had a duty to govern his daughter or wife's behavior in order to keep her in check, both for her own protection and for that of wider society.

Indeed, a divine-right, monarchical model of family governance is evident in traditional Christian theology. Saint Paul thus established the father as supreme in the household in the Epistle to the Ephesians (5:22-6:7)

Wives, be subject to your husbands as you are to the Lord ... Children, obey your parents in the Lord, for this right ... slaves, obey your earthly masters with fear and trembling, in singleness of heart, as you obey Christ ... Render service with enthusiasm, as to the Lord.<sup>4</sup>

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<sup>3</sup> Olwen Hufton, *The Prospect Before Her: A History of Women in Western Europe, Volume One 1500-1800*. (New York: Vintage Books, 1995), pp. 30-32.

<sup>4</sup> *The New Oxford Annotated Bible*, 3<sup>rd</sup> ed. (Oxford: Oxford University Press, 2001).

And while we will see that Catholic theologians by the eighteenth century condemned violent expressions of such domestic authority, they always were clear on the fundamental sanctity of patriarchal authority. Thus to cite one example, Jean Benedicti, a professor of theology and Father Provincial for Touraine in the Franciscans (Friars Minor, or Observants), commenting on the commandment to “Honor your father and your mother,” wrote in 1601: “Those who violate the laws and just commands of their superiors are heretics.”<sup>5</sup>

Customary law that evolved particularly in medieval, northern France followed the lead of the Church in family governance. But, if theologians like Benedicti threatened divine punishment for transgressions of the sacred domestic order, the customary laws of northern France, the region to which the majority of eighteenth-century Parisians traced their roots, offered more down-to-earth chastisements. As we will see, customary law generally condoned the beating of wives, children, and servants by the *paterfamilias* to maintain discipline, with the caveat that such violence could not result in death or dismemberment.<sup>6</sup> Indeed, custom dictated punishment of husbands and fathers who failed to assert their household authority, and in the 1375 compilation of the customs of Senlis, we find what social historians would recognize as a charivari:

“husbands who let themselves be beaten by their wives shall be arrested and condemned to ride an ass, with their faces toward the tail of said ass.”<sup>7</sup> Needless to say, the teachings

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<sup>5</sup> Jean Benedicti, *La Somme des Pechez*, 1601 edition, quoted in Jean-Louis Flandrin, *Families in Former Times: Kinship, Household and Sexuality* trans. by Richard Southern (Cambridge: Cambridge University Press, 1979), p. 120.

<sup>6</sup> Flandrin, *Families in Former Times*, pp. 123-24.

<sup>7</sup> Quoted in Flandrin, p. 124. The work of Natalie Z. Davis remains fundamental on the charivari: “The Reasons of Misrule” and “The Rites of Violence” in her *Society and Culture in Early Modern France* (Stanford: Stanford University Press, 1978), pp. 97-123 and 152-87 and “Charivari, Honor, and Community in Seventeenth-Century Lyon and Geneva” in John J. MacAloon, ed., *Rite, Drama, Festival, Spectacle: Rehearsals Toward a Theory of Cultural Performance* (Philadelphia: Institute for the Study of

of the Church and the emerging law of the absolutist state in principle condemned such practices throughout our period. Thus, Benedicti wrote in the early seventeenth century that “He who severely and atrociously beats or chastises his wife, even if it be for some fault, sins,” and the condemnation of the practice by Catholic moralists only grew over the centuries.<sup>8</sup> As we will see, too, the state and Church offered legal relief to the abused wife, and Paris police authorities by the eighteenth century energetically sought to repress charivaris with limited success.<sup>9</sup> But such practices persisted.

At the same time that the Church and custom reinforced a patriarchal society, early modern legists by the sixteenth century were positing laws based on Roman principles intended to replace written and unwritten customary law with a foundation for absolutism. The principles of absolutist monarchy rested, preeminently, on a structure of patriarchy. Thus Jean Bodin, the foremost theoretician of early modern, French absolutism wrote in his *Traité de la République* (1576):

The government of all commonwealths, colleges, corporate bodies, or households whatsoever, rests on the right to command on one side and the obligation to obey on the other ... The well-ordered family is a true image of the commonwealth, and domestic authority is comparable with sovereign authority. It follows that the right ordering of the household is the model of right order in the commonwealth.<sup>10</sup>

The father, thus, was the monarch in miniature, and it is difficult not to discern the paternal authority figure in the Code Napoléon of 1804 as a latter-day restatement of the absolutist theories of Bodin.<sup>11</sup>

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Human Issues, 1984), pp. 42-57. The variety of such ritualized violence may be found in Henri Rey-Flaud, *Le charivari: les rituels fondamentaux de la sexualité* (Paris: Payot, 1985) and Jacques Le Goff and Jean-Claude Schmitt, eds., *Le charivari* (Paris and The Hague: Mouton, 1981).

<sup>8</sup> Quoted in Flandrin, p. 128.

<sup>9</sup> Garrioch, *Neighbourhood and Community*, pp. 218-19.

<sup>10</sup> Quoted in Mousnier, *The Institutions of France under the Absolute Monarchy, 1598-1789: Society and the State*, p. 86.

<sup>11</sup> The whole issue of the paternal figure in French history is the subject of Yvonne Knibiehler, *Les pères aussi ont une histoire* (Paris: Hachette, 1987).

As concerned women in particular, the legal system under which they lived demonstrated a paternal construction that was a reflection of both the growing absolutism of France and its accompanying attempt to bring society as whole under greater paternalistic control. This can be seen at every stage of a woman's life from birth through childhood, marriage, and even in widowhood. The father/husband was made sole master of the family, free to make whatever decisions he felt were necessary.<sup>12</sup> This was nowhere more evident than in the civil law of northern France and the Paris region. There, beginning in the sixteenth century, customary law founded on the principle of community property in marriage increasingly gave way to Roman law principles of absolute monarchy endowing the husband and father with full control of family property matters.

The laws that governed the lives of women during this period then, grew out of a definable attitude toward both men and women: women needed to be controlled and it was the duty of the men in their lives (husbands, fathers, guardians) to do so. The laws created during the early modern period reinforced traditional gender roles and aimed to solidify existing controls over women and to define this control in more explicit terms, through its various forms – civil law, criminal law, and customary law. Part of the difficulty in examining and discussing the legal status of women and their place within early modern French society, is the complexity of the legal system under which they lived. France was a hodgepodge of legal traditions that had yet to be completely consolidated or standardized by the eighteenth century. What the different systems had in common was their patriarchal nature, which was common throughout Europe and

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<sup>12</sup> François Olivier-Martin, *Histoire du droit français des origines à la Révolution* (Paris: Éditions du Centre National de la Recherche Scientifique, 1984), pp. 652-55.

which aimed to solidify paternal power within the family and throughout wider society. However, until the sixteenth century in the northern region of France, the monopolistic hold on power of the *pater familias* was somewhat moderated by customary law, which recognized that women and children could and often did need protection from wasteful husbands and fathers who might dissipate the family patrimony. Despite the complexities of this legal system, however, the people of Paris, and the women of Saint-Antoine in particular, demonstrated a relatively clear understanding of the laws affecting their lives. In practice, modern historians have found royal absolutism tempered and circumscribed on every hand by institutional, customary, and practical realities. And as Merry Wiesner points out,

It is important to recognize that laws are yet another type of theory; like sermons and domestic guides, they describe an ideal situation that their authors are trying to create, and do not describe reality. To some degree, laws may be used as evidence that the actions they attempt to prohibit or regulate are in fact going on, for, as legal historians have pointed out, lawmakers only feel it necessary to restrict actions which people are actually doing or which the lawmakers think they might contemplate doing.<sup>13</sup>

As we will see beginning in chapter three, the status of the women of Saint-Antoine in practice could be rather different from that expressed in law and custom, but first we must treat here the principles of Old Regime civil and criminal law and the social controls designed to enforce them. We should note that the laws that were created during the period preceding the eighteenth century were influenced not only by those who crafted them (male legists), but also by prevailing attitudes toward appropriate gender roles and the social power structure. In particular we reference here the shift during the early modern period toward greater paternal authority at all levels of society.

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<sup>13</sup> Wiesner, p. 30.

From early in life women, however, also understood that no matter what they thought of themselves, the image of the naturally inept woman completely lacking in self-control and thus in need of supervision, was widely accepted in legal circles, as well as in the wider French society. Unable to control her passions, the woman had to be supervised by the men in her life, because if left to her own devices, she would want to rule over those above her.<sup>14</sup> Such disorder could not be allowed. The young single woman was to remain under the supervision of her father, or a male guardian in the absence of her father. Social norms dictated that the unmarried woman's residence was with her parents and that she must remain more or less secluded within that residence, but many women did not follow this particular custom for a variety of reasons. Single women in particular often chose to live elsewhere while working before marriage. The population of single women in the Faubourg Saint-Antoine was diverse, including those born in Paris as well as immigrants from towns and regions outside of Paris and from other nations of Europe. Maintaining any semblance of control over this disparate group was a very difficult task for a government and legal system faced with surveillance of the many other regions of Paris and the vast population therein, especially given that the people of Paris understood the need for a balance between abiding by the law and not letting obedience interfere with survival. Women in particular understood that they needed to create a balance between living under traditional rules governing their behavior and at times circumventing these rules in order to survive. We will see this in their position in the body of royal and customary law that regulated familial household, and property relations, the complex civil law of Old Regime France.

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<sup>14</sup> Davis, p. 125.

## Civil Law

Civil law relationships were governed by the Civil Code of 1667 (or Code Louis), which largely regulated procedural matters, subsequent royal ordinances, and the customary laws of Paris and its region.<sup>15</sup> The entire thrust of this body of law in regard to women was to circumscribe their prerogatives and to subject them to the tutelage of male relatives. Old Regime civil law reflected the patriarchal vision of society that we explored in the previous section of this chapter. The household in absolutist thought had a sovereign modeled on the king. That sovereign was the *paterfamilias* who potentially governed a significant number of people in his household: first and foremost, the nuclear family of husband, wife, and their children, but often also a collection of clients which might include servants, secretaries, paid companions, and apprentices, depending on the family's status. We begin with a consideration of the condition of female children in the civil law of the Paris region.<sup>16</sup> From the moment of her birth, the Parisian woman occupied a subordinate position in life according to the dictates of French society. In the first phase of life she lived under the protection/guardianship of her parents (though more particularly that of her father). While still below the age of majority (twenty-five for women), she was expected to remain in the home of her parents. Then when she left home to marry, her deference shifted to her husband, who took on much of the same responsibility of control and guidance that had been her father's. Such a neat timeline, however, did not take into account the ways that life for the women of Paris often involved unexpected challenges. Women were compelled or even chose to live outside

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<sup>15</sup> M. François-André Isambert, ed., *Recueil général des anciennes lois françaises depuis l'an 420 jusqu'à la Révolution de 1789* 29 vols. (Paris: Belin-Le prieur, 1833), 18: 103-180. The standard work on Parisian customary law is François Olivier-Martin, *Histoire de la coutume de la prévôté et vicomté de Paris*, 3 vols. (Paris: E. Leroux, 1922-1930).

<sup>16</sup> Mousnier, pp. 84-85.

traditional familial structures, which often meant that they seemed to live outside male guardianship. However, it should be noted that parental authority remained in place until a woman married, meaning that her parents could be held liable for her misbehavior, and this stricture was, moreover, supplemented by jurisprudence drafted with the idea in mind that non-parental supervision was at times needed to protect the public tranquility from threats by the unruly.

While they were still young and living securely within the parental home, girls were more easily supervised than when they began to spend more time out in the wider community. As daughters were expected to remain within the parental home until marriage, parents, especially fathers, were responsible for watching over their daughters and restricting their behavior, ensuring that it fell within acceptable parameters. With limited child-care options, parents used whatever means possible to ensure the safety and well-being of their children, often taking them to work or asking neighbors to look after them while the parents worked.<sup>17</sup> As their children aged, however, parents may have lost some of their ability to control their children's wanderings, but they lost none of their authority over them. The continual strengthening of parental authority that occurred throughout the early modern period endowed fathers and husbands with considerable authority over their families.<sup>18</sup> Even if the family had limited means, resources were available to parents wherein they could effectively deal with errant children. For example, fathers were granted the right to lodge a complaint with Parisian authorities against errant daughters, and have them locked up in Salpêtrière. The Ordinance of Compiègne (1763) authorized the deportation to the West Indies of children who had

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<sup>17</sup> Garrioch, *Neighbourhood and Community*, pp. 56-58; Farge, *Fragile Lives*, pp. 52-55.

<sup>18</sup> See Mousnier, pp. 84-91; Farge, *Fragile Lives*, pp. 42-72; Hanley, "Engendering the State," pp. 8-9.

“fallen into ways of disorderly conduct likely to endanger the honor and tranquility of their families.”<sup>19</sup>

Once children reached an age at which they could contribute to the family economy, they were expected to do so, which could mean that they would spend more time away from parental supervision. The path toward employment often started with the children being sent on errands for parents, delivering products made by parents, or even selling the fruits of their parents' labor at market; these were all ways by which daughters became involved with the wider community and began to contribute to the family economy.<sup>20</sup> They would eventually be expected to obtain employment that would more substantially contribute to the family economy, but that would also move them toward making their own way in the world. For those with the means, apprenticeships might be sought for sons and sometimes daughters, although, as we have seen, this would have led young people beyond the limits of the Faubourg Saint-Antoine. Once the apprenticeship was completed, the son was considered capable of economic independence. A daughter was to remain within the parental home until marriage, even if she was working, and marriage ultimately depended on a dowry provided either by the bride's father or from her own wages. Once she married, though, the daughter ceased to be her parents' financial dependent, though parents with the means to do so did at times step in to help their married daughters if the need arose. Parents with more meager incomes were often unable to procure a position for their sons or daughters, which meant that the children had to seek their own way in the world. They might still be able to find work with someone that the family knew, a neighbor or relative, but ultimately the impetus for finding

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<sup>19</sup> Mousnier, p. 90.

<sup>20</sup> Farge, *Fragile Lives*, pp. 64-65; Garrioch, *Neighbourhood and Community*, pp. 56-62.

employment rested on the young men and women whose dependence on parents ended once employment was obtained.<sup>21</sup>

As they moved toward adulthood, sons and daughters began to become more independent, making their own connections within their community. Yet the *paterfamilias* retained legal control over them while they remained single. As concerned daughters, such control was deemed necessary to ensure the good reputation of the daughter and of the family as a whole. Reputation being an important and valuable commodity for the residents of Saint-Antoine, fathers could not afford to allow daughters' (or sons') misbehavior to call into question either the father's control over the family or his own moral character. He was responsible ultimately for the behavior of the other members of the family and could be held accountable for their missteps. Personal honor and reputation were important to all people, regardless of socio-economic standing, but it was essential for women in particular to maintain their honor or appearance of it, flawed as they were perceived to be by their very femaleness. As a female reached a marriageable age and she began to interact with young men outside her family, parents had more to worry about, especially in terms of potential pregnancies. In recognition that parental supervision was not constant and that daughters might act in conflict with parental expectations, the crown enacted laws to deal with such things as unplanned pregnancy among single women. The law established by Henry II in 1556 and reissued in 1708, for example, required that all pregnant women declare their pregnancies (*déclarations de grossesse*) to the appropriate authorities, namely their parish priests. The intent of this law, similar to regulations in other European countries, was to prevent abortion or murder of newborns; indeed, the law provided that a dead newborn

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<sup>21</sup> Garrioch, *Neighbourhood and Community*, pp. 62-63.

constituted *prima facie* evidence of murder if the mother had failed to register her pregnancy.<sup>22</sup> The law stipulated penalties both for women who attempted to conceal their pregnancies and those who might enable them to do so. Midwives, for example, who helped a woman to abandon her newborn baby could be sentenced to banishment for five years.<sup>23</sup> These rules would, it was hoped, also allow the authorities to limit female debauchery. Controlling the actions of unmarried women was the duty of their fathers, but when that failed, judicial authority took over, particularly where the morality of women was concerned. With clear penalties in place for such moral missteps, women might be more willing to control their own behavior.

Certainly early-modern concepts of feminine honor constituted one effective means of managing the population of single women, in particular those outside traditional parental spheres of influence. Any compromise of a woman's honor could be devastating to her chances of a successful life, one in which marriage and family were to play a large part. Custom dictated that a single woman had to remain chaste until her marriage; to do otherwise meant a loss of honor, virtue, and value in the eyes of the Church, of neighbors, and of potential spouses. A woman's honor was directly tied to her sexuality or moral character, and any question about her moral purity was a question about her value as a person. A slip in virtue (meaning a loss of chastity) might transform the honorable, virtuous women into a shameful, sinful creature, thus causing her life to deviate from the respected norms, and adding to already existing challenges of life in Paris.<sup>24</sup> To live outside of socially accepted boundaries could (and often did) mean rejection by one's

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<sup>22</sup> Edme de la Poix de Fréminville, *Dictionnaire ou Traité de la Police Général des Villes, Bourgs, Paroisses et seigneuries* (Paris: Praxis Éditions, 1989), p. 369; and Riley, *A Lust for Virtue*, p. 132.

<sup>23</sup> Fréminville, p. 319. See also AN Y10040, Minutes of the Grand Criminel, April 1734.

<sup>24</sup> Hufton, *The Poor of Eighteenth-Century France*, p. 261.

community, and life among marginals, perhaps as a prostitute. Such a slip could be devastating especially to a woman who was living on her own and attempting to make her own way in the world.

Parisian women thus were bombarded with advice on how to maintain the image of the virtuous woman. Normative literature, the advice manuals of the day, clearly defined the ideal woman for the literate women of Paris, who were taught that natural femininity could be achieved through negation and repression, namely “silence, submission, ‘*abstinence or continence*.’”<sup>25</sup> Such ideas were intended to maintain the cultural status quo, in which men protected women from succumbing to their passions and being morally lost forever. Much was said in normative literature about the necessity of vigilance against temptation and about how parental influence could assist in that. Giving into temptation would lead to certain ruin. A sharp contrast was drawn between the rewards of a life of virtue and the alternative. A woman’s status within society, then, was directly tied to her virtue, or lack thereof. Even for those women who were unable to read the advice manuals, social norms under which they were expected to live, which they learned especially from the other women in their lives, mirrored those of the advice manuals. Placing so much value on a woman’s moral character further enabled controls to be exerted over her. Yet, ultimately in spite of these controls and restrictions, women were able to exert a certain degree of independence from male authority while still living within socially acceptable boundaries, as will be seen in chapters three and four.

One very important possible result of imprudence on her part was the damage to the young woman’s chances of marriage. Of course parents were unable to monitor their

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<sup>25</sup> Vivien Jones, ed., *Women in the Eighteenth Century: Constructions of Femininity* (New York: Routledge, 1990), p. 14.

children's behavior at every moment of the day, especially if they worked away from home. Children interacted with members of the opposite sex on their own terms and often did so away from watchful parental eyes. Young men and women pushed the boundaries of what was proper behavior, and some young women found themselves falling victim to false promises of marriage from young men who used protestations of love and marriage as means to seduce them. Laws of the time provided to parents of daughters who found themselves seduced and abandoned recourse to some legal action in protection of their family's good name, ranging from the rogue faced with death by hanging, to his being compelled to marry the young woman (provided that he was not already married), to his having to pay damages for the initial cost of caring for infants resulting from the illicit union.

If seduction and an unwanted pregnancy concerned the fathers of early modern women, of perhaps comparable concern, until royal law substantially strengthened patriarchal power beginning in the sixteenth century, was an inappropriate marriage contrary to family interests. Traditionally, couples faced with parental opposition had pursued several possible strategies. The first was a supposed "abduction" of the young woman committed by her suitor, although in reality the young woman usually was complicit. At a most basic level, since the law assumed that sexual intercourse took place in the course of such an abduction, this act represented an attempt to force parents to accede to a less than appropriate marriage for a daughter with a newly-damaged reputation. It was called *rapt de violence* or sometimes simply *rapt* in French law, and Old Regime legal thinkers left no doubt as to its place in a patriarchal society:

Rapt is so great a crime that it ought not be surprising that there may be no pardon to expect for those who are guilty of *rapt de violence*. This crime, always

committed with premeditation, disturbs families, it dishonors them, it raises up children against their fathers and mothers, it removes them from their legitimate authority. Finally, it is of concern to religion and the state.<sup>26</sup>

*Rapt de violence* might also be the route to another strategy of defiance, that is, the clandestine marriage, a wedding conducted without the knowledge or consent of parents, often at someplace distant from their home. Such an act confronted parents with a *fait accompli*; it occurred, with alarming frequency, until the late sixteenth century, when both church and state moved against it. The Council of Trent declared invalid all marriages not performed in the presence of a parish priest of the couple (or a clerical delegate authorized by him or the bishop) and with two witnesses present. Priests had to inquire if the couple had parental consent and had published marital banns three times prior to the wedding. Moreover, all marriages concluded in the course of an abduction were invalid, unless the woman, freed from her abductor, consented to the wedding. All of this represented the efforts of spiritual authorities to regularize marriage under parental sway, but the French monarchy did not formally accept the Council's decrees until 1620 because the crown saw the Council's work as contrary to the traditional liberties of the Gallican Church. Thus, it proceeded to institute its own regulations on marriage; while these incorporated some aspects of Tridentine work, a far stricter vision of patriarchy informed royal ordinances.<sup>27</sup>

The monarchy's regulations on marriage emerged in an edict of Henry II of February 1556, the Ordinance of Blois of 1576, the declaration Louis XIII of 1639, and

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<sup>26</sup> François Serpillon, *Code Criminelle ou commentaire de l'ordonnance de 1670*, 4 vols (Lyon: Les frères Perrisse, 1767) 1: 767. Also, Mark Cummings, "Elopement, Family, and the Courts: The Crime of *Rapt* in Early Modern France," *Proceedings of the Western Society for French History* 4 (1976): 119; and Jean-Marie Carbasse, *Histoire du droit pénal et de la justice criminelle* (Paris: Presse universitaires de France, 2000), pp. 314-15.

<sup>27</sup> Mousnier, pp. 61-62.

the Edict of Marly of 1730. Taken together, they governed marriage until the end of the monarchy. Abduction, of either a woman or a male, even with consent, became a capital offense for the abductor. And the crown expanded the meaning of abduction to include any action leading someone else astray, such an inappropriate marriage. Under the Ordinance of Blois, this was *rapt de séduction*, also a capital crime. Marriage required parental permission for the bride and groom of whatever age.<sup>28</sup> If the marriage took place without such consent, men and women below the age of majority (thirty years for men and twenty-five years for women) were automatically deprived of inheritance, dowry rights, and gifts from their parents. If the couple was above the age of majority and wed without parental consent, parents could still legally disinherit them. At the same time, the law made clandestine marriage very difficult. The parish priests of each of the marital pair had to publish their banns and priests could only marry their own parishioners. In addition, the law required four respected witnesses to the sacrament.<sup>29</sup> In addition to its aim of preventing men from agreeing to clandestine marriages, the above regulations also were designed to maintain patriarchal control of marital choices by young women.

Upon concluding a marriage acceptable to her parents, a woman legally became one with her husband, although certainly his subordinate. Arnolphe in Molière's *School for Wives* exhorted the wife to pursue the virtues of submission, "For her husband, her chief, her lord, and her master."<sup>30</sup> What she owned became his property and even her actions fell under his dominion. Taking over from where her father left off, her husband

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<sup>28</sup> Lanza, *From Wives to Widows in Early Modern Paris*, p. 31, notes that all royal edicts on clandestine marriage established a decidedly patriarchal hierarchy, requiring consent of "fathers, mothers, tutors, or guardians." Note the father's preeminence.

<sup>29</sup> Mousnier, pp. 59-66. Relevant ordinances appear in Isambert, *Recueil général des anciennes lois françaises*, 14: 391-92; 16: 522-24.

<sup>30</sup> Act III, Scene 2, quoted in François Olivier-Martin, *Histoire du droit français*, p. 655.

was to supervise her actions, but also to ensure her well-being by watching over her, providing for her and any children they might have together, controlling her excesses (as they were understood within the early modern context), and providing correction of her missteps when necessary. Their roles within the marriage were spelled out in the law, which defined the scope and limit of marital behavior. Although the father as the *paterfamilias* was the absolute head of the family, husbands and wives were considered integral parts of the marital unit, and as such each had certain responsibilities. The husband governed the family in terms of family economy as well as the behavior of the members. He was to act as caretaker, to provide correction when necessary, but most importantly, he was to provide for the needs of the family. The wife was to accept his judgment in all family matters, while at the same time she had her own responsibilities to ensure the success of the family, which included ensuring that the family was fed and clothed, all of which involved her place within the domestic sphere.<sup>31</sup>

The recognition of the husband's position of authority, both in the law and in custom, precluded female independence within the marriage. He was considered the master of his wife's actions and of the marital possessions, namely the furniture and other property, and he was to govern the family economy as he saw fit. However, according to customary law the marital union was a partnership, and both spouses were to contribute to the success of that family economy. The goods that were brought to the marriage and those acquired during the marriage were considered held in common by the husband and wife for the duration of the marriage, and even their debts were shared responsibilities, though the wife was only liable for one half the husband's marital debts, while he was

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<sup>31</sup> Adrienne Rogers, "Women and the Law" in Samia I. Spencer, *French Women and the Enlightenment* (Bloomington: Indiana University Press, 1984), pp. 33-35.

liable for the whole of hers.<sup>32</sup> Ultimately though, the customary law upheld the nature of civil law in that a husband's authority outstripped any equality found in the marriage as a partnership. The husband could dispose of, sell, or mortgage the family possessions without his wife's consent,<sup>33</sup> and he was given control over her personal and possessory equity.<sup>34</sup> Likewise the wife was forbidden from acting alone without her husband's permission or making decisions for the family. That was the husband's responsibility as it was understood that he was best qualified to decide what was best for his family.<sup>35</sup>

However, it should be noted that the husband was not given *carte blanche* to act the tyrant toward his family and simply dissipate the family patrimony to suit his own ends. If he felt that the needs of the family could be better served by selling off some of the family property, he could act on that need, but his wife's dowry was a case apart. Not all women were lucky enough to be given a dowry as an inheritance, which could offer the opportunity for a beneficial match with a man of some means. The women of this study often expected the salary from any pre-marital employment to form a basis for their dowry when their parents were unable to provide one for them. For these women, obtaining a dowry would be just the beginning of the challenges they faced as wives when (or if) they did marry. A woman's dowry might consist of a variety of items ranging from money to household goods. Although a dowry was a general feature of marriage and was important to both the wife and the husband, it was never fully under the woman's control (unless she became a widow and never remarried). In the period before her marriage, the woman's dowry was controlled by her father, and at the time of her

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<sup>32</sup> Alexandre Masson, *La coutume de Paris* (Paris: chez Nicolas Gosselin, 1703), 207: 177-78 and 208: 178.

<sup>33</sup> Masson, 214: 188.

<sup>34</sup> *Ibid.*, 214: 189.

<sup>35</sup> J-B Denisart, *Collection de decisions nouvelles et de notions relatives à la jurisprudence* (Paris, 1754), pp. 516-17.

marriage it became her husband's to administer. The dowry was considered part of the family property or belongings, but the principal sum was outside the bounds of that part of the family patrimony over which the husband had full control. The principal sum of the dowry could be used to generate income, but it could not be used itself; it could not be sold outright.<sup>36</sup> The husband was to rule the family, but he was to do so while at the same time providing for and protecting it. It was essential that both spouses fulfill their obligations for the family to survive.

Of the many challenges facing the head of household, the decision of how best to manage the family economy could have serious consequences if the husband erred in his decision-making. Both spouses of the lower classes contributed to the family income, though the wife's contribution was usually smaller than that of the husband. For most of the inhabitants of the Faubourg Saint-Antoine, the luxury of a single income was a completely foreign concept. Both expected to spend their time bringing in income from whatever source was available. For women, especially, that could mean doing a variety of tasks from washing other people's clothes to preparing food to sell at market, from collecting edible items to sell to taking in lodgers. The wives of Faubourg Saint-Antoine knew that their contributions to the family were important to ensure the family's survival. Income that they brought in supplemented that of their husbands, and given the meager earnings of much of the laboring class, it was certainly needed by the family. Men also, however could find themselves at times facing a variety of jobs, with no steady employment. The work done by the wife, however valuable and necessary, was generally considered part of her wifely duty, and therefore tangibly less important than that done by

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<sup>36</sup> Denisart, p. 517, and Rogers, p. 35.

the husband. Despite her valuable contribution to the family economy, the wife was not given any more power within the familial structure than was defined within the law.

Wives were to refrain especially from making major decisions without their husbands' consent. For example, wives were not allowed to draw up contracts without their husbands' consent, and any contract they might make without such consent was considered null and void.<sup>37</sup> Although there were possible exceptions to this rule, in general the law was not flexible. The language of the law made it clear that women were thought to lack skills that would enable them to act independently, no matter what the circumstances. "Women at any age were, with few exceptions, legally incapable of independent acts concerning property and hence they lived in a sort of permanent minority, under the authority of father, husband, or other male relative."<sup>38</sup> Though many decisions were made by women, wives or otherwise, every day in the marketplace, at home, and in the neighborhood, women were legally considered particularly unable to make financial and business decisions. The female role was to draw on domestic skills to ensure that the family was fed and clothed. A wife was to care for the children, the house and the well-being of the entire family. If she neglected these duties, she could be brought up on charges of not doing her part. In Paris, the husband and wife were seen as in partnership with each other for the survival of the family unit. Both spouses had responsibilities and restrictions on their actions. A wife could not neglect her children or husband in preference for a life of leisure, nor could the husband neglect his family.

Society expected other things from wives, too. While public drinking was very much a part of life for men in Parisian society, this was not the case for women,

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<sup>37</sup> Denisart, p. 518, "Les Contrats faits par une Femme, sans l'autorité de son mari [sont déclaré] nul."

<sup>38</sup> James F. Traer, *Marriage and Family in Eighteenth-Century France* (Ithaca: Cornell University Press, 1980), p. 139.

especially when a woman publicly drank to excess. Laboring-class wives were expected to be moderate in their drinking and cursing, and to enforce ‘respectable’ behavior, which meant not letting the girls of the family ‘run wild’ and keeping the girls and boys separated from each other. As long as she followed the understood rules of wifely behavior, her status as wife provided protection, but if she violated the contract between wife and husband, she herself could be subject to punishment, which could take the form of the loss of her dowry and rights to other marital conventions.<sup>39</sup>

Just as the legal code defined the family hierarchy and a wife’s duties, with the husband in dominion over the wife, it also clearly expressed its expectations of the husband in upholding certain responsibilities. A husband who neglected his family was as much at fault as a woman who failed to provide for the needs of the family. If he wasted his wife’s dowry, whether in spending it on other women or in drinking it away, or wasting the family’s income on alcohol or other “entertainments,” and failed to provide enough for basic needs, he had failed to be a good father.

Wives might also fall victim to domestic violence. A husband was within his rights to use physical punishment to discipline his family, and he could punish his wife with severity, but he was not allowed to cause her death.<sup>40</sup> Violence was a common part of life for the people of Saint-Antoine, both men and women, and it could take the form of either physical or verbal violence. Insults could be heard daily being passing between neighbors, relatives, and strangers. People used the spoken word as a means of self-

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<sup>39</sup> AN Y15935, Papers of Commissaire Parisot, January 1735; AN Y15946, Papers of Commissaire de la Grave, August 1751; AN Y11750B, Papers of Commissaire Rousselot, August 1733; Hufton, *The Prospect Before Her*, p. 267; and Anderson and Zinsser, p. 237.

<sup>40</sup> P.F. Muyart de Vouglans, *Institutes au droit criminel ou Principes Généraux sur ces matieres, suivant le droit civil, canonique, et la jurisprudence du royaume ; avec un traité particulier des crimes* (Paris: L. Cellot, 1757), p. 45.

defense or as a means of inflicting injury on another person or his or her reputation. Physical violence was also a common aspect of daily life. The papers of the *commissaires de Police* include many cases involving fights entailing various levels of severity. And within marriage it might be a common occurrence, but neighbors often expressed their concern about violence between/involving spouses especially when they felt it had become too intense.

The protections afforded wives saddled with violent, profligate, or unfaithful husbands were limited in the patriarchal legal system of the Old Regime. Catholic doctrine and Canon law were clear: a valid marriage could be dissolved only by death. However, there were other options. For a woman victimized by domestic violence or a profligate husband dissipating either family resources or her dowry, a *lettre de cachet* might offer some relief by at least temporarily removing the husband from the scene. This was a royal confinement order typically initiated with the local Parisian *commissaire*. Research has shown that the overwhelming majority of these orders in the last two decades of the monarchy involved family members seeking confinement of abusive or profligate husbands or other troublesome family members. This was not a step that a woman of Saint-Antoine would take lightly, however, since confinement of a husband deprived the family of his wages, but it was an option to which many women turned.<sup>41</sup>

Women also filed the majority of requests for a more permanent resolution of problems of domestic violence and profligacy. This was a formal separation of bed and

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<sup>41</sup> Julius Ruff, *Violence in Early Modern Europe, 1500-1800* (Cambridge: Cambridge University Press, 2001), pp. 134-35. Standard on the *lettre de cachet* are Arlette Farge and Michel Foucault, *Le désordre des familles: lettres de cachet des Archives de la Bastille au XVIII<sup>e</sup> siècle* (Paris: Gallimard, 1982); and Claude Quétel, *De par le roy: Essai sur les lettres de cachet* (Toulouse: Privat, 1981).

board. Plaintiffs initiated the separation in a Church court and, if successful, could reside separately from their spouses. A royal court adjudicated the separation of such a couple's property, but neither tribunal could dissolve the marriage. A successful action secured only the separation of persons and property; the marriage in canon law still stood and neither party could remarry. This procedure could be employed in cases of marital infidelity, but a patriarchal society erected a remarkable double standard in cases of adultery. For wives, any act of infidelity constituted adultery in law. For husbands, adultery constituted grounds for separation only if the male brought his mistress into the family home.<sup>42</sup>

For many women in early modern European society marriage lasted less than twenty years, with wives often outliving their husbands; in some cases they outlived more than one. Widowhood conveyed upon them a unique status, one that provided them with a degree of self-governance, but one that did not allow for complete autonomy. In many parts of Europe, widows could make wills and serve as witnesses in civil and criminal cases, and some were assured a portion of their husbands' estates, yet any inheritance that came to them was never wholly theirs.<sup>43</sup> According to Parisian customary law, upon the death of one of the spouses, the marital goods were to be divided with half going to the surviving spouse and the rest to the heirs. If the surviving parent neglected her children by depriving them of their share of the family patrimony, the children could seek redress against that parent.<sup>44</sup> Moreover, while a widow might have gained the right to work in

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<sup>42</sup> Ruff, *Violence*, p. 135. See also Zoë Schneider, "Women Before the Bench: Female Litigants in Early Modern Normandy" *French Historical Studies* 23 (2000): 11-12, for her discussion about the property rights of Norman women who had obtained a separation.

<sup>43</sup> Hufton, *The Prospect Before Her*, p. 223; Wiesner, p. 30-31. On the odds of being widowed, see Scarlette Beauvalet-Boutouyrie, *Être veuve sous l'Ancien Régime* (Paris: Belin, 2001), pp. 155-59. Lanza, *From Wives to Widows in Early Modern Paris* is fundamental on Parisian widowhood.

<sup>44</sup> Masson, *Coutume de Paris*, p. 99 and p. 208.

her deceased husband's trade and to exert a degree of mastery over the family, she never gained full autonomy over the family.<sup>45</sup>

The widow was viewed by male authority as suspicious, both because she could be economically independent and because she was sexually experienced. Without a husband to control her, and having had her libido aroused, her "ungoverned lust was seen as a threat."<sup>46</sup> The best means of controlling these women was through remarriage, but even in this widows faced prescriptions and restrictions on their choices. Although widows might be expected to eventually remarry, especially if they had small children to support, there was also some pressure to remain unmarried. The Catholic Church permitted remarriage for widows and acknowledged the importance of having a male influence over the widow, but remarriage was discouraged. Instead theologians and moralists encouraged such women to "live a life of chastity dedicated to honouring the memory of her deceased partner."<sup>47</sup> The key aim in such recommendations was control female behavior, particularly of a group of women whose life experience and potential financial independence were threats to public order.

Aside from the members of the nuclear family, servants constituted the most significant group within the early modern, Parisian household, and a large number of these were women. Indeed, historians of domestic service have detected its eighteenth-century feminization.<sup>48</sup> And servants in many ways fit into the patriarchal ideal of the early modern household; the master, like a father, bore responsibility for the moral and

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<sup>45</sup> Tilly and Scott, *Women, Work, and Family*, p. 51.

<sup>46</sup> Hufton, *The Prospect Before Her*, p. 226.

<sup>47</sup> *Ibid.*, pp. 224-26.

<sup>48</sup> Farichilds, *Domestic Enemies*, pp. 15-16; and Maza, *Servants and Masters in Eighteenth-Century France*, pp. 277-78. Also fundamental on domestic service is Jean-Pierre Gutton, *Domestiques et serviteurs dans la France de l'ancien régime* (Paris: Aubier Montaigne, 1981).

physical welfare of his servants. To accomplish such a demanding agenda, masters exercised considerable authority. The master's power over servants was analogous to his relationship with his children, and one treatise on master-servant relations counseled: "You must serve as a father to them, and act with them as would a reasonable father. And the scriptures tell fathers not to spare the rod with their children."<sup>49</sup> Unfortunately, this often was not the only physical contact between the master and other male members of the nuclear family and female servants. The master generally irregularly paid their salaries, housed them, and enjoyed a position of far greater community respect than they if a dispute with his employees went to court. Thus, he was in a position to abuse female servants sexually as well as physically, and the female domestic, pregnant out of wedlock was an image familiar in Old Regime France.<sup>50</sup> Employers were ready to instantly discharge servants in such a condition; no one wanted to be seen employing a woman of questionable virtue.

For their part servants were in a position of almost complete subjugation to this regime. Male and female alike, most were recent immigrants to the city from the countryside with no skills of economic value in the urban labor market. Employment as a servant offered a poor young woman meals, housing, and a small wage which might grow into a viable dowry. In return servants owed their masters "diligence, honesty, and discretion" and "the cardinal virtues of obedience and loyalty."<sup>51</sup> In this Old Regime society, loyalty was most valued, and one late seventeenth-century authority expressed that view in clearly patriarchal terms:

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<sup>49</sup> Claude Fleury, *Les devoirs des maîtres et des domestiques* (1688), pp. 230-31, quoted in Maza, *Servants and Masters*, p. 11.

<sup>50</sup> Maza, *Servants and Masters*, pp. 90-91; and especially Fairchilds, *Domestic Enemies*, pp. 164-92.

<sup>51</sup> Maza, *Servants and Masters*, pp. 12-14.

Loyalty is the servant's first duty. It is the bedrock of human society, and particularly of domestic society, which depends on the trust that the father places on his wife, his children, and his servants. Take away that trust, and man's existence will sink into crime and horrible confusion, will be worse than the life of the wildest beasts.<sup>52</sup>

Needless to say, perhaps, the Old Regime viewed violation of such trust as a grave offense indeed. Thus, the royal ordinance on theft of 1724 decreed death as the penalty for domestics who used their trusted positions to get to know a household's secrets and then to employ that knowledge to steal.<sup>53</sup> Patriarchal governance thus characterized the eighteenth-century household at every level of civil law relations. We now turn to an examination of women's situation in the criminal law.

### Criminal Law

Building upon earlier legal tradition and to ensure his control over legal matters, Louis XIV created the *Grand Ordonnance Criminelle* of 1670, the last of the great royal procedural codes.<sup>54</sup> In addition to defining jurisdictions and powers among the various courts, and prescribing virtually all elements of criminal inquiry, trial, and judgment, the ordinance also assigned explicit penalties for violations by magistrates and other personnel.<sup>55</sup> This ordinance did much to clear up earlier confusion about the laws, their scope, and the jurisdictions of the various representatives of royal justice, but it was not a criminal code in the modern sense; it did not set penalties for specific crimes. Rather, it left a great deal of sentencing latitude to the judge, and while specific royal decrees

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<sup>52</sup> Fleury, *Les devoirs des maîtres et des domestiques*, p. 258, quoted in Maza, p. 13.

<sup>53</sup> Julius Ruff, *Crime, Justice and Public Order in Old Regime France: The Sénéchaussées of Libourn and Bazas, 1696-1789* (London; Dover, NH: Croom Helm, 1984), pp. 115-16.

<sup>54</sup> See Ordonnance de Louis XIV ... *Donnée à Saint Germain en Laye au mois d'Aoust 1670 pour les matieres criminelles* (Bruxelles: Editions Juridiques Swinnen H., 1981).

<sup>55</sup> Andrews, *Law, Magistracy, and Crime in Old Regime Paris*, p. 417.

sometimes specified punishments, judges in practice were guided in their sentencing by legal scholarship, custom, and their own agendas.

The defendants judged by such powerful magistrates in the eighteenth century were overwhelmingly male and not female, just as twenty-first century jurists also treat a largely masculine clientele.<sup>56</sup> We have several data sets that demonstrate heavily masculine composition of the clientele of the two main Parisian criminal tribunals of the Old Regime. In the Châtelet of Paris in 1770, Alexandre Mericskay has found, for example, that only 28.1 per cent of accused thieves were female.<sup>57</sup> And Nicole Castan reported that, in 1760-1790 women constituted only 21.1 per cent of defendants before the Parlement of Paris.<sup>58</sup> Modern social scientists long have ascribed the apparent under-representation of women in crime statistics to the limited criminal opportunities for them due to their traditionally circumscribed positions in western society. As one author of a classic study noted: “Men are expected to be active and aggressive; women are expected to be more passive. Each role leads to differing kinds and amounts of behavior that may be criminally defined.”<sup>59</sup> Those same social scientists, however, recognize the importance of decisions by police, public prosecutors, and court officials in determining who was arrested, charged, and tried. In the eighteenth century a number of factors influenced such decision making. Even though Old Regime criminal law in principle was gender neutral and never formally recognized the Roman law principle of *imbecillitas sexus*, it is

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<sup>56</sup> In the United States, the Federal Bureau of Investigations *Urban Crime Reports*, [www.fbi.gov/ucr/ucr.htm](http://www.fbi.gov/ucr/ucr.htm), table 33, reports that in 2007, 18.3 per cent of those arrested for violent offenses were female, while 33.6 per cent of those arrested for property crime were female. The FBI defines “violent crime” as murder, manslaughter, robbery, and aggravated assault; “property crime” includes burglary, larceny, car theft, and arson (accessed July 6, 2009).

<sup>57</sup> Alexandre Mericskay, “Le Châtelet et la répression de la criminalité à Paris en 1770” (Thèse de doctorat de 3ème cycle, Université de Paris-Sorbonne, 1984), p. 401.

<sup>58</sup> Nicole Castan, *Justice et répression en Languedoc à l’époque des lumières* (Paris: Flammarion, 1980), p. 233.

<sup>59</sup> Richard Quinney, *The Social Reality of Crime* (Boston: Little Brown and Company, 1970), p. 216.

clear that the gender of an offender affected treatment by the judicial system. Women's treatment in practice was quite affected by considerations of gender.<sup>60</sup>

Indeed, the patriarchal structure of society that we explored in the previous section affected women's liability on almost every hand. The royal law, as we have seen, accorded the *paterfamilias* the primary right to discipline transgressions of his wife, children, and servants. And when the criminal law took action against a woman's offenses her role within the family unit might well attenuate or negate her legal liability. Old Regime law released from legal liability those who were coerced into criminal acts, and jurists generally assumed that women involved in the criminal activities of their husbands fell into this category. Similarly, judges assumed wives and other household members hiding stolen goods or acting in criminal escapes by husbands or fathers were also acting according to natural loyalties.<sup>61</sup>

Similarly, because female honor, as we will see, was vested almost completely in a woman's reputation for sexual probity, women could say and do things that would have compromised the honor of a male and not lead to charges. Vile language was certainly within the repertoire of female misbehavior, but so, too, was a great deal of low-level violence. Indeed, male magistrates seem to have expected such behavior from women, whom they saw as weak-willed, and they were prepared to look the other way when the behavior did not disrupt the public order to too great an extent. In fact one *commissaire* wrote "Disputes between women interest no one."<sup>62</sup> Such matters, clearly the work of the

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<sup>60</sup> Carbasse, pp. 228-29. This principle which diminished female criminal responsibility due to female weakness in resisting crime, was akin to the other principles of diminished responsibility for the mentally deranged, drunks, deaf-mutes, and others.

<sup>61</sup> Andrews, p. 500; Nicole Castan, "Criminalité familiale en Languedoc," in Abbiateci, p. 93.

<sup>62</sup> Quoted in Dauphin and Farge, p. 79.

powerless and disenfranchised, were viewed as not serious enough to merit much concern of French officialdom.<sup>63</sup>

Of more concern to the authorities was the rioting that frequently convulsed early modern urban France. The work of two generations of modern historians consistently has highlighted the role of women in such popular violence, particularly in its most common manifestation, the food riot.<sup>64</sup> Women in their role as housewives and shoppers were the first to feel marketplace shortages and sudden rises in bread prices. Their maternal/familial role thus often put them in the forefront of the crowd. They ridiculed figures of authority who opposed the crowd, their normally subservient gender role magnifying the discomfiture of male officials. They sacked bakeries and granaries and roughed up those they believed complicit in food shortages and price rises. And yet, they generally got off rather lightly when the authorities marshaled their forces. Yves-Marie Bercé, perhaps the foremost student of such popular violence, locates the reason why women escaped the harsher punishments visited on male rioters in gender:

At the very heart of the spectacular harshness of repression which was characteristic of earlier centuries, women enjoyed relative impunity. The weakness of their sex, the embarrassment of the all-male agencies of repression and the kind of perpetual minority and political impotence imposed on them, all enabled them to fill roles of provocateurs in insurgent crowds.<sup>65</sup>

If their femininity might diminish women's legal liability in some crimes, gender issues also could negatively impact women of the Faubourg Saint-Antoine when they

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<sup>63</sup> On this virtual judicial disdain of female agency also see François Olivier-Martin, *Histoire du droit*, p. 654.

<sup>64</sup> The literature on early modern rioting is now vast, going back to the pioneering work of George Rudé, *The Crowd in the French Revolution* (Oxford: Oxford University Press, 1959) and *The Crowd in History* (New York: John Wiley and Sons, 1964). Louise Tilly, "The Food Riot as a Form of Political Conflict in France," remains fundamental on the forms assumed by food disturbances.

<sup>65</sup> Yves-Marie Bercé, *Revolt and Revolution in Early Modern Europe: An Essay on the History of Political Violence*, trans. by Joseph Bergin (New York: Saint Martin's Press, 1987), p. 108. Bouton, *The Flour War*, p. 18 and William Beik, *Urban Protest in Seventeenth-Century France: The Culture of Retribution* (Cambridge: Cambridge University Press, 1997), pp. 36-37, offer the same findings.

committed acts that a later age might label “sin” but that the Old Regime considered “crimes.” As late as the reign of Louis XIV (1643-1715), the monarchy had enforced the morality of the post-Tridentine Church with its criminal law resources. But, while canon law principles emphasized that males and females bore equal culpability for such offenses as adultery and merited equal punishment, the work of Philip Riley makes clear that for Louis XIV and his magistrates female culpability was paramount. Women, in this view, were lustful creatures who were chiefly responsible for sins of the flesh and thus merited appropriate punishment.<sup>66</sup> Thus Louis XIV’s police pursued fornication, prostitution, and other moral offenses and created an institutional infrastructure for the punishment of such crimes. In Paris, the Salpêtrière was the crown’s chief institutional response to offenses against the moral code of which the king was guarantor. The institution enforced a regime after 1684 of religious devotion and hard labor intended to reform female inmate morals.<sup>67</sup>

By the eighteenth century, with the passing of the Sun King, this penal regime remained in place, but the police had reached something of a compromise with the capital’s numerous prostitutes, estimated by their modern historian, Erica-Marie Benabou, at fifteen to twenty per cent of the capital’s female population aged fifteen to forty-five years. Noted by Benabou and other students of Parisian crime, including Alan Williams and Alexandre Mericskay, this compromise accepted the existence of Parisian prostitution, with the understanding that prostitutes neither solicited on the streets or in windows. In effect, it represented an effort to contain prostitution to a limited number of tolerated venues where the authorities could supervise it and contain public disorder.

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<sup>66</sup> Riley, pp. 49-54.

<sup>67</sup> On Salpêtrière, see Riley, *A Lust for Virtue*, pp. 41-44; and Jean-Pierre Carrez, *Femmes opprimées à la Salpêtrière de Paris: 1656–1791* (Paris: Connaissances et Savoirs, 2005).

Authorities, however, were prepared to ship prostitutes who violated the understanding off to the Salpêtrière in open carts accompanied by Parisians' derisive shouts.<sup>68</sup>

The Faubourg Saint-Antoine, with its large population of single young women, newly-arrived in the capital and living apart from traditional male authority figures would seem to have been a natural site in which to find prostitution. Indeed, it may have been, but if that was the case, the trade seems not to have been the blatant public sort that attracted police attention. Benabou found that, in the years 1765, 1766, and 1770, only 1.3 per cent of arrests of prostitutes occurred in the Faubourg Saint-Antoine. Prostitution seemed instead to flourish in spaces devoted to entertainment, like the Opera, the Palais-Royal, the Comédie-Italienne, and the Comédie-Française, or spectacles, including the fairs at sites such as Saint-Germain-des-Prés. It also prospered in areas frequented by large numbers of people, like the Pont-Neuf, market places like that at Place Maubert, and the areas favored by Parisian strollers like the Grands Boulevards and the Champs-Élysées. Cabarets, cafés, and the notorious *guinguettes* outside of the city's tax wall also hosted such activities.<sup>69</sup>

None of this, of course, put women above the law. According to the jurist Muyart de Vouglans, a criminal act was one that went against either divine or human law, and which could take several forms. Crimes could be committed against another person, against a person's honor or reputation, or against goods or property.<sup>70</sup> Judging what was and what was not truly criminal under such a complex characterization involved more than just the circumstances surrounding the actions of the perpetrator, it also involved

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<sup>68</sup> Benabou, p. 29; Mericskay, p. 451; Williams, *The Police of Paris, 1718-1789*, pp. 101-02. On the whole issue of eighteenth-century attitudes toward sexual issues, see Benoît Garnot, *On n'est point pendu pour être amoureux: La liberté amoureuse au XVIII<sup>e</sup> siècle* (Paris: Belin, 2008).

<sup>69</sup> Benabou, pp. 190-205.

<sup>70</sup> Muyart, p 2-7.

judging the character of the accused and his or her disposition.<sup>71</sup> While this certainly made the task of judging crime more difficult, it also meant that culpability could be either aggravated or mitigated depending on a specific set of circumstances. Motive, rank or social condition of offender and victim, place where the crime was committed, nature of the act, and time of its commission were all factors that could lead to more severe penalties for the accused.

The case of Marie Françoise Joignaux and Marie Jeanne Collon, two women who were brought before Commissaire Trudon for brawling in a church, makes this clear. Though the physical confrontation between the two women and the threat to the public tranquility that resulted from it were considered important enough to have the women brought before the *commissaire*, it was the place where the fight happened, in a church and during the celebration of the Mass, that caused the altercation to be considered a *cas royal*, making it much more serious than a typical street fight.<sup>72</sup> According to witnesses, including the priest who had been saying the mass, the brawl had disrupted the divine service, and as such showed disrespect to the sanctity of the place and the ceremony in progress there.<sup>73</sup> Although the record of the fight does not indicate what the final judgment was for these two women, the crime of sacrilege was taken very seriously by authorities. The prescribed punishments for this crime were death and mutilation, but those found guilty were generally given a term of imprisonment instead.<sup>74</sup> Had the two women been engaged in a fight in the street or any other non-sacred space, their actions

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<sup>71</sup> Andrews, p. 285.

<sup>72</sup> Benoît Garnot *Crime et Justice aux XVIIe et XVIIIe siècles* (Paris: Éditions Imago, 2000), p. 60: *Cas royaux* were defined as crimes that gave offense to the sovereign, dishonored his crown, or attacked the dignity of his officers and public safety.

<sup>73</sup> AN Y9649a, Minutes of the Petit Criminel, July 1745.

<sup>74</sup> Riley, pp. 126-27.

would not have been viewed as seriously. Violence, such as that represented by typical street fighting, was viewed as part of life in early modern Europe, and as long as it did not escalate to a level where extreme brutality or death resulted, it was tolerated.<sup>75</sup> In the case of Joignaux and Collon, had they carried out their dispute in the street rather than a church, the case would likely have resulted in the *commissaire* admonishing them or possibly imposing a fine on one or both of the women.

Personal characteristics could also play a role in mitigating culpability: mental acumen or lack thereof, insobriety, good reputation, and female gender, to name a few. Reaction to personal injury or offense, extreme poverty, and extreme age were also reasons one might have been considered less deserving of punishment for wrongdoing.<sup>76</sup> One accused of wrongdoing could play on any one of these to attempt to receive a lesser punishment. Marie-Louise Berthe (whose case is explored in chapter three) played on her gender, and the belief in a woman's inherent frailty to try to avoid punishment for having concealed her pregnancy.<sup>77</sup> Other women undoubtedly used similar tactics when faced with possible punishment. However, that so many mitigating factors could come into play ties in with the fact that the general brutality of punishment seems to have diminished from the sixteenth century onward.<sup>78</sup>

Despite the fact that many of the mitigating factors could have been (and were) applied to women (mental acumen and female gender being among the most obvious), ultimately women were subject to the same punishments as men for criminal behavior. For example, domestic servants of either gender were subject to the death penalty if

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<sup>75</sup> See Ruff, *Violence*, pp. 126-29.

<sup>76</sup> Andrews, p. 498; Muyart, p. 392.

<sup>77</sup> AN Y9667, Minutes of the Petit Criminel, October 1761.

<sup>78</sup> Ruff, *Violence*, pp. 109-14.

convicted of *vol domestique* (theft by a domestic servant), but the manner in which this penalty was carried out often differed for women and men.<sup>79</sup> The *peine de la roue* (breaking on the wheel), for example, which was a punishment reserved for crimes of extreme atrocity such as murder, parricide and rape, was visited only upon men. For reasons of decency and propriety, women were spared this punishment. The same was true for the punishment of *galères perpétuelles* (perpetual service in the galleys). Women never received this punishment because of the *faiblesse du sexe* (weakness of the sex); instead they were to be placed in the Hôpital Général or to be perpetually banished.<sup>80</sup> Reclusion in a house of correction or perpetual banishment from the kingdom were established as substitutes for galley service to which women could not be condemned.<sup>81</sup> Therefore, though they did not always escape punishment, women were given some protection against more brutal punishments. That is not to say, however, that women were not punished severely when their misdeeds required severe treatment. Women were subject to torture, and such painful punishments as whipping and branding, just as men were. These punishments, generally had a public element to them, were intended to act as a deterrence from future transgressions by members of either sex. Muyart, in his *Institutes au Droit Criminel*, identified three types of punishments in use during the Old Regime: *peines corporelles*, *peines infamantes*, and *peines pécuniaires*. Of the *peines corporelles* (inflicted on the body), banishment, whipping, public apology, branding, and being placed in the pillory were all intended to broadcast the punishment to the local

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<sup>79</sup> AN Y10040, Minutes of the Grand Criminel, April 1734: Anne Huyard was convicted of infanticide, having thrown her newborn into a latrine, and she was sentenced to be hanged; and AN Y10032, Minutes of the Grand Criminel, April 1725: Marie Bienfait was sentenced to the same punishment for infanticide. See also AN X<sup>2A</sup> Registers of Judgments on Appeal from the Grand Criminel, for other women and the sentences they received for infanticide and abortion.

<sup>80</sup> Muyart, pp. 401-05.

<sup>81</sup> *Ibid.*, pp. 410-11.

community. Even the *peines infamantes* (degrading punishments), though less severe in terms of the immediate effect on the recipient, were to have longer lasting effects in terms of public opinion. The *peines pécuniaires* (financial punishments) were meant to serve as reparations either for the public scandal caused by the guilty party or to compensate the injured party for any damage the guilty party caused to their property.<sup>82</sup> Control of public behavior necessitated public punishment, and when the first level of regulating personal behavior (the family and more particularly the father) failed, other avenues were taken to correct the misbehavior and to restore order.

Authorities within the absolute monarchy of the eighteenth century not only viewed actual criminals as threats. They also feared the poor, the rootless, and the mobile among its subjects. The poor were considered to be most prone to criminal activity, whether out of necessity or from the lack of strong moral character. Moreover, the mere hint of being a beggar was enough to lead to a person's arrest. "A doubtful appearance, and particularly the garb of another region, physical deformities, and the lack of apparent resources were sufficient to justify police action."<sup>83</sup> For the residents of Saint-Antoine, most of whom were members of the lower classes and who often found themselves struggling to fulfill basic needs, the possibility of arrest for not having enough to eat was an added hardship, indeed. This particularly affected women, who were expected to provide food and clothing for their families, while ultimately dependent upon husbands to provide the money for it. In times of dire need many resorted to begging to feed themselves and their children. Unfortunately for these women, Parisian authorities believed that the act of begging was

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<sup>82</sup> Muyart, pp. 397-418.

<sup>83</sup> Olwen Hufton, *The Poor of Eighteenth-Century France*, p. 228.

just a small step from stealing and that a person willing to beg for bread would not be too opposed to stealing it.

Their fears were not baseless, as can be seen in the case of the two men and two women arrested in May 1754 for having stolen some poultry from a family from whom they had received charity. They had appealed to the family for what they should have acquired through valid employment, according to municipal authorities, and in spite of the charitable response from the family, the foursome still resorted to outright theft, thus becoming a danger to the moral order of society.<sup>84</sup> The laws against begging and other activities of the poor aimed at containing the elements of Parisian society that fell outside traditional norms. Husbands and wives were to be morally upstanding members of the community, who provided for their children through honest work, and taught them also to fulfill their proper roles within their society. Begging went against the concepts of honesty and smacked of laziness, especially if the beggar in question was capable of making an honest living. Therefore, the act of begging had to be made less attractive to potential perpetrators.

Parisian authorities did acknowledge that there were legitimate circumstances wherein a person could not support themselves through honest employment. Those physically incapable of work, for example, were considered the deserving poor, who had legitimate claim to outside assistance. If they were unable to make their livings by working, they were expected to present themselves to the closest *hôpital* where they could be separated from the rest of society, and in exchange for food and board, they would be employed to the benefit of the *hôpital*.<sup>85</sup> The Salpêtrière was one such

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<sup>84</sup> AN Y10165, Minutes of the Grand Criminel, May 1754.

<sup>85</sup> Fréminville, p. 509.

institution that, in addition to confining convicted prostitutes, served as poorhouse for women and girls, and as part of the Hôpital-Général served to separate masterless women from the rest of society and to prevent the spread of their influence.<sup>86</sup> The Hôpital-Général was a means of both clearing the streets of beggars and eradicating the more odious aspects of poverty.<sup>87</sup>

The moral implications of begging were certainly not lost on those who crafted laws to address early modern begging and vagrancy. The biggest problem in their estimation came “when a member of the community was unable to subsist by the options it normally offered,” and the person was forced to live outside of acceptable societal norms, thus making them a threat to the social order.<sup>88</sup> If a person was found to have engaged in the act of begging, a specific formula was developed to address the unlawful behavior. A first offense gained for men a beating and for women confinement in a *hôpital* for a time. For the second offense, men under age twenty and women were to be whipped and put in the stocks. Men over the age of twenty were to be sent to the galleys for five years.<sup>89</sup>

During times of dearth, when hunger (even starvation) swept across the region, the people, as the king’s subjects, held the government responsible for providing assistance, and government officials understood the possible consequences of a starving populace whose anger at their situation turned toward those responsible for providing for them.<sup>90</sup> The image of angry crowds storming through the streets of Paris was a real threat

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<sup>86</sup> Andrews, pp. 344-48; see also Daniel Hickey, *Local Hospitals in Ancien Régime France: Rationalization, Resistance, Renewal, 1530-1789* (Montreal and Kingston: McGill-Queen’s University Press, 1997), p. 109.

<sup>87</sup> Hufton, *The Poor of Eighteenth-Century France*, p. 139.

<sup>88</sup> Adams, pp. 17-18.

<sup>89</sup> Adams, p. 30; See also Frangos, p. 17.

<sup>90</sup> Kaplan, *Provisioning Paris*, p. 7.

with which the city administration had some experience. The problems of very poor harvests in 1737, for example, were compounded by a prolonged winter and weather that failed to improve during the following year. By the spring of 1740 and lacking any true hope of improved conditions, the situation had become desperate for people within and outside Paris. A loaf of bread, the staple of their diet, exceeded twice its standard price, causing people in the thousands to take to the roads to find relief. Beggars engulfed the capital and the resources intended to deal with such a situation were stretched to the limit.<sup>91</sup> Although Paris, as we will see, was very well policed, there simply were not enough men in the police force to contain angry and desperate crowds that could number in the thousands and were made up of people from the surrounding countryside as well as Paris.

The police also perceived the rootless of all sorts as a threat. From the beginning of the fifteenth century, the French government sought to impose restrictions on foreigners and others who were not known to the local community. Membership in the local community earned one a certain degree of trust with city officials, and Louis XIV's campaign against vice was accompanied by one against those who did not deserve that trust. Under the Sun King, the monarchy initiated an even greater effort to track the presence of outsiders within the capital. The king's suspicion of foreigners resulted in large part from the various wars he waged throughout Europe, and he came to believe that all foreigners were potential agents of his enemies and therefore had to be kept under police surveillance.<sup>92</sup> As outsiders, non-Parisians and non-French people lacked a true connection to the communities in which

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<sup>91</sup> Steven L. Kaplan, "Provisioning Paris: The Crisis of 1738-1741" in McClain, Merriman, and Kaoru, eds., *Edo and Paris*, p. 182.

<sup>92</sup> Daniel Roche, et al., *Ville promise: Mobilité et accueil à Paris (fin XVII<sup>e</sup>-début XIX<sup>e</sup> siècle)* (Paris: Fayard, 2000), pp. 223-25.

they settled, sometimes only very temporarily. Even at a local level, though, the people of the various quarters had their own way of dealing with outsiders. Parisians had much contact with outsiders as many people migrated to Paris throughout the early modern period, but they did not necessarily trust them. If one was involved in a dispute with another person, connection to the neighborhood often meant that the people of the neighborhood would vouch for you when questioned by authorities – at least they were more likely to do this more for one of their own than for a stranger. Outsiders were often accused and arrested for crimes because members of the community had no ties with them. Thus belonging to the local community was important.<sup>93</sup>

Clearly the government was concerned with control and maintenance of the public order, and marginal groups in particular posed a threat to the public tranquility. However, among the laboring classes, no one was completely immune from suspicion. Whenever one was in a place considered “public,” one was in the jurisdiction of the police and one’s actions and behavior were likely to be noticed by the police. Markets, streets, taverns, boarding houses were all part of the public sphere and were considered dangerous areas of debauchery by virtue of their openness.<sup>94</sup> The police were instructed to maintain a vigilant watch over such places and those who frequented them. While taverns were certainly under police surveillance, given that they were a source of alcohol consumption and had the inherent potential for immoral behavior,<sup>95</sup> lodging houses were also viewed with suspicion as they, too, were open to the public and often attracted the sort of people the police and crown hoped to control. The Ordonnance de Police of 27 Octobre 1734 ordered that all persons lodging in a furnished house or room had to register with the person running the

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<sup>93</sup> Garrioch, *Neighbourhood and Community*, p. 189.

<sup>94</sup> Brennan, pp. 288-89.

<sup>95</sup> Brennan, pp. 7-16.

establishment. Landlords who failed to register their lodgers faced a fine.<sup>96</sup>

Municipal authorities clearly hoped to ensure the public tranquility through policing of personal behavior, and while the methods of control were used on both men and women, women faced types of control about which men had less to worry. The position of women within French society and within the family unit was strictly defined as inferior to that of men, for reasons well known in eighteenth-century society, but so, too, were the ways in which laws aimed to govern women. The issues surrounding what made women different than men were the focus of laws intended to control that which made women in need of control more than men, i.e. their sexuality. A woman who succumbed to her bodily urges was more of a danger than a man who did the same, because her misstep could result in the birth of an illegitimate child, and it was she who was believed to be most prone to sin and the greatest threat to French morality.<sup>97</sup> Therefore, it was paramount for her to maintain her moral purity; her ability to make a successful life for herself depended upon it.

Although this would have affected both men and women, the reproductive restrictions that were included within this compact were aimed directly and almost exclusively at women. For example, the *déclarations de la grossesse* that became mandatory were requirements for women, and they were intended to counter the dishonor exhibited by women who conceived by dishonest means (out of wedlock). It was believed that these women were capable of ignoring normal tendencies to care for infants and would thus have no qualms about disposing of their babies once they gave birth.<sup>98</sup> Likewise, prostitution and adultery were considered specifically female crimes, even

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<sup>96</sup> Fréminville, p. 177; Brennan, p. 296; Farge, *Vivre dans la rue*, pp. 29-32.

<sup>97</sup> Riley, p. 49. Indeed, Riley points out that “Louis XIV and his police viewed women as the most formidable enemy in their war against sin.”

<sup>98</sup> See Hanley, “Engendering the State”, pp. 9-11; Fréminville, p. 369, and Riley, p. 132.

though it was clear that men were involved. Women who were found guilty of adultery were punished more severely than their male counterparts. Anne Bertin and Pierre Dalançon, for example, were found guilty of having committed adultery together, and both received punishments, but while Dalançon was banished for three years, Bertin was imprisoned in a religious house for two years. If at the end of that time her husband felt that her character had not improved, he could request that she remain imprisoned there for the rest of her life.<sup>99</sup> The view of women, as both creatures helpless to control their own passions and willful vixens hoping to ensnare men who let down their guard, placed women in a difficult position indeed. A slip in judgment could result in minor fines, terms of imprisonment, or even worse. Therefore, a woman had to try to avoid official scrutiny. When this was not possible and she was brought before one of the representatives of royal justice, some women attempted to lessen any punitive outcome by appealing to the prevailing attitude toward feminine weakness.

As with adultery, prostitution was also considered a female crime. Though men sought out or responded to the offer of the services of these women, legislation aimed at controlling prostitution targeted the women involved but not the men. Prostitutes and not their customers were ordered out of Paris under the Ordinance of 1565, and by the 1680s it was evident that women, as the source of much of the city's immorality, were to be placed under special police scrutiny. Louis XIV incorporated an attack on prostitution into his attempt to fight moral laxity through such decrees as his Ordinance of April 1684, which called for the incarceration of prostitutes in Salpêtrière and for their rehabilitation. For the rest of his reign, women found guilty of sexually-based crimes who did not exhibit signs of reformation from their sinful ways faced the possibility of

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<sup>99</sup> AN 10035, Minutes of the Grand Criminel, January 1727. See also Riley, p. 53.

“perpetual penance.”<sup>100</sup> Moreover, the punishment for such moral infractions as prostitution and debauchery involved public punishment. This might involve receiving a publicized severe reprimand by the court, followed by the offender being led around the city while seated backwards on a donkey, her crimes displayed on a placard.<sup>101</sup> The public display of this type of punishment was intended to influence both the one being punished and the audience to turn away from wrongdoing. Maintenance of public order was dependent on the success of such criminal laws toward controlling the baseness of human nature.<sup>102</sup> Women’s violations of the criminal law as well as transgression of the diffuse body of civil law demanded justice, and for that Parisians addressed a variety of practices and institutions intended to uphold the established order.

#### Social and Institutional Control

Harking back to the practice of King Louis IX (reigned 1226-1270) to administer justice personally while seated under a large oak in Vincennes, Old Regime legists solemnly proclaimed the French monarch the source and master of all justice. But, if the King was the master of all justice, his courts did not judge all violations of the civil and criminal law in the Faubourg Saint-Antoine. Indeed, Old Regime France offered several modes of regulating human conflicts, and it is to them that we now turn.

There were, in fact, powerful disincentives to reporting crime at all. Cost must have been a prime concern for many Parisians. Justice was not free, because under Old Regime law the plaintiff sustained the costs of a procedure. Thus, crime victims and the *procureur du roi* (royal prosecutor) alike weighed economic considerations before

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<sup>100</sup> Riley, pp. 55-56.

<sup>101</sup> Andrews p. 311; See also Muyart, Part VIII, Chapter II, pp. 407-08.

<sup>102</sup> Andrews, pp. 302-06.

pressing charges. If the victim reported an offense and pressed charges, he or she paid all court costs, although a verdict of guilty in the case permitted the prosecutor to recover these from the defendant. If the court acquitted the defendant, the crime victim stood liable for full court costs and a possible civil judgment in any suit brought by the person against whom criminal charges had been lodged. For his part, the *procureur du roi* also counted costs. The crown provided him scant funds to prosecute crime, and it seems clear that he expended his limited budget in prosecuting only the most serious crimes; he simply lacked the funds to pursue quotidian violence, insults, and other mundane offenses at crown expense and most usually left prosecution of such cases to the victims of the offenses. Thus neither victims nor royal prosecutors rushed to seek legal redress.<sup>103</sup>

Also serving to deter Parisians' recourse to the law was the persistence of a sense of community justice in the streets of the Faubourg Saint-Antoine and other *quartiers* that did not always accord with the norms represented by royal justice. Citizens, as we will see, had a mixed relationship with authorities and preferred to keep them at a distance, addressing them only when it was absolutely necessary.<sup>104</sup> Thus, the populations of local communities attempted to regulate themselves, both out of a desire to maintain a peaceful neighborhood and to avoid too much police involvement in their lives. Neighbors stepped in when people neglected to play their proper roles, when they felt one of their community needed to be put in his or her proper place, or even when someone needed

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<sup>103</sup> While we await the definitive, national study of the costs of justice and their effect on the Old Regime jurisprudence being prepared by Prof. Albert N. Hamscher of Kansas State University, we must rely on regional studies. For the experience of two courts in the Bordelais, see Julius R. Ruff, *Crime, Justice, and Public Order in Old Regime France*, pp. 45-48. For Anjou and Brittany, see Antoine Follain, "L'argent: une limite sérieuse à l'usage de la justice par les communautés d'habitants (XVI<sup>e</sup>-XVIII<sup>e</sup> siècle)" and Jean Quéniart, "Fumer les terres de la justice: l'exemple de la Bretagne, autour de 1730" in Benoît Garnot, ed., *Les jurists et l'argent: le coût de la justice et l'argent des juges du XIV<sup>e</sup> au XIX<sup>e</sup> siècle* (Dijon: Éditions universitaires de Dijon, 2005), pp. 27-37; 59-68.

<sup>104</sup> Garrioch, *Neighbourhood and Community*, p. 217.

protection from themselves. When aging neighbors needed assistance, as they struggled to feed themselves or when their mental states made them a danger to themselves or others, other members of the local community often stepped in to help.<sup>105</sup> They could appeal to the *commissaire* to have the person moved to the *hôpital-général*, but they often chose to take matters into their own hands. Likewise, when they felt that they had been wronged by one of the community, they sought their own form of justice.<sup>106</sup> In cases of theft, where the identity of the perpetrator was known, one might seek reparation from that person or from the person to whom that person was answerable. Given their importance in early modern Parisian society, honor and reputation were valuable means by which cohabitants of the neighborhood could seek to address misbehavior. For example, residents of a street might confront a man who had chosen to live a dissipated lifestyle and whose actions threatened the well-being of his family. It was in his best interest to modify his behavior or risk involvement of the police and the *commissaire*.<sup>107</sup>

All this is not to say, however, that the people consistently resisted police involvement. The example of situations such as that of the arrest of Marie-Anne de Launay in July of 1739 for the theft of a tablecloth is evidence of that. Although she was apprehended by a police sergeant and formally placed under arrest, her crime might not have been discovered had it not been for the actions of two women, Françoise Lacombe and Jeanne Corrée, who happened to have witnessed de Launay's hasty exit from the house of the *curé* of the church of Saint Paul. Noting what they, from experience,

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<sup>105</sup> AN Y15946, Papers of Commissaire de la Grave, October 1750; AN Y15960, Papers of Commissaire de la Grave, May 1763.

<sup>106</sup> Alfred Soman, *Sorcellerie and Justice Criminelle: Le Parlement de Paris (16e-18e siècles)* (Brookfield, VT: Ashgate Publishing, 1992), pp. 16-17.

<sup>107</sup> See Herman Roodenburg and Pieter Spierenburg, eds., *Social Control in Europe 1500-1800* (Columbus: The Ohio State University Press, 2004), pp. 145-55 and 309-24.

believed to have been suspicious behavior, the two women together stopped de Launay from leaving the area. They then alerted others in the vicinity that she was acting suspiciously, and that she was most likely a thief. Their actions led others to investigate the situation, and as an impromptu group, several people confronted the woman demanding to know what she had taken. Before the sergeant had even arrived, the people of the neighborhood had determined that de Launay had taken a tablecloth from the *curé's* house. By the time the sergeant had appeared, she had confessed to the theft, had surrendered the tablecloth, and had declared herself a lost woman (*une femme perdue*).<sup>108</sup> Such actions on the part of the residents of the neighborhood were common means of self-policing, of maintaining some semblance of order within the local community.

Police involvement in the situation provided protection for the inhabitants of the neighborhood from falling victim to a thief and at the same time aided the police in their efforts toward controlling lawlessness, but the motives of local inhabitants in assisting the police in apprehending thieves and other criminals often went beyond simple feelings of cooperation, if, indeed, they actually had those feelings. By quickly bringing this one incident to conclusion, the local residents could in turn lessen the likelihood of police investigation into other local activities, which might have proven to be more serious than petty theft. Official interference in the daily life of the neighborhood could reveal activities or actions that local residents preferred to keep covert, such as the woman who supplemented her income as a washerwoman by occasional prostitution or the wife who sold stolen goods to compensate for the income her husband drank away at the local tavern. The investigation into wrongdoing by one Pierre Malcontent led to the discovery that his *domestique*, Margueritte de la Rue, was actually living with him as his wife

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<sup>108</sup> AN Y10070, Grand Criminel, July 1739.

though they were not married.<sup>109</sup> Had her “employer” never been the subject of an investigation in his own right, de la Rue’s own rule-breaking might never have been discovered. Therefore, having a criminal such as a thief in their midst was a local problem that people of the neighborhood were willing to address on their own.<sup>110</sup>

The private citizen victimized by an offense and fully aware of the financial risks of litigation and community apprehensions about the police thus pursued a fairly sophisticated strategy in seeking justice. The auto-regulation that we have examined was one step, but often justice demanded some form of compensation for physical or material damage sustained by the victim. In the pursuit of that goal, the community seems to have generally understood that the victim had options that implicitly threatened his or her offender. The most basic threat was a violent response to an offense, that is, pure vengeance with the possibility of unleashing an enduring feud between the conflicting parties that could endanger both them and their community. However, given the frequency of casual violence in the streets of eighteenth-century Paris, the more dreaded threat might well have been calling in the authorities and pursuing litigation. Either threat would have been sufficient to generate one of two subjudicial modes of dispute resolution that the distinguished legal historian, Benoît Garnot, has labeled “parajustice” and “infrajustice.”<sup>111</sup> By “parajustice” Garnot denoted agreements reached between conflicting parties to resolve their differences without the intervention of third parties, judicial or otherwise. By its very nature, this process is very difficult to trace archivally. Nonetheless, historians have found reference to it in correspondence and through oblique

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<sup>109</sup> AN Y10043, Grand Criminel, December 1732; this case will be discussed in greater detail in Chapter 4. See also Farge, *Fragile Lives*, p. 10.

<sup>110</sup> Ruff, *Violence*, pp. 88-89.

<sup>111</sup> Benoît Garnot, *Justice et société en France aux XVI<sup>e</sup>, XVII<sup>e</sup> et XVIII<sup>e</sup> siècles* (Paris: Editions Ophrys, 2000), pp. 86-87.

references in criminal justice archives. Often differences found resolution when one party simply conceded responsibility and made a payment.<sup>112</sup>

“Infrajustice,” as described by Garnot, involved intervention of a third party to mediate the dispute. The intervention of a third party suggests that the dispute had achieved sufficient local notoriety to prompt a notary, a priest, or some other local notable to take a role in the affair. Unlike the process of parajustice, historians do find documentary evidence of infrajustice in the form of notarial records in which conflicting parties found satisfaction, this time through written acknowledgment of responsibility and a payment by one of them. In Paris, the *commissaires*, the police officials who figure prominently in the present study, also might play the intermediary role on a non-official basis, to admonish and pacify contentious parties.<sup>113</sup>

Only when such measures failed would contending parties press charges in royal courts, and then only tentatively. Charges often were really the final attempt by one party to exert additional pressure on the other to reach an out-of-court settlement. The threat of expensive litigation often worked, and while we have as yet relatively few systematic studies of the outcomes of criminal charges brought by private parties, they suggest that the overwhelming majority of such cases ended without verdict. That is, the prosecution terminated the case prior to judgment, suggesting that for many persons the prospect of growing litigation costs prompted an out-of-court settlement between contending

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<sup>112</sup> Garnot, *Justice et société en France*, p. 87.

<sup>113</sup> The process of infrajustice is described in general terms by Nicole Castan, *Justice et repression*, pp. 13-51; and for Paris by Martin Dinges, “Négocié son honneur dans le peuple parisien au XVIII<sup>e</sup> siècle: la rue, l’« infrajustice » et la justice,” in Benoît Garnot, ed., *L’infrajudiciare du Moyen Age à l’époque contemporaine* (Dijon: Editions universitaires de Dijon, 1996), pp. 393-404.

parties.<sup>114</sup> Contending parties seem to have recognized that the costs of litigation validated the old French folk saying that “A bad settlement is better than a good trial.”<sup>115</sup>

The institutions of royal justice, to which Parisians reluctantly turned, were complex and numerous. For the residents of the Faubourg Saint-Antoine, the process of sovereign control was a part of daily life, and it was quite recognizable for what it was: control from above. From the men who sat in judgment in royal courts, like the Parlement of Paris and the Châtelet of Paris, to the resident *commissaires de police*, who served as community arbiters of the king’s authority, to the police forces, which patrolled the city, local representatives of the king’s justice were ever present and well-known to the people of Paris. Even the lowest members of the royal authority structure, the *mouchards* (police spies), often found it difficult to conceal their identity and purpose from the residents of the neighborhood.<sup>116</sup>

The people of Paris understood the role played by representatives of justice in their society, but they also were aware of their own position in relation to them, especially in terms of the men who passed judgment upon them, namely the royal authorities before whom they stood when accused of breaking the king’s laws. For the residents of Saint-Antoine, these were men who inhabited a much higher socio-economic sphere, men whose understanding of and experience with life in Paris was much different than their own. A young woman who found herself unmarried, pregnant, without any visible means of support, and who turned to petty thievery to feed herself and her child could have found herself standing before a *commissaire* and awaiting judgment from a

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<sup>114</sup> Ruff, *Crime, Justice, and Public Order in Old Regime France*, p. 46, found in Libourne and Bazas that while fully half of the cases prosecuted by the *procureur du roi* ended in a definitive verdict, only 4.5 per cent of cases initiated by private parties achieved a verdict.

<sup>115</sup> Nicole Castan, *Justice et repression*, p. 15.

<sup>116</sup> See Farge, *Subversive Words*, pp. 18-20, for a discussion about spies and the neighborhoods.

man who, at the end of the day, returned to his private rooms to find his supper ready for him with servants to serve it, a *commissaire* whose position in society meant that he was spared from the daily struggle for survival. The disconnect between the people and the king's representatives created difficulty for people who already struggled with daily life.<sup>117</sup>

The king was the ultimate authority within France and his Coronation Oath (taken by all French monarchs from Louis XI to Louis XVI) spelled out his intentions as ruler. In the oath he promised to protect his subjects from crime, to compel all judges “to use equity and mercy” and to keep his domain free from heretics. He was the source of the laws of the land, which were intended to protect the kingdom from disorder and misrule. The means by which this oath was to be sustained was “a vast corpus of royal ordinances, statutes, and edicts that defined all aspects of justice, public finance, provincial administration, and religious orthodoxy.”<sup>118</sup> The king's role as “father of his people,” though not defined by any written constitution, became the model for the entire nation. The patriarchal model of king as benevolent protector of all those beneath him was the pattern found at all levels of French society. The Church had authority over the Catholic population, the priest was to guide those within his parish, and the father was to supervise the members of his family. Moreover, this paternal authority structure was reflected in the kinds of laws, statutes and ordinances that became a part of the legal language of the day.

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<sup>117</sup> On the social material and intellectual backgrounds of the Old Regime judiciary see François Bluche, *Les magistrats du Parlement de Paris au XVIII<sup>e</sup> siècle* (Paris: Economica, 1986); and Jean-Pierre Royer, *La société judiciaire depuis le XVIII<sup>e</sup> siècle* (Paris: Presses universitaires de France, 1979).

<sup>118</sup> Andrews, p. 43.

In the city of Paris, the most visible sign of the king's control was the Palais de Justice, a "vast ensemble that visually dominated both banks of the Seine from a great distance." Within the Palais were housed sixteen of the twenty-two courts that dispensed civil and criminal justice in Old Regime Paris, including the Parlement de Paris.<sup>119</sup> The Parlement of Paris was the oldest, most powerful, and most prestigious of thirteen regional, sovereign courts that possessed extensive legislative, administrative, and judicial powers.<sup>120</sup> In the legislative and administrative realms, *parlements* had significant power. No royal law took effect in the district of a *parlement* until the court had registered the royal decrees, a process that was not automatic; *parlements* could call on the crown to reconsider laws in *remonstrances*. Parlements could also issue decrees (*arrêts*) that had the effect of law in their districts. In the judicial sphere *parlements* were the final appeals courts of the realm for most Frenchmen, and their decisions were final, barring royal intervention in a case. In Old Regime law any defendant with sufficient funds could appeal a lower court verdict, but the Criminal Ordinance of 1670 mandated automatic appeal of all *peines capitales* (capital punishment, galley service for life, banishment for life, and life imprisonment) and *peines afflictives* (corporal punishments and galley service or prison confinement for a sentence of less than a lifetime) decreed by ordinary royal courts.<sup>121</sup> The *parlement* also was a court of first instance, under the privilege of *committimus*, of certain dignitaries and high officials whose prosecution in lower courts the crown forbade out of concern that their exalted stature might over-awe

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<sup>119</sup> Ibid., p. 23.

<sup>120</sup> There were also an additional four *conseils souverains* with the same authority as *parlements*.

<sup>121</sup> Marcel Marion, *Dictionnaire des institutions de la France aux XVIIe et XVIIIe siècles* (Paris: Picard, 1923), p. 21; and Steven G. Reinhardt, *Justice in the Sarladais, 1770-1790* (Baton Rouge: Louisiana State University Press, 1991), p. 81.

judges in such tribunals.<sup>122</sup> Thus, the Parlement was a court wherein cases involving people of many ranks were heard.<sup>123</sup>

At the top of the *parlement's* organization, the Grand Chambre served as the chamber of pleas and as the central court of the *parlement* for cases involving privileged individuals or institutions. Below this, the Chambre des Enquêtes judged civil cases on appeal from the lower courts as well as cases of *petit criminel* (cases involving fines but not physical punishment). The Chambre des Requêtes heard and judged in the first instance civil cases involving men who had the right of *committimus*, to *parlement*, granted either by royal letter or as attached to an office.<sup>124</sup> The Tournelle was the court in which most criminal cases were heard on appeal.

The primary criminal and civil court of first instance for the capital, the Châtelet, had a jurisdiction that encompassed the city itself and much of the surrounding countryside and had no less than three-quarters of a million people under its authority.<sup>125</sup> The Châtelet consisted of the five main chambers, the Criminal Chamber, the Civil Parquet, Civil Chamber, Presidial Chamber, and Council Chamber. All but the Criminal Chamber, which will be the factor most heavily emphasized in this study, addressed civil litigation. The Criminal Chamber adjudicated three types of offenses. *Délits* constituted what we would call in Anglo-Saxon law “misdemeanors.” These were minor offenses that were of more concern to a private individual than to the general public and might include insults, slander, and petty assaults that did not seriously impact the public order. Many such cases, which contemporaries called *petit criminel*, ended simply with the

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<sup>122</sup> The list of such exemptions is long. See Lucien Bély, *Dictionnaire de l'Ancien Régime* (Paris: Presses universitaires de France, 1996), p. 299.

<sup>123</sup> Andrews, pp. 77-81.

<sup>124</sup> *Ibid.*, p. 89.

<sup>125</sup> *Ibid.*, p. 56.

magistrate awarding damages to a private plaintiff. *Crimes* represented what we would label “felonies”; they threatened the public order and were usually prosecuted by the *procureur du roi*. Conviction in these *grand criminel* cases could result in both criminal penalties and a judgment that the plaintiff pay damages to the injured party. Because such penalties could be either capital or *afflictive* in nature, they were automatically appealed to the Parlement of Paris; penalties in the third category of offenses judged by the Châtelet, the *cas prévôtaux*, were not.<sup>126</sup>

Old Regime criminal law also imposed summary justice, without right of appeal, on whole categories of French people, including vagabonds, beggars, and military deserters. Those who perpetrated certain types of crimes also were subject to such justice, including those who committed armed robberies, counterfeiting, and engaged in popular disturbances. The crown charged all these offenders in *cas prévôtaux*, so-called because they generally were prosecuted in the *prévôté* courts of the rural police (Maréchaussée). In Paris, the Criminal Chamber of the Châtelet heard these cases.<sup>127</sup>

The Criminal Code of 1670 provided the procedural structure of French criminal law, but, unlike modern criminal codes, it provided judges little guidance in sentencing. Thus judges possessed great discretion in sentencing, guided only by a number of scholarly treatises on the application of the law.<sup>128</sup> Thus, to understand how royal laws were applied, we should understand the men who comprised the Old Regime bench. In

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<sup>126</sup> Andrews, p. 59; Reinhardt, p. 72.

<sup>127</sup> Definitive on the Maréchaussée and its legal competence is Jacques Lorgnier, *Maréchaussée, histoire d'une révolution judiciaire et administrative*, Vol. I: *Les juges battés*; Vol. II: *Quand le gendarme juge* (Paris: L'Harmattan, 1994); Nicole Castan, “La justice expéditive,” *Annales: économies, sociétés, civilisations* 31(1976): 831-61, reveals the extraordinarily high conviction rates produced by police trials.

<sup>128</sup> “Providing sentencing guidance to magistrates were such works as Daniel Jousse, *Nouveau commentaire sur l'ordonnance criminelle du mois d'août 1670 avec un abrégé de la jurisprudence criminelle* (Paris: Debure, Père, 1763); Pierre-François Muyart de Vouglans, *Les lois criminelles de France dans leur ordre naturel*, 2 vols (Neufchâtel: Société typographique, 1780); and François Serpillon, *Code criminel ou commentaire de l'ordonnance de 1670* 4 vols. (Lyon: Les Frères Perisse, 1767).

1467 Louis XI guaranteed life tenure to every royal officer of justice, “unless he resigned or was convicted of malfeasance or dereliction of duty.” From that time on more and more members of the judicial community became holders of offices that often eventually became part of family estates.<sup>129</sup> The higher judicial offices were not known for the financial returns gained by their holders, but the social recognition that they brought more than made up for the initial cost of their purchase.<sup>130</sup> Protection of the rights or privileges that went with these offices and the prestige they engendered became paramount for those families, especially if they had paid a large sum for the office. As a result, during the sixteenth and seventeenth centuries laws were particularly aimed toward protection of parental or familial authority, reflecting the concern royal jurists had toward protection of “family dynasticism in state service.”<sup>131</sup>

The venal nature of the magistracy demanded considerable wealth to acquire a high judicial position and the material circumstances of Parisian judges (as much as their social concerns) separated them from the lives of those they judged. Indeed, as Richard Mowery Andrews, the historian of the Parisian courts noted:

The relations between the Parisian themistocracy and the populace of the great city were distant and formal. The judges of the Châtelet and their colleagues in the sovereign courts of the metropolis lived in the midst of Paris, but maximally isolated from the popular life of the city. Their homes were thick-walled town houses from which they could gaze onto quiet and often verdant courtyards, not onto the street.<sup>132</sup>

Much of the laboring class believed that the socio-economic gap separating them from judges and other judicial officers was too wide to provide true justice. They assumed that

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<sup>129</sup> Andrews, p. 44.

<sup>130</sup> William Doyle, “The Price of Offices in Pre-Revolutionary France,” *Historical Journal*, 27, no. 4 (Dec. 1984): 834.

<sup>131</sup> See Sarah Hanley, “Family and State in Early Modern France: The Marriage Pact” in Boxer and Quataert, pp.61-71; and Hanley, “Engendering the State” pp. 4-27.

<sup>132</sup> Andrews, p. 277.

justice was monopolized and interpreted as an instrument of domination by the rich and powerful and that law played in the favor of the wealthy and refused all assistance to the poor.<sup>133</sup> For the poor men and women of Saint-Antoine, bringing a complaint and seeking justice was more than just a matter of attempting to circumvent the cultural understandings of one's position in society; it meant facing a justice system created and manned by the very group aiming to keep them firmly in their place.

The men holding offices within the judicial complex held their positions in part because they had the money to do so. They had the means to procure a position that could potentially advance their careers and the social standing of their families, since, after 1604, venal offices became hereditary upon the office holder's payment to the crown of an annual fee known as the Paulette. Thus, venality permeated all areas of public life, "from the presidents of sovereign courts down to the humblest attorneys, clerks and ushers."<sup>134</sup> Wherever they turned the residents of Saint-Antoine came up against a judicial system that was so very separate from their own existence. Yet the system in place was well organized, from the three men who headed the Châtelet down to the members of the local police force, and the system allowed for all aspects of Parisian life to be ordered.

Three jurists guided the work of the Châtelet. The Lieutenant Civil, the actual head of the Châtelet by the sixteenth century, was responsible for deciding civil disputes among individuals and corporations, while the Lieutenant Criminel had initial jurisdiction over most of the crimes committed in the city.<sup>135</sup> In 1667, the king added a new position to this leadership of the Châtelet, that of the Lieutenant Général de Police, who took

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<sup>133</sup>Nicole Castan, *Justice et Répression*, pp. 54-55.

<sup>134</sup>William Doyle, "The Price of Offices," *The Historical Journal* 27 (1984): 833.

<sup>135</sup>Williams, p. 18.

control of the bulk of police power in Paris, including some responsibilities that had rested with other officials. His responsibilities included a list of seemingly incongruous activities, but which were all integral to the eighteenth-century concept of “policing”, that is the imposition of “good order” in the broadest sense. In addition to enforcing city regulations over a variety of areas of urban life, including health issues, street lighting, foundlings, and weights and measures in the market, the Lieutenant Général de Police also presided over a police court that met twice a week. That tribunal arbitrated minor disputes involving individuals or corporations, judged cases of wrongdoing that were subject to only minor fines or mild penalties, and decided some cases involving the violation of public morals; he was in essence a type of examining magistrate who investigated a variety of cases.<sup>136</sup> While the creation of this office and its corresponding duties were part of a general effort to reinforce control over the city, it was not without its problems. The jurisdictions of the Lieutenant Général de Police and the other Châtelet officials overlapped, creating conflict with other administrations, thus making an already difficult job even more complex.<sup>137</sup>

Presiding over both civil and criminal cases, these three jurists sought to preserve order with the help of the *commissaires-enquêteurs-examineurs* who reported to both the civil and criminal lieutenants of the Châtelet as well as to the Lieutenant of Police. Paris was divided into twenty districts, each of which had at least one resident *commissaire de police*, though there were two or three in the largest and most populous districts.<sup>138</sup> Residing in the district and his existence well known to the residents, each

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<sup>136</sup> Williams, pp. 29-31; and David Garrioch, *The People of Paris and their Police: Introducing a Modern Police Force*, Third Roger Joyce Lecture (Victoria: History Institute, 1987), p. 2.

<sup>137</sup> Andrews, pp. 32-33.

<sup>138</sup> There were forty-eight *commissaires* in total.

*commissaire* acted as a first step in the process of criminal and civil litigation and prosecution. He was responsible for dealing with complaints of both civil and criminal nature that might arise on a daily basis, and it was to the *commissaire* that the people of the quarter often turned when faced with the challenges inherent in daily life in Paris. When someone felt that she had been slandered by another, for example, she might go before the *commissaire* to lodge charges for defamation against the other person in order to sustain her reputation in her neighborhood. Even if no action was taken on her behalf by the *commissaire*, the public statement she made about herself to the *commissaire* went a long way toward restoring her reputation with her neighbors; if she did not respond to the accusations, people might assume them to be true.<sup>139</sup> As we have seen, the *commissaire* could be part of Parisian infrajustice. He also was the first step for those seeking more formal justice.

In his role as investigator for the Lieutenant Général de Police, he interrogated suspects, received declarations of theft, interviewed witnesses, and generally collected the facts of various cases within his neighborhood, and he then decided which cases warranted being sent to a higher authority. In those cases for which appeal to a higher judgment was deemed unnecessary, the *commissaire* often decided the case himself, acting as the source of dispute resolution and justice in the neighborhood.<sup>140</sup> Men and women were aware that the *commissaire* was a valuable resource, especially when they felt that other means of dealing with conflict had been ineffective. Like many women whose cases came before the *commissaires*, Marie Anne Monnoye was advised by neighbors to go to him after the abuse and neglect she suffered at the hands of her

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<sup>139</sup> Garrioch, *Neighbourhood and Community*, pp. 45-46.

<sup>140</sup> Farge and Foucault, *Le désordre des familles*, p. 17; and Garrioch, *The People of Paris*, pp. 2-3.

husband had become life-threatening.<sup>141</sup> Indeed, she approached the *commissaires* on two separate occasions to file *plaintes* against her husband, from whom she was seeking a separation. In such cases the *commissaire* provided a certain degree of protection, however temporary, from difficult situations. He might also be involved in assisting a family in dealing with an errant family member. When a request was made by parents for a *lettre de cachet* to confine an errant child, a *commissaire* was sent to verify the facts of the case and to report back to the Lieutenant Général de Police.<sup>142</sup> Therefore, the *commissaire*'s presence within the neighborhood was important both to the people who lived there as well as to the authorities to whom he answered.

That is not to say, however, that he was always viewed as a benevolent figure who selflessly provided for the needs of the community. It was true that he was expected to live within the neighborhood, but that did not mean that he was "one of the people." On the contrary, the *commissaire* had enough money to purchase his position, which in 1760 was about 50,000 *livres* in an era in which a manual laborer might annually earn 300 *livres*. While this initial investment brought him about 5 percent interest, the *commissaire* might otherwise only have gained more debt from the position.<sup>143</sup> As was the case with many judicial offices in the eighteenth century, the original investment might not have led to even modest returns, the profits from the office having been "notoriously slender and erratic."<sup>144</sup> The prestige and possible career advancement that came with the office seemed to have been the motivating factors for men seeking the office, rather than any true monetary gains. Some men did see a sizeable remuneration

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<sup>141</sup> AN Y15946, Papers of Commissaire Auret de la Grave, November 1750. This was the second *plainte* filed by Monnoye against her husband.

<sup>142</sup> Farge and Foucault, *Le désordre des familles*, p. 17.

<sup>143</sup> Williams, pp. 123-24.

<sup>144</sup> Doyle, "Price of Offices," pp. 833-34.

from holding the office, but whether the office brought an increase in wealth or not, the men who held the position of *commissaire* were, by their position and financial status, separated from the majority of the people who came before them.<sup>145</sup>

While the *commissaire* was a real presence in the neighborhood, he could not be in all places at once, nor was he necessarily the most visible representative of the judiciary. His involvement with the cases that were put before him was not one of first-hand experience. Rather, he relied on witness accounts to inform him about the people involved and the actions alleged to have taken place.<sup>146</sup> Assisting the *commissaires* in the task of gathering information from suspects and witnesses were twenty police inspectors, one for each quarter, a force of police officers, and below this a network of 300 to 400 informants or spies. Patrolling the city was the responsibility of the Watch (*Guet*) and the Guard (*Garde*), companies of men whose job it was to ensure that all was in order within the city. The Watch, a venal militia of about 150 men, some of whom were cavalry, served two of every three nights each week and maintained surveillance of the entire populace. However, as time wore on, the Watch became less and less effective until it was disbanded in 1771, was reformed, and became more or less simply part of the Guard.<sup>147</sup> The first company of the Guard was created in 1667 to supplement the Watch. Originally a mounted company of forty-three horsemen, the Guard came to include two other infantry companies (made up of about one thousand men), the *garde des ports* and the *compagnie d'ordonnance à pied*, who together patrolled the ports and boulevards, and eventually the entire city. One of the reasons that the Guard was more effective than the Watch was that the positions were not venal and the members were expected to have a

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<sup>145</sup> Garrioch, *Neighbourhood and Community*, p. 7.

<sup>146</sup> Garrioch, *The People of Paris*, pp. 7-8.

<sup>147</sup> Williams, pp. 67-84.

certain degree of skill in soldiering. Because they relied on the salary they earned in the various positions within the Guard, these men were more prone to obey orders. Serving the *commissaires* and inspectors of the different quarters, the Guard manned guard posts by day and patrolled streets and river quays by night in squads of five to twelve men.<sup>148</sup>

Policing during the eighteenth century involved dealing with everyday matters that affected the entire community. Ranging from censorship to poor relief and from the arrest of disorderly persons to the apprehension of notorious gangs of murderous ruffians, the activities of the police fell into six categories: deterrent patrol; investigation and intelligence; inspection of public works, buildings, guild affairs, and much else; justice; public services like street lighting, trash collection, and fire fighting; and administration and communications of matters affecting public order.<sup>149</sup> The police were, in essence, the eyes and ears of city officials who were mandated by the king to maintain law and order in the capital. Preventing disorder involved making sure that the general populace was protected from lawbreakers and that public safety was upheld, but it also entailed surveillance of the populace through street patrols, stopping and questioning suspicious individuals, and escorting those accused of wrongdoing to the appropriate *commissaire* or other relevant official for further interrogation.

For many in Parisian society, the police were the most visible sign of the crown's efforts at control and maintenance of public order. Police surveillance was prevalent in Parisian life, regardless of one's socio-economic standing, and all aspects of Parisian life fell under official surveillance. From street patrols to trash collection, from keeping an

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<sup>148</sup> Andrews, pp. 33-34.

<sup>149</sup> Williams, pp. 10-11 and 66.

eye on foreigners to policing Parisian morals, the police presence was obvious.<sup>150</sup>

Though all Parisians fell under the surveillance of the city's police forces, certain groups were considered more worthy of police attention than others. People living on the margins of society were certainly high on the list of those whom the police, and the Lieutenant of Police and his colleagues who supervised the police, watched and attempted to control. Prostitutes, beggars, foreigners, career and incidental criminals, and all those who fell outside the parameters of traditional Parisian society were viewed as particularly serious threats to the public tranquility requiring special attention, as we discussed earlier. Certainly Old Regime authorities would have preferred to end begging altogether, and they recognized that dire economic times pushed into begging those who otherwise supported themselves through work. But they could not risk beggars moving from just begging for bread to stealing it or engaging in more serious criminal activities, hence the efforts to control begging.

Containment of begging and similar activities was intended to help with the maintenance of public order, but exploring solutions to the dearth that forced people to beg was also necessary to ensure that public order was maintained. Although the government could not control the weather nor the quality of the harvest, per se, as we saw earlier, they understood the potential for unrest when large segments of the population did not have enough to eat. As a result regular surveillance of the city included the marketplaces, areas where food was bought and sold and where the tensions associated with shortages were most notably observed. Keeping an eye on food prices and the behavior of the people in around markets allowed them to gauge the people's feelings

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<sup>150</sup> See Williams, pp. 94-134, for a full discussion of the scope of police activities in eighteenth-century Paris.

about the price of food and to see indicators of potential market violence, and it also provided yet another opportunity to monitor the activities of women outside the home. Because women did the marketing, they offered authorities ample opportunity for such surveillance. However, the police did not simply observe the actions of marginal groups. Laboring-class men and women and the poor in general were also viewed with suspicion by the police because of their potential to be lawbreakers. As a result, every aspect of the lives of the general populace was subject to inspection, from their lodging to the places they visited in the course of their day or night.

Other forces also sustained the authority of the Lieutenant Général de Police. Founded in 1526 as a force to control vagabonds, the Company of the Lieutenant de la Robe Court, endured until the end of the Old Regime, doing patrol work until 1783, executing arrest warrants, and escorting the condemned to execution. It numbered seventy-eight men in 1783.<sup>151</sup> Additionally, the Prévôt-Général of the Maréchaussée d'Ile-de-France commanded a force of mounted men who patrolled on the outskirts of the city as well as specific points within Paris. The presence of this force within and outside the city provided strategic coverage of the principal routes radiating from the city.<sup>152</sup> Finally, of signal importance was the presence of military forces in the capital. The two most visible military units were the Gardes Françaises and the Gardes Suisses, mustering about 4,050 men by 1753. Part of the royal military household, these units were garrisoned in the capital in peacetime and performed a number of functions. They manned security guard posts around the city and undertook regular street patrols beginning in 1782. In addition, security concerns mandated the establishment of two

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<sup>151</sup> Williams, pp. 84-86.

<sup>152</sup> Andrews, p. 37.

permanent garrisons for the Gardes Françaises in poorer neighborhoods, the Faubourg Saint-Marcel, and significantly for our study, the Faubourg Saint-Antoine. These units, of course, could be called upon when the police could not maintain order. Other military contingents supported these guard units. For much of the eighteenth century, the army maintained 350 royal musketeers in Paris, while by 1789 six-hundred soldiers with medical disabilities provided security at the Arsenal, the Louvre, the Tuileries, the Bastille, and the Ecole Militaire. If we include the provincial militia with these military forces and the police units, we find that the monarchy mustered about 8,161 men in its forces of order in Paris.<sup>153</sup>

By eighteenth-century European standards, Paris was a well-policed, well-organized metropolis, whose citizens were subject to a government administration that was designed to maintain the public order through active surveillance of the people. Although these different groups were charged with somewhat different duties, together they provided the capital with armed policing of the populace that was unknown elsewhere in eighteenth-century Europe. Their presence was clearly felt by the people of Paris, as evidenced by cases recorded in the *commissaires'* papers. For example, it was a sergeant of the guard, Joseph Cantinot, who was sent one afternoon in January 1763 to arrest a woman, Marie Tampe, for theft. Cantinot served not only as the arresting officer in the case, but as a witness against Tampe. In the same case, a corporal of the Watch, who happened to be in the area at the time, also acted as a witness to Tampe's arrest, though he was not involved in the arrest itself.<sup>154</sup> Another sergeant of the guard noticed two women, Marie Laroche and Margueritte André, acting suspiciously late one night in

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<sup>153</sup> Williams, *The Police of Paris*, pp. 86-112; and Jean Chagniot, *Paris et l'armée aux XVIII<sup>e</sup> siècle: Etude politique et sociale* (Paris: Editions Economics, 1985), p. 52.

<sup>154</sup> AN Y15960, Papers of Commissaire Auret de la Grave, January 1763.

April 1735. After stopping and questioning the two women, he and his squad arrested them on suspicion of prostitution and took them to the prison Saint-Martin.<sup>155</sup>

The police were ever present in Parisian life, fulfilling a wide range of duties from surveillance and deterrence to social services, sometimes acting as arresting agents, while at others providing protection. The police served a positive function in terms of preserving a peaceful society, and in cases of emergency, the people of the neighborhood knew that the Watch and Guard were never very far away. When Geneviève la Plante was found beaten and bloody on her front step, for example, the neighbors who found her immediately sent for the sergeant of the guard to come to her aid.<sup>156</sup> The relationship between the police and the people, however, was a complex one. The men who made up the Watch and the Guard were members of the local populace, often known to the people with whom their jobs brought them into contact. On the other hand, they were representatives of royal authority, put in place to maintain the public tranquility at a very local level. In that capacity their actions were at times seen as heavy-handed attempts by judicial authorities to dominate the people.

The level of distrust and suspicion that Parisians felt toward the police was clearly demonstrated in the events of the spring of 1750 that we earlier described. When rumors began to circulate that the police were targeting not only vagrants seeking refuge in Paris in famine conditions, but also children for deportation to the Louisiana colony, the resulting atmosphere of fear and suspicion led whole neighborhoods to join together to foil attempts by the police to abduct their children. The situation reached a climax when the skirmishes between the police and the people exploded into outright revolt on May 22

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<sup>155</sup> AN Y15935, Papers of Commissaire Parisot, April 1735.

<sup>156</sup> AN Y9687, Petit Criminel Minutes, July 1763; see more about this case in Chapter Four.

and 23 in various areas of the city. In one instance a constable was murdered by the crowd after he had tried to arrest an eleven-year-old child.<sup>157</sup> Although the situation eventually settled down, memories of such heavy-handed acts by the police and municipal authorities were enough to maintain in the minds of the people a sense of suspicion toward the police.

### Conclusion

Regardless of how they felt about the police, though, Parisians of the eighteenth century confronted the growing centralization of royal power as represented by the Lieutenant-Général, the *commissaires*, and the police. As we will find in the following chapter, women of the Faubourg Saint-Antoine knew how to transcend their subordinate position in French society and to use the institutions of royal authority to seek justice and to protect the interests of themselves and their families.

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<sup>157</sup> Farge and Revel, *The Vanishing Children of Paris*, pp. 7-17.

### CHAPTER THREE: WOMEN, GENDER, AND AGENCY

The pioneering student of the history of early modern crime, François Billacois, once insightfully observed that even uneducated, rural populations in seventeenth- and eighteenth-century France knew how to navigate the arcane legal system of their age.<sup>1</sup> Indeed, he wryly noted: “They play justice like a musician plays an instrument.”<sup>2</sup> The vast majority of the actors in the cases studied by Billacois and his associates, of course, were male, but our analysis of the legal actions involving women of Saint-Antoine reveals the same fundamental understanding of how to maneuver the law’s twists and turns. Indeed, we see this at every hand, from the language of female plaintiffs and defendants to a level of female agency in pursuing key legal issues in the female life experience that are rather remarkable, given the essentially patriarchal structure that we have identified in Old Regime gender relations.

#### Gender and Legal Discourse

There is, perhaps, no realm of human interaction in which language is more crucial than in legal proceedings. Both plaintiff and defendant typically attempted to employ language to put the best possible face on the respective actions that led them before the bench. Their efforts, indeed, often drew them, or their legal agents, into authorship of documents that Natalie Z. Davis, in a study of sixteenth-century French pardon requests, found verging on “fiction.”<sup>3</sup> But what sort of fiction? Did men and women craft the same forms of the truth in the criminal and civil complaints (*plaintes*)

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<sup>1</sup> François Billacois, “Pour une enquête d’Ancien Régime,” *Annales: Economies, sociétés, civilisations* 22(1967): 340-49.

<sup>2</sup> François Billacois, “Clio chez Thémis,” in François Billacois and Hugues Neveux, eds., “Porter Plainte: Stratégies villageoises et institutions judiciaires en Ile-de-France (XVIIe-XVIIIe siècles),” *Droit et cultures* 19(1990): 10.

<sup>3</sup> Natalie Z. Davis, *Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth-Century France* (Stanford: Stanford University Press, 1987).

and legal testimonies that form the documentary basis for this dissertation?

Indeed, they did not, and to understand the processes at work in the written re-crafting of events for judicial consumption, we turn to the work of Michel de Certeau. In his seminal study, *The Practice of Everyday Life*, the Jesuit scholar examined the ways in which ordinary people in any society pursue “tactics” of re-appropriating for their own ends the dominant traditions, practices, and language of their community.<sup>4</sup> Thus, while both sexes sought to explain their actions in terms acceptable within the dominant culture of eighteenth-century France, documents authored by or on behalf of men and women differed markedly. A man’s documents invoked the traditional male role in a patriarchal society, as defender of the lives, honor, and property of his household’s members in his capacity as its master. Male principals in court cases implicitly invoked that male stereotype to explain why they were seized with destructive, blind anger or responded to a provocation with unusual violence. They also sought to excuse their actions by noting that over-consumption of alcoholic beverages affected their behavior, seizing at the same time upon a traditional aspect of male sociability generally closed to women and the exculpatory possibilities offered the drunk in Old Regime criminal law.<sup>5</sup> Women also sought justification for their actions in the vocabulary of patriarchy. Thus they were victimized because they were the weaker, more credulous sex. They claimed to have reacted justifiably to provocative words that impugned their reputations for sexual probity. And they staged confrontations with those offending them so that their words had maximum public effect. We see this pattern in the way women of Saint-Antoine represented issues of honor and reputation, seduction and sexual assault, and domestic

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<sup>4</sup> Michel de Certeau, *The Practice of Everyday Life* (Berkeley: University of California Press, 1984).

<sup>5</sup> Ruff, *Crime, Justice and Public Order in Old Regime France*, pp. 70-81; Davis, *Fiction in the Archives*, pp. 36-76.

violence, and in the ways that they sought to evade the consequences of the law for everyday crimes. For both men and women, it was important to present a story that contained enough truth to be corroborated during judicial inquiry, and with enough specific details to ensure credibility.<sup>6</sup>

It was particularly important for women to use vocabulary in their stories that was appropriate for women in eighteenth-century France. Whereas men could justify angry responses to situations, calling on cultural understandings of male emotions, anger was only acceptable in women when in defense of a her children, her religion, or her people.<sup>7</sup> Likewise, women did not introduce alcohol as a reason for their behavior the way men did because of the stigma attached to female drunkenness within early modern French society.<sup>8</sup> Instead they used vocabulary that would call attention to those of their actions that were considered fitting for their gender and that would draw attention away from those behaviors that were the reason they were being questioned in the first place. When Marie-Catherine Fournier was questioned about her verbal attack against the Abbé Jacques Duval in which she used many words to insult him (*coquin, fripon, scélérat, blasphémateur, corrupteur d'ouvrière, and voleur*), she responded that she had done many acts of charity and good works for him and that he owed her for that, thus sidestepping the original question but highlighting those of her actions that would have been considered positive ones. When asked if it was not true that she had hit him with a spade and that she had fired a pistol at him, she said that not only did she not do those

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<sup>6</sup> Davis, *Fiction in the Archives*, p. 45.

<sup>7</sup> *Ibid.*, p. 81

<sup>8</sup> *Ibid.*, p. 92; Hufton, *The Prospect Before Her*, p. 267: "All courts were tolerant of male drunkenness leading to debauchery, violence and the dissipation of the household's resources, unless thresholds were crossed like the selling of the conjugal bed. However, let a woman drink to the point of urinating in her clothes and a very different view was taken. Her character was destroyed."

things, he was the one who had mistreated her in front of two other men. When pressed she did admit to firing the pistol near him, but only in order to scare him off, as she feared further abuse from him. She called on the language of victimization and fear of male aggression in an attempt to evade the questions put to her and ultimately to elude the consequences of her own apparently violent behavior.<sup>9</sup>

### Honor and Reputation

The words, gestures, and actions used by the women of Saint-Antoine speak to the options available to women when faced with challenges to their standing within their community, especially given the limitations already placed upon them in terms of available choices. Marie-Louise Berthe, a nineteen-year-old servant, quickly developed a strategy when confronted with an unplanned pregnancy that, within eighteenth-century social conventions, could place upon her a stigma that would be accompanied with exclusion from membership within the local community, a situation with dire consequences. As a young, unmarried woman, she worked outside her parental home because she hoped to earn enough for a small dowry, which would enable her to marry and begin a family of her own. She depended upon her position as a servant for the savings that could lead to such a dowry, and anything that could compromise her employability was a source of worry for a girl in her situation. She had begun to feel ill a mere two months after having begun working in the service of Monsieur Roudouin, a gardener on rue Charenton, but she eventually realized that her condition was the result of pregnancy rather than illness. When the enormity of her predicament became clear, her first concern was for her immediate future. What would her fate be if her employer

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<sup>9</sup> AN Y10044, Grand Criminel Minutes, December 1733.

and then the wider community discovered her condition? Her employer was within his legal rights to immediately dismiss the young woman because of her condition, and without a secure future, she could not hope to care for herself much less a child.<sup>10</sup>

Thus she needed to develop both an immediate and a long-term strategy for dealing with her situation: pregnant with her married employer's child. Should she conceal the pregnancy and either kill the new-born child or leave it for someone else to take care of, or should she attempt to seek compensation from her employer? The first carried a serious risk, which we examine below, and as for the latter, she knew that Roudouin could have simply denied having fathered the child and that there was greater possibility that his story rather than hers would be believed. Given the nature of their relationship's power structure, her options were limited.

She also had to consider her position within the neighborhood which could materially affect her ability to support herself. We know that the neighbors were aware of her condition because of their statements to the *commissaire* in the *plainte* in which the details of this case are recorded. They had begun to speculate about her condition before it was officially confirmed, and the situation became part of the neighborhood gossip. If she became known as a wanton woman, no one else would be willing to hire her, and she would be faced with the possibility of having no means of supporting herself and her child, a very serious and very real concern for a woman in eighteenth-century Paris.

The story of Berthe and her relationship with her employer was by no means an uncommon one. Many young women found themselves in similar situations, having been taken advantage of by an employer or by another male in a position of power. In cases like that of Berthe, the inferior position women held in society was often compounded by

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<sup>10</sup> AN Y9667, Minutes of the Petit Criminel, October 1761.

the power structure of their relationship with the men who impregnated them. A woman's word already held much less weight than did a man's, but when the man held a position in society that was higher than hers, her voice carried even less weight. A master such as Roudouin could count on his word being much more readily accepted than that of a lowly servant who was automatically considered less trustworthy than a man of his standing as is evident in his right to immediately dismiss a servant who was discovered to be pregnant.<sup>11</sup> For Berthe the deck was stacked against her. She was a single mother, facing unemployment, and she could have found herself living on the street with a new-born baby to feed but with no means of supporting herself or the child. Moreover, she faced the extremely difficult task of rebuilding her reputation and convincing the community that she was not a wanton woman.<sup>12</sup> Roudouin, on the other hand, if he was the father, could have been held liable for at least some monetary support for the child. Although his reputation might have been damaged as a result of the situation, it would not have had such a devastating effect on his life; Berthe's entire future was in jeopardy.

Berthe was faced, then, with a very difficult choice. According to French law, Berthe was required to declare her pregnancy to the proper officials. Failure to do so could have resulted in punishment, and if the child died (whether of natural or unnatural causes) she could have faced the death penalty. Under the 1556 edict of Henry II, an ordinance still in force in the eighteenth century, the death of a child born of an undeclared pregnancy was presumed to be infanticide.<sup>13</sup> Either choice, to reveal or to conceal the pregnancy, meant almost certain hardship for Berthe, if not her complete ruin.

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<sup>11</sup> Fairchilds, p. 71.

<sup>12</sup> Olwen Hufton, *The Prospect Before Her*, pp. 278-79.

<sup>13</sup> Fréminville, p. 364-69.

As an unmarried woman she was expected to remain chaste, to protect her purity in order to someday marry, and thus to fulfill a role defined by social and cultural mentalities of eighteenth-century Paris. Failure to play the proper role within that society could have led others to question her morality and her reputation, but it could also have led to punishment. She might have been accused of fornication, for example, which was understood in the eighteenth century to have been a crime exclusive to women, and she could thus have faced whipping or incarceration for a time in the Salpêtrière prison.<sup>14</sup> More serious, however, would have been the charge of infanticide, had she successfully concealed the pregnancy and had the baby subsequently died. In spite of these risks, Marie-Louise chose to conceal her condition.

Although she was most likely uneducated and lacking access to the written body of law, Berthe and the women around her clearly understood her situation and the ways in which she could deal with it. We can see this in the record of the words and actions of all those who were involved with the case. The wife of another gardener in the neighborhood told Roudouin's wife several times that Berthe was pregnant, prompting the Roudouins to call for a *chirurgien* (surgeon) to confirm the rumors of the pregnancy. Understanding very clearly the implications of confirming the advancing pregnancy, Berthe was conveniently ill, abed and unable, she claimed, to be examined when the *chirurgien* arrived. She knew the dangers of discovery and, at least for the short term, hoped to prevent her condition from becoming known by playing on the stereotype of the delicate, sickly woman to avoid close examination by the *chirurgien*, thus delaying the discovery of her true condition. She chose to conceal the pregnancy, perhaps planning to abandon the child with the hopes that the child would be taken in and cared for by

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<sup>14</sup> Riley, pp. xiv, 56; Andrews, p. 311.

strangers. Many mothers did leave their children at foundling hospitals or other places known to provide at least a minimum of charitable care.<sup>15</sup> Mothers often left notes indicating the child's name and the date of its baptism, thus demonstrating at least some degree of concern for the infant. If concealment of the pregnancy was successful, Marie-Louise could have anonymously abandoned her child. Or she may have planned to "dispose of" the child once it was born, possibly by strangling it and then dumping the body down a sewer to avoid detection.<sup>16</sup> Either course of action could have brought her under official scrutiny and could have ultimately led to punishment if her deed was discovered, but she clearly felt that it was worth the risk. The punishment for concealment of pregnancy ranged from banishment for those who aided in the concealment to death if the baby died either before or after natural birth.<sup>17</sup>

When the *chirurgien* made a subsequent visit accompanied by a *sage-femme* (midwife), at the request of Roudouin and his wife, and confirmed her pregnancy, Berthe's worst fears were then realized; the Roudouin couple immediately dismissed her as their servant. Fortunately, she was able to find employment with another couple, the Robinots, who were apparently initially unaware of her condition, though the rumors of her pregnancy continued to haunt her as she settled into her new job. When the Robinots eventually discovered their servant's condition (in part through neighbors' comments to them), instead of dismissing her, they decided to keep her on as an act of charity. Berthe's mother, Marie-Louise Lefevre, then decided to file a *plainte* against Roudouin

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<sup>15</sup> See Hufton, *The Poor of Eighteenth-Century France*, pp. 318-51, for her discussion about the reasons for abandoning or otherwise disposing of children who were either unwanted or whose parents could not care for them. AN Series Y contains many examples of children who had been found by others, usually women.

<sup>16</sup> Claude Delasselle, "Les enfants abandonnés à Paris au dix-huitième siècle," *Annales : economies, sociétés, civilisations* 30, No. 1(1975): 187-218 ; Hufton, *The Prospect Before Her*, p. 278.

<sup>17</sup> Fréminville, p. 369.

on her daughter's behalf.

In filing the *plainte*, Lefevre expressed hope that at least some of the cost of her daughter's lying-in would be covered by her former employer. Because marriage to her seducer was not an option for her in this case, Berthe and her mother knew that compensation was all that they could hope for out of the situation; she specifically asked for 50 *livres*. More importantly perhaps, filing a complaint also provided the opportunity for Lefevre to speak publicly in defense of her daughter's reputation and for Berthe to make the case that she had been the victim of seduction. She told the *commissaire* in the *plainte* that Roudouin had taken advantage of her simplicity and innocence when he had had his way with her. In using the language of victimization she hoped to lessen her own responsibility in the situation and increase that of Roudouin, whose position of power over his servant was clearly understood. Making a public statement about the situation was an important step in repairing Berthe's image as an honorable woman, and thus reclaiming her place within the neighborhood and her future.<sup>18</sup>

For the *plainte* filed by her mother to have any chance of helping Berthe, they needed more than just their own testimony. They also needed the neighborhood to support the claims. Berthe's claims of innocence were supported by the women of the neighborhood, who were willing to make statements to the *commissaire* that presented her as the victim of a man who was seen by the neighborhood as a bit of a rogue. According to his neighbors, especially the women who witnessed his lifestyle and his actions within the neighborhood, Roudouin was most likely the father of Berthe's unborn child. These women told Commissaire Trudon that they had come to this conclusion because of what they saw transpire between Roudouin and Berthe. Their testimony to the

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<sup>18</sup> Farge, *Fragile Lives*, p. 35.

*commissaire* was clearly favorable to Berthe, whom they described as having had a reputation for being a steady girl of good conduct, a girl who was never seen in the company of young men. Roudouin, on the other hand, was said to be a drinker, a designation that carried with it a certain moral judgment that raised doubt about his claims of innocence in the matter. His neighbors had often seen him, after a night of drinking, being assisted home and into bed by one of his servants; several times the servant in question was Berthe. Moreover, the neighbors stated that they had seen Roudouin taking liberties with his young servant while they were out walking together, which led them to conclude that she could only have been impregnated by her employer.

The choices made by Marie-Louise Berthe emerged from the cultural world in which she lived. She understood the dangers of making the choice to conceal her pregnancy, but she also knew what happened to female servants whose pregnancies were revealed. The neighbors described her as a person of good morals, possibly to put her in a better official light or to in some way attack Roudouin (they seem to have had a negative opinion of him though the reason for this is not explained in the record), setting her up as a victim of forces beyond her control, especially her male employer's advances, for example. Thus, their description of Berthe focused on her moral character and her purity before the encounter that caused the pregnancy. It was especially important for Berthe to convince the authorities of her good character and her employer's questionable character and bad behavior toward her and to do so with the support of the neighborhood.<sup>19</sup> Her ability to support herself and her child rested upon her honor and her reputation; thus she crafted her approach to her situation with this in mind. No respectable person would wish to hire a dishonorable woman, particularly to a position

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<sup>19</sup> Ibid., p. 35.

within their home. Though she was being kept on with the Robinot family, Berthe had to repair her reputation within the neighborhood. Her employers would not retain a servant with a questionable reputation, nor would any man wish to marry her (if she was fortunate enough to some day marry) if she was known as a sexually promiscuous woman.<sup>20</sup> The *plainte* she brought before Commissaire Trudon would, she hoped, result in Roudouin being required to pay damages that would cover the costs of her lying in and perhaps of a few month's of nursing, which, in addition to what she earned while working for the Robinots, could help to make her position somewhat less precarious. More importantly, however, the *plainte* would help to repair the girl's reputation.

Most trying for a girl in Berthe's situation must have been the realization that the situation in which she found herself would have consigned to her the greatest part of the blame. She was legally considered incapable of making good decisions, of avoiding wrongdoing on her own, and she needed male supervision to counteract her own female flaws, but in the end, the consequences of a misstep on her part, whether or not the situation was of her making, rested with her. Berthe seems to have understood her predicament in so far as she and her mother attempted the second approach to her situation, that of portraying her as an innocent victim. Her father, had he still been alive, would have been expected to supervise her actions and to guide her toward an appropriate place within Parisian society. In her father's absence Berthe's mother stepped in to protect her daughter's reputation. She could no longer claim that her daughter was chaste – her pregnancy dispelled any doubts on that score – but she could promote the idea that Berthe's misstep was the result of her inability to protect herself from the wiles of her older, male employer. In her statements to the *commissaire*, Berthe focused on her

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<sup>20</sup> Fairchilds, *Domestic Enemies*, pp. 68-69.

innocence and inability to protect herself from Roudouin's advances, clearly implying that the blame for the pregnancy rested with Roudouin. Likewise, the neighborhood women could use the *commissaire's* hearing as a means of demonstrating solidarity with Berthe in whose situation they could have easily have found themselves.

Because the records available do not include the information, we do not know Berthe's ultimate fate – how long she stayed with the Robinots or if she eventually married – but her case provides valuable insight into the ways in which women dealt with such situations. This case illustrates the difficulty faced by Parisian women in dealing with the realities of life in the capital. A single woman like Marie-Louise Berthe was expected to maintain her purity until marriage, but if, for whatever reason, she was not successful in that endeavor, her reputation would be questioned, and her future would thus be uncertain at best. In order to recover any measure of success in life, she would be forced to use whatever means necessary to ensure self-preservation. Achieving such ends involved understanding her social position in her society, but it also entailed at least a cursory knowledge of the legal factors involved. Moreover, though her situation was relatively common, the society in which Berthe lived lacked the mechanisms to enable her to deal with single motherhood, especially given the fact the father of her child was a married man. It was common enough for women to have developed a method of approach, so to speak, when faced with an unplanned, unwed pregnancy, but whatever approach might be taken, ingenuity on the part of the women was required if they were to avoid consequences for their actions.

Berthe's actions were what put her into a serious predicament, but it was through her words that she ultimately attempted to rectify her situation – through presenting

arguments about her status as a victim, thus countering assumptions of immorality on her part. One of the most effective means of attacking someone within early modern Parisian society was through words, and the method of attacking and effectively damaging a woman's reputation in a very personal and individual manner was to attack her virtue. This was accomplished particularly effectively by calling her by any number of names, including *fille du monde* (prostitute), *garce de putain* (nasty slut), or *saloppe* (tramp). One could also accuse her of living a *mauvaise vie* (wicked or immoral life). Because the spoken word held so much value in a relatively illiterate world such as the Faubourg Saint-Antoine, an insult held much weight and could be as devastating as any physical attack.<sup>21</sup> It could take the form of relatively discreet innuendos or more direct verbal attacks. In either form it called for a response by the victim to defend her honor.

The allegations made in September 1762 in a cabaret by Catherine Granget and her mother, the Widow Granget, about Marie Anne Tressart, for example, were serious enough to Tressart for her to take action. Tressart, along with many of their neighbors, heard the Grangets alleging that Tressart was known as a *putain* who had been seen kissing various *chartiers* (carters) behind her mother's house. The plaintiff and the witnesses she called framed their statements in terms that drew on the behavior expected of eighteenth-century French women. Several of the witnesses, both men and women, told Commissaire Trudon that they were very surprised by the statements that had been made by Granget about Tressart's misbehavior. They told Trudon that they had always known Tressart to have been an honest girl and, since her wedding, to be an honest wife as well. Because the Granget comments were made in a public place, the cabaret, and in

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<sup>21</sup> This was a reality even recognized in law, and the legal scholar Daniel Jousse noted in *Traité de la justice criminelle de France* (4 vols.; Paris: Debure, Pere, 1771), 3: 574: "The insult which attacks the honor is much more acute to a person of position than that which attacks the body."

front of people who knew her personally, Tressart feared that her reputation was being permanently damaged, so she went to Commissaire Trudon in order to repair her honor and reputation.<sup>22</sup> In the *plainte* she filed with Commissaire Trudon against Catherine Granget and her mother, Tressart publicly stated that Granget's comments were false and that she should be forced to pay damages to Tressart. The public nature of the slander warranted a public response, and for Tressart, the *plainte* against her detractors was the most effective method to do so.

The types of insults people used against each other were crafted to have the most effect against the target. This was often achieved through focusing on the gender of the target, but insults were also intended to excite basic fears and obsessions of the time.<sup>23</sup> For residents of areas such as Saint-Antoine, many of whom lived on the edge of poverty, accusations of criminal behavior, whether acts of theft or business problems for example, could threaten an already precarious existence by sowing seeds of distrust among one's neighbors. Likewise, calling people names or casting aspersions on their family by, for example, accusing them of dishonesty could all be effective means for damaging an enemy's reputation and possibly monetarily damaging them as well. The residents of Saint-Antoine understood and employed those insults that would have the most effect on the target.<sup>24</sup>

As the main breadwinners of the family, for example, men could not afford to have existing or future customers worry about possible professional dishonesty, and it was this fear upon which insults regarding possible dishonesty in business or criminal

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<sup>22</sup> AN Y9677, Minutes of the Petit Criminel, September 1762.

<sup>23</sup> Garrioch, *Neighbourhood and Community*, pp. 42-45.

<sup>24</sup> Peter Burke and Roy Porter, eds., *The Social History of Language* (Cambridge: Cambridge University Press, 1987), pp. 107, 111, and 115.

tendencies would focus. On the other hand, insults against women were generally aimed at their sexuality, that being the most effective means of attacking women. Regardless of which tactic was used, however, the goal remained the same – to damage the opponent’s reputation. In some cases a multi-focus approach was used, as in the case of Margueritte Chambon. A disagreement she had with one of her neighbors, which began with an accusation that the wife of Monsieur Lefevre had thrown water on the possessions of Chambon, escalated into a shouting match between Chambon and Lefevre on the street in front of Lefevre’s shop. At one point Chambon yelled out that Lefevre had syphilis, an implication of promiscuity on his part, but he responded that if he did, she had given it to him. Lefevre then accused Chambon of having killed her first two husbands, to which she responded that he had killed his first wife. Their argument was conducted in public and in front of a growing crowd, with allegations of both criminality and immorality as the focus of the interchange.<sup>25</sup>

The words used and the site of this drama, speak not only to the types of insults employed by both men and women, but they also help to demonstrate the various steps that were taken in the typical interpersonal drama of life. Initial insults were often followed by a rise in volume and by moving the argument into a public space where a larger audience was available.<sup>26</sup> One woman demonstrated how to most effectively attack the reputation of her rival and did so in a rather unique way. According to the *plainte* filed against her by Marie du Castel (the widow of Pierre Martin), the woman known in the record as the wife of a man named Flabbé had sent a nine-year-old girl to stand in front of du Castel’s door and to sing the following song:

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<sup>25</sup> AN Y9662, Minutes of the Petit Criminel, June 1761.

<sup>26</sup> Burke and Porter, p. 115.

C'est au Faubourg Saint-Antoine  
 La chose est certaine  
 Chez la Veuve Martin  
 Que c'est une putain

The little girl had done this more than twenty times by the time of the *plainte*, and not surprisingly, many people in the neighborhood had heard it.<sup>27</sup> Although advised in normative literature to be submissive and to remain silent, women certainly showed a capability of using the spoken (or shouted, as the case may have been) word to great effect against their enemies, both real and perceived. Women understood what words or phrases could be used in defensive or offensive positions, and they knew that audience also played an important role in the drama. Volume could gain for them a larger gathering of witnesses, thus increasing the impact of the insults they chose to use.

Several cases in the minutes of the Petit Criminel involving arguments between two or more people included testimony from a sizeable number of witnesses, both men and women, who became involved with the scenes that were played out in the public spaces. But it was no coincidence that these altercations were pushed into the public space. Given the importance of community in early modern Paris and the reliance of neighbor upon neighbor, keeping conflicts entirely private would deprive the players of the necessary support that community provided. It was important, therefore, to stage insults and disputes to make the most effective public statement possible.<sup>28</sup> By moving an argument into the public space, more people could be involved and more weight could be given to the words and gestures used. The argument between the Femme Husepy and Margueritte le Foulon (over money that was supposedly owed by le Foulon to Husepy) was made into a public spectacle when Husepy slapped le Foulon and pushed her out of

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<sup>27</sup> AN Y9680, Minutes of the Petit Criminel, June 1762.

<sup>28</sup> Garrioch, *Neighbourhood and Community*, pp. 19, 42-45.

her husband's shop and into the street. Several witnesses remarked that they only knew about the argument once the two women were outside the shop where they saw and heard the incident. One woman's husband remarked to her, "There, two women are going to fight!" and they moved closer to better hear what was transpiring. The witness accounts make it clear that none of them would have taken any notice of the altercation if it had not been moved onto the street. These witnesses could then make statements to Commissaire Trudon in a complaint filed by le Foulon against Husepy and her husband, which certainly gave more weight to the case.<sup>29</sup>

Although both men and women understood how to carefully craft insults to great effect, one could not foresee all outcomes of interpersonal conflict. On the contrary emotions did at times take over, and this occasionally led to escalation of the argument into a full-scale brawl, in which case a different sort of discourse ensued and a whole new set of established rules came into play. Whether these physical altercations resulted from ongoing or longstanding disputes or were the result of an escalation after a new attack on someone's dignity or honor, gendered differences were evident in what was targeted when blows were delivered.<sup>30</sup> Intended to intensify the conflict, the target on men was generally the head, while attacks on women were aimed more toward their stomach and groin area. Each area was associated with the gendered loci of eighteenth-century honor. Men were the logical beings, therefore attacks on the head were more meaningful than attacks elsewhere. Likewise, in order to inflict the most humiliation on a woman, blows were aimed at her lower torso and her groin area, areas connected to female sexuality and

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<sup>29</sup> AN Y9689, Minutes of the Petit Criminel, September 1763. "Voilà deux femmes qui vont se battre!"

<sup>30</sup> Brennan, pp. 35 and 52.

thus to female honor.<sup>31</sup>

That is not to say that only these areas of the body were targeted during fights. On the contrary, the records of the various *commissaires* and of the police include descriptions of physical fights involving women that included tearing of hair and clothes, and slapping in the face. However, when women described being attacked, the blows aimed at the stomach and groin were emphasized as being most serious. In the fight between Marie-Françoise Joignaux and Jeanne Collon, one witness noted to Commissaire Trudon that Joignaux had hit Collon in the face,<sup>32</sup> but in the fight that took place between Marie-Jeanne Chevalier and a doorman, her stomach seemed to have been the main target of the blows he aimed at her, at least according to Chevalier.<sup>33</sup> In their argument with Nicolas Poisson and his wife, Gabriel Luzurier threw a pot of beer at Poisson's head, and his wife hit Poisson's wife several times in the stomach.<sup>34</sup> Regardless of the final target of interpersonal violence, the effect was ultimately the same – to inflict public shame as well as personal injury.

The discourse of female violence was commonplace, and while Parisian authorities may not have taken much notice of it, the words and gestures used by both the combatants were important to those involved. This helps us to better understand how the women of eighteenth-century Paris perceived themselves and their place in society, and it reveals what methods they employed to protect their place within it. Conflicts involving women in the marketplace especially grew out of their roles as saleswomen, which involved negotiating prices with potential customers, attempting to secure the most

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<sup>31</sup> Ruff, *Violence in Early Modern Europe*, p. 123.

<sup>32</sup> AN Y9649A, Minutes of the Petit Criminel, July 1745.

<sup>33</sup> AN Y9654, Minutes of the Petit Criminel, September 1760.

<sup>34</sup> AN Y15945, Papers of Commissaire de la Grave, July 1749.

strategic location from which to sell their products (when they did not already have an establish location), and even protecting their goods from seizure by other retailers or guild officials who felt they might have been in violation of police regulations. These actions necessitated their being willing to raise their voices and argue their point, but they also involved actual physical conflict as well. Women were quite willing to work out their differences physically if need be in order to protect their reputation, and in what better place to do that than in the street?<sup>35</sup>

### Seduction and Sexual Assault

Protecting herself from damages inflicted by insults involved making a public statement by which a woman disputed the substance of the verbal assault and drew on Old Regime stereotypes of women's social position to put the best face on her actions. But while words were potentially very damaging, their effects could at least be diminished. Sexual attacks involving a woman's honor, on the other hand, left permanent stains. Constant vigilance was required for women to maintain the purity that was expected of them since compromises could materially affect their futures. A woman's honor was tied to her sexuality, therefore it was important for her to protect herself and to guard her body from trespassers. This was not always possible though, as in cases of rape, but we also find women drawing on the language of Old Regime patriarchy in cases where rape was not necessarily the case – seduction for example.

Marie-Louise Berthe understood that her situation was about more than the child she carried; her pregnancy spoke volumes within her community about her reputation, her personal behavior, her very honor. Protecting her honor was crucial for her survival,

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<sup>35</sup> Marion, pp. 134-35; Dauphin and Farge, *De Violence et des femmes*, p. 86.

and it was this that was at stake more than the money for which her mother petitioned the *commissaire*. For women in her situation, pregnant and unable (or unwilling) to conceal the pregnancy, bringing a *plainte* against the father of her child before the *commissaire* was often the only means of mitigating the damage created by single motherhood. She could claim to have been the victim of seduction, as Berthe did, thus painting a picture of innocence destroyed by forces more powerful than herself. Already powerless under the law and social convention, and with the full knowledge that her employer could simply dismiss her if she caused trouble, what recourse did a young servant girl have? Masters, their sons, and male servants were all potential threats against which young women like Berthe had to be vigilant. Whether or not she was coerced, as she claimed to have been, as the subordinate to Roudouin she lacked any true control over her situation. Therefore she was forced to use ingenuity to find ways around these difficulties.

As a servant, she might have found it particularly difficult to avoid being taken advantage of by the men of the household. Given the open sleeping arrangements for many servants (in cupboards or in the kitchen, for example), and the frequency with which a young woman found herself alone with various men, including the master of the house, his son, or even other servants, guarding her virtue was certainly a challenge to say the least.<sup>36</sup> Berthe's claim to have been seduced by her employer, with note having been made of her innocence, fits into a genre typical of eighteenth-century Parisian discourse, that of the servant who falls victim to the advances of a male living in the same household. It was such a common occurrence that some servants even claimed that they had given in to their employers because they knew that doing so was inevitable.<sup>37</sup>

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<sup>36</sup> Fairchilds, *Domestic Enemies*, pp. 38-39; Hufton, *The Prospect Before Her*, p. 89.

<sup>37</sup> Fairchilds, *Domestic Enemies*, p. 88.

However, the openness of society and the interaction between men and women that were a part of daily life created many opportunities for temptation to take hold. That is not to say that promiscuity was a fundamental part of male/female social interaction. Regardless of the importance for a woman of guarding her sexual purity, the number of cases of women who filed complaints about having been seduced and abandoned certainly points to the fact that unmarried men and women did have intimate relationships.<sup>38</sup> However, the women who found themselves to be pregnant and abandoned by the fathers of their children often took on the role of the victim of false promises in their *plaintes*.<sup>39</sup>

For many young women, the promise of marriage allowed them to let down their guard and to enter into an intimate relationship with their suitor. Arlette Farge has found in her study of cases involving women claiming to have been seduced and abandoned, that the majority of women were in relationship for at least one to two years before they allowed the relationship to become intimate.<sup>40</sup> They clearly understood the necessity of ensuring that their suitor's intentions were serious. The woman who found herself pregnant after having attempted to ensure that the relationship was headed toward marriage, could then enter into the established dialog of the seduced and abandoned woman. Each complaint was a story of love deceived, of the frailty of a woman enticed by men seeking pleasure. The woman explained to the *commissaire* that the seduction to which she had succumbed had not only caused the loss of virtue but also the end to her hopes and dreams of a happy married life. She attempted to convince the *commissaire*

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<sup>38</sup> I found ten cases of women who made claims of having been seduced and abandoned in Saint-Antoine, but Arlette Farge in *Fragile Lives* and Olwen Hufton in *The Prospect Before Her* both discuss this issue of the seduced and abandoned and who common a situation it was for young women of the period.

<sup>39</sup> Farge, *Fragile Lives*, pp. 26-33.

<sup>40</sup> *Ibid.*, p. 31.

that her misstep resulted from a betrayal of trust rather than from a lack of strength of character.<sup>41</sup> She claimed that promises of marriage had been made to her by the man who had been responsible for her pregnancy. Marie Louise Gobelet told Commissaire de la Grave that she believed the promises of marriage made by Pierre Breton, and that she only allowed herself to enter into a physical relationship as a result of her belief that he intended to marry her.<sup>42</sup> She needed to make it clear that a courtship had preceded the act of intercourse, and that it was not simply the result of unguarded lust.<sup>43</sup> Women who may have accepted their partners' promises often found themselves abandoned when the relationship resulted in a pregnancy. When her supposed suitor, François Luart, abandoned Marie-Madelaine Levesque after she discovered that she was pregnant by him, she sought the help of Commissaire de la Grave. Her neighbors declared that Levesque was a *filie sage*, that it was known that Luart intended to marry her, and that his parents supported the marriage.<sup>44</sup> The testimony of the neighbors was an important part of the process of convincing the *commissaire* of the woman's claims of innocence or at least that her pregnancy was not the result of mere wantonness on her part.<sup>45</sup>

Making claims against the man who impregnated them, however, was not without risks for women, because men also knew how to use the law. Often the supposed father-to-be sought to offset such charges in legal proceeding by making his own charges. Thus, François Nibault responded to the claim made by Gabrielle Gendron that he had seduced and impregnated her by making his own accusations. In December of 1750

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<sup>41</sup> Farge *Le cours ordinaire des choses*, p. 15; Farge, *Fragile Lives*, pp. 26-27; Hufton, *The Prospect Before Her*, pp. 271-73.

<sup>42</sup> AN Y15946, Papers of Commissaire de la Grave, November 1751.

<sup>43</sup> Farge, *Fragile Lives*, pp. 30-31.

<sup>44</sup> AN Y9661, Minutes of the Petit Criminel, May 1762.

<sup>45</sup> Farge, *Fragile Lives*, p. 35.

Gendron told her father that her friendship with Nibault had grown into more than just friendship, that he had made promises of marriage leading to an intimacy that resulted in her pregnancy. When Gendron's father approached Nibault with this claim and demanded that Nibault marry his daughter, Nibault became angry and filed a *plainte* of his own with Commissaire de la Grave against Gendron alleging that the young woman had made false claims against him that represented libel. He told the *commissaire* that he had become friends with Gendron while they worked for the same employer, but that he had never had an intimate relationship with her. He went on to say that he had long believed that the characters of both Gendron and her younger sister could stand improvement. He hoped to end what he called the trickery and deceitfulness being employed by Gendron against his good name.<sup>46</sup>

While honor was important to Nibault, what was at stake in this situation was the possibility of being forced into a marriage he did not desire (or no longer desired, as the case may have been) or being required to make a financial payment to Gendron. To protect himself from both possibilities, he needed to discredit Gendron by calling into question her claims about her child's paternity. Gendron hoped that Nibault would be compelled to marry her, or her father may have at least hoped to secure some support for his daughter and her child. What was at stake for Gendron was not only justification for her state of unwed pregnancy, but also an avoidance of accusations of moral impropriety.<sup>47</sup> While one could speculate about which of the two was telling the truth about the relationship, what was more important was gaining an understanding of the roles each played when the case (or cases) were presented before the *commissaire*. Each

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<sup>46</sup> AN Y15946, Papers of Commissaire de la Grave, December 1750. The record does not indicate what was decided in this case.

<sup>47</sup> Farge, *Fragile Lives*, p. 27.

employed a formula that would further his or her goals.

The women in these cases attempted to make it clear to the *commissaire* and the community that they were not simply playing the part of mistresses, but that they expected an honorable conclusion to the physical relationship into which they had entered. Given eighteenth-century attitudes about women, it is not surprising that the line between being a future wife and being a mistress could be thin; if she was a mistress, then the woman was held accountable for her immoral behavior. Mistresses were often blamed by the court for their behavior, because they could not claim to be victims when they willingly lived lives as kept women. They could not expect any promises of marriage from their partner, given their choice of lifestyle, and as marriage was the only situation in which female sexuality was acceptable, they could not make any claim to living within acceptable moral bounds.<sup>48</sup> On the other hand, a woman who could legitimately claim that a promise of marriage had been made, could claim to have simply fallen victim to the advances of a man she trusted would be her husband. In this case the culpability for any further misstep would rest more with him than with her.

Although many women filed complaints against men with whom they had conceived children out of wedlock, thus having the opportunity to voice their frustration or disappointment at finding themselves in such a position, for the most part those complaints only gained for the women a minimum coverage of lying-in costs. They were, however, at least able to make a public statement about themselves, in which they could say to the community that they had not just given in to emotion, but they had acted rationally with their futures in mind, even if this was not completely true. If they could restore their reputation, they had a better chance of getting married, a primary goal of

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<sup>48</sup> Ibid., p. 30.

laboring class women of early modern France.<sup>49</sup> The presentation of the case, therefore, gained for them protection of their reputations, something far more valuable than the lying-in costs. Furthermore their actions demonstrated an awareness of self that was generally not believed to have been possible for laboring-class women, who were viewed by eighteenth-century French jurists, physicians, statesmen, and theologians as lacking the capacity for self-control and self-preservation.<sup>50</sup> They exhibited a desire to take control of their lives rather than simply letting fate take over.

For some women such control over their own lives was not possible, because of age or family situation, for example. In the case of Anne Lambert, who supposedly fell victim to the unwanted advances of a man with whom she had only a fleeting acquaintance, her parents first followed the familiar pattern of compelling their daughter's seducer to marry her in order to repair the family's honor. Unlike Monsieur Roudouin, Desmoulins, Anne's seducer, was unmarried, and while Anne might not have wished to marry him, her father exercised his legal rights as her guardian to make the decision for her. Yet this case stands out because of what transpired some months after the marriage took place. Desmoulins began to use physical violence toward his wife, not unusual in and of itself, but when he began directing it toward the rest of her family, Anne's parents complained to the *commissaire*. They called upon the image of victimhood to address their daughter's difficulties to Commissaire de la Grave. They told him that they had been deceived as to Desmoulins' true character. Clearly Anne Lambert would have been much better served if her parents had only sought monetary

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<sup>49</sup> Ibid., pp.26-41. See also Rogers, "Women and the Law", p. 41. It is extremely difficult to trace the fates of women in this position, and well-nigh impossible in the urban sprawl of Paris. Nevertheless, Flandrin, p. 184, found subsequent marriages were possible.

<sup>50</sup> Farge, *Fragile Lives*, p. 30; Riley, p. 49.

compensation rather than a marriage commitment from their daughter's seducer, but the family's honor and reputation within their community had been at stake.<sup>51</sup>

In the cases of rape, the situation became much more complicated. Being a victim of seduction, especially when promises of marriage were tendered prior to the act of sexual union, did not entail the same stigma as being the victim of rape. Much has been done in the twentieth and twenty-first centuries to eliminate the stigmatization of rape victims, but this was not the case in the eighteenth century. The eighteenth-century mentality toward rape could not be separated from the eighteenth-century understanding of women as completely dependent beings. As Susan Brownmiller points out:

Rape could not be envisioned as a matter of female consent or refusal; nor could a definition acceptable to males be based on a male-female understanding of a female's right to her bodily integrity. Rape entered the law through the back door, as it were, as a property crime of man against man. Woman, of course, was viewed as the property.<sup>52</sup>

Indeed the connection of rape with property value was specifically recognized in French criminal law. Thus Daniel Jousse, France's pre-eminent eighteenth-century commentator on the law wrote of rape: "The gravity of the crime is increased or decreased by the status of the victim. Thus, an act of violence against a slave or serving maid is less serious than that against a girl of a respectable status."<sup>53</sup>

Unlike women who had succumbed to seduction, women who became victims of rape found it much more difficult, if not impossible, to avoid being victimized twice, first by the men who raped them, and second by society's stigmatization of them as victims of rape. Within the culture of violence that was part of life in eighteenth-century Paris, one might assume that rape would be seen as yet another incidence of the powerful

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<sup>51</sup> AN Y15946, *Papers of Commissaire de la Grave*, July 1751.

<sup>52</sup> Brownmiller, p. 18.

<sup>53</sup> Jousse, *Traité de la justice criminelle*, 3:746.

victimizing the weak, but it was understood as more of a moral offense than one of violence. Even when viewed within the context of the powerful versus the weak, and even of moral missteps made by the victim in many cases rape was not generally considered serious enough within the context of the usual violence of the day to warrant public prosecution. Moreover, the victim was often tainted by association with the act and was transformed into a disgraced person. For this reason many victims chose to remain silent about rapes in order to protect their honor within their community.<sup>54</sup>

Rape was a risky charge to make against a man because the woman's behavior and her character would be scrutinized along with the man's. It was easy to make the claim that the woman had in some way encouraged the attentions of the man, especially if she knew her attacker.<sup>55</sup> At the very least she might be held responsible because she had left the safety of the private space to enter into the public sphere, thus exposing herself to dangers such as rape. She had to prove that she had attempted to fend off her attacker and that she had called for help, and if she hoped to have her case heard by a judge, she had to present her case soon after the attack had occurred. Though it was a capital crime, rape did not generally lead to severe sentences. On the contrary the result was usually less damaging fines and brief incarceration; in some cases the case ended in *mise hors de cour*, which amounted to a dismissal of the case.<sup>56</sup> Moreover, if pregnancy resulted from a coerced sexual encounter, eighteenth-century medical opinion held that for pregnancy to occur, the women had to experience pleasure. Thus if she was pregnant, then the encounter could not have truly been a case of rape, an assessment that was supported in

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<sup>54</sup> Vigarello, pp. 9-23 and 28-30.

<sup>55</sup> Hufton, *The Prospect Before Her*, p. 270.

<sup>56</sup> Vigarello, pp. 15-16.

the courts.<sup>57</sup>

If the victim chose not to accuse the perpetrator of rape, he could have been accused of something less serious, such as trespass upon the woman's body, which could lead to a less damaging form of punishment, such as a fine.<sup>58</sup> As her husband's property, for example, an offense against the body of the wife was an offense against his property, and the focus of judges was, therefore, more on the husband and his loss than on his wife. Likewise, a father could file a complaint seeking compensation from the man who had raped his daughter on the grounds that he had ruined the girl and materially damaged her chances of making a good marriage.<sup>59</sup> If rape was the charge, however, the likelihood of a measurable punishment being inflicted upon the accused was rather low, given the eighteenth-century view of the offense. This was especially true if the victim was of lower social standing than the perpetrator, who might have been able to turn to well-connected acquaintances for help in either ensuring that the punishment was minor or that the case would be dismissed entirely. Some rapists were willing to offer payment to their victims up front, before any legal proceedings took place, in the hopes that official involvement could be avoided. If the victim was a prostitute, there generally was no case to be brought, according to French legal opinion.<sup>60</sup>

### Domestic Violence

Clearly violence was an accepted part of life in early modern Europe, and it could be seen in all areas of life – interpersonal relationships involving family members and

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<sup>57</sup> Ibid., p. 27; and Hufton, *The Prospect Before Her*, pp. 268-69.

<sup>58</sup> Jean-Baptiste Denisart, *Collection de décisions nouvelles et de notions relatives à la jurisprudence actuelles* (Paris: chez Savoye et Leclerc, 1757), Part 2, Tome II, p. 14. See also Wiesner, p. 50. for “trespass” issue.

<sup>59</sup> Vigarello, pp. 29 and 46-47.

<sup>60</sup> Ibid., pp. 21-22, 46; Ruff, *Violence*, p. 145.

non-related members of the household, between spouses, chance encounters between strangers – with women often bearing the brunt of it given their physical and legal disadvantage relative to men. Within marital relationships this inequality was even more acute. Husbands could legally use force to discipline their wives with the only true limitation being that they not put their wives at risk of death from the treatment.<sup>61</sup> Wives were expected to accept this situation as well as other problems within marriage, namely absent and wasteful spouses, as long as they were still able to provide for their children and/or themselves.

This was certainly the situation for Marie-Rozalie de la Vigne, who was faced with taking responsibility for her family, including two of her husband's children from a previous marriage, when her husband decided to abandon his family and move to the countryside. During his absence, which lasted for several months, Antoine Bonchretien failed to adequately provide for his wife and children, forcing de la Vigne to support the family without the benefit of her husband's income.<sup>62</sup> In acting as the family provider, she was forced into a role that was not supposed to be hers, but one which she seemed to have accepted. She in essence became the head of the household and sole breadwinner, a task made more challenging by traditionally low wages paid to women. On the other hand, her husband's absence gave her a greater autonomy within her household than was probably the case when he was present. Therefore, as long as he was absent, she accepted her new role. What she was unwilling to accept was the abuse she suffered upon his return.

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<sup>61</sup> Muyart de Vouglans, p. 45.

<sup>62</sup> AN Y11750B, Papers of Commissaire Rousselot, August 1733.

Indeed, his return brought her more hardship than his absence had created. His income was certainly welcomed by his wife, especially given the children she had to feed, but she found unacceptable the physical abuse he began to inflict upon her. Understanding that domestic abuse was considered simply part of life in eighteenth-century Paris, she chose to combine her complaint to the *commissaire* about the abuse with complaints about her husband's having neglected his duty toward her and the family. She prefaced the complaints about the abuse with language about her own upstanding behavior, stating that she had always conducted herself well and had paid close attention to her husband's needs. She told the *commissaire* that her husband had beat her for no reason, implying that she acknowledged his right to beat her if she had, in fact, deserved it.<sup>63</sup> She may have formulated her strategy in consultation with her neighbors and/or her parish priest before she ultimately presented her case to her local *commissaire*, though this was not noted in the *commissaire's* record. The support of her parish priest would have strengthened her case as he would be able to speak objectively as to the degree and length of the suffering detailed in her complaint.<sup>64</sup> However, in her complaint to Commissaire Rousselot, De la Vigne seems to only have had the servant and her husband's two children as witnesses to her difficulties with her husband, but she emphasized the issue of spousal duties within the marriage and family. Even without the priest's involvement, the failure of the husband to uphold his responsibilities to his wife and children were threats to the public order that could not be ignored by the *commissaire*.

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<sup>63</sup> Davis, *Fiction in the Archives*, p. 93.

<sup>64</sup> Farge and Foucault, *Désordre des Familles*, pp.40-42; Hufton, *Prospect Before Her*, p. 287.

When presenting such a case to the *commissaire* it was important for the wife to establish that she did not stand alone, that it was not just her word against her husband's. Neighbors' testimony could make clear the extent of the violence, and they could support the claims of the wife against the husband. Jacqueline Bimont's complaint against her husband, Thierry Duterne, was strengthened by the words of three of their neighbors, who all attested to the wasteful behavior of Duterne, whom they feared would dissipate his wife's dowry.<sup>65</sup> If a wife hoped to obtain a separation from her husband, she had to establish that her difficulty stemmed from more than just violence. She had to show that her husband failing to support his legal dependants was squandering the family patrimony, thus leaving her and whatever children they had in danger of starvation.<sup>66</sup>

De la Vigne filed a complaint with Commissaire Rousselot saying that she wished for an end to the abuse, but she also implied that not having Bonchretien around would be preferable. She mentioned to the *commissaire* that she would like a separation of goods and residence from her husband. That required her to present a petition in an ecclesiastical court. In making such a request she risked the possibly permanent loss of her husband's income, which was often enough of an incentive for a woman to remain in an abusive marriage, but de la Vigne was less willing to continue to suffer at the hands of her husband, so she appealed to the *commissaire* for help by filing a complaint against her husband.<sup>67</sup>

After having presented her case against her husband, he countered by filing his own complaint against his wife in which he called for her to be put into a convent,

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<sup>65</sup> AN Y15960, Commissaire de la Grave, April 1763.

<sup>66</sup> Julie Hardwick, "Seeking Separations: Gender, Marriages, and Household Economies in Early Modern France," *French Historical Studies* 21, No. 1 (Winter 1998): 157-180.

<sup>67</sup> Hufton, *The Prospect Before Her*, pp. 144, 282.

creating a difficult situation for de la Vigne, who then had to prove her case to yet another male authority figure. Bonchretien told a second *commissaire* that his wife was telling lies about him to Commissaire Rousselot and that she should be tortured until she revealed the truth about their situation. As the head of the household, Bonchretien knew his word carried more weight than hers, and his *plainte* called into question de la Vigne's reputation as a good wife and her claims of his abuse. She thus found herself fighting two battles, one against an abusive and wasteful spouse and the other in defense of her own good name. Each case offered the plaintiffs the opportunity to make public statements about themselves and their ability or willingness to play the roles assigned to them – of father and husband, and as wife and mother.\*

Another option available to women in situations like that of de la Vigne was the use of a *lettre de cachet* to secure the confinement of an abusive spouse. The *lettre de cachet* was only to be used when all other avenues had been attempted, which required time. Therefore, it would not have been used immediately after marriage, and it would often have been preceded by the husband or wife having filed a *plainte* with the local *commissaire*.<sup>68</sup> Had she chosen to ask for a *lettre de cachet*, de la Vigne would have had to make a strong case to the king, to whom the letters were addressed, regarding the misery of her situation. She would have used terms which might have been more embellishments of the truth than the absolute truth, but which were aimed at convincing her audience that life was unbearable as long as the husband was present.<sup>69</sup> This was yet another means of publicizing a private drama, and as with other types of problems facing women in terms of relationships with men, the neighborhood played an important

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\* The records don't include what she said about the counter *plainte*.

<sup>68</sup> Farge and Foucault, *Désordre*, pp. 24-26.

<sup>69</sup> *Ibid.*, p. 23.

supporting role. In order to verify the facts of the case presented in a request for a *lettre de cachet*, *commisaires* took witnesses' statements, thus firmly placing the private issue within the public sphere.<sup>70</sup>

Eighteenth-century wives understood that how they presented their complaints was as important as the substance of the complaints. When Jeanne Françoise Gabrielle Bautié married Pierre Charles Cocquerel in 1751, she claimed that she believed that he was an assiduous man, replete with good sense, but it was not long before she discovered that her assessment of him was inaccurate. A mere ten days after their marriage, he began mistreating her, calling her names, and generally making her life miserable; he eventually began to beat her as well. On the eve of the feast of St. Peter (June 28), he beat her so badly that she feared for her life and the life of the child she was carrying. She filed a *plainte* with Commissaire de la Grave, in the hopes that something could be done to protect her from Cocquerel's violence.<sup>71</sup> In this case it seems clear, based on the statements Bautié made to de la Grave, that she felt that the deceit to which she had fallen victim was a valid reason for seeking outside assistance, and it reveals what she expected or hoped she could expect from her husband. She knew that in the eyes of society she did not have as much value as her husband, but that she did have the right to a certain level of security. Bautié knew that when her husband's treatment reached a heightened stage of violence, when her very life was threatened, she could seek protection from the authorities.

For some women, making the accusation of having been duped might have simply been a weapon to use against a husband whose true character was known before the

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<sup>70</sup> Ibid., p. 36.

<sup>71</sup> AN Y15946, Papers of Commissaire de la Grave, July 1751.

marriage took place. The use of such language demonstrated that they understood their positions within the marital union. Bautié put up with the poor treatment for eight months before she filed a complaint against her husband. She knew that she was expected to submit to her husband whose authority over her was legally recognized. She even continued in her wifely duties as evidenced by her pregnancy (though she may have been forced to engage in intercourse with her husband), but when the treatment threatened the life of her unborn child, she went to the *commissaire* for help, but within the context of eighteenth-century patriarchal society: she filed her complaint jointly with her father.<sup>72</sup> Bautié and her father were willing to accept the situation and Bautié's submission, but only to a point. Bautié understood that although she could not entirely avoid her husband's abuse, her female vulnerability provided for her a means of seeking help against him. The greatest difficulty for wives in such a situation was that there was only limited choice in how the situation could be handled.

Neighbors, too, often expressed their concern about violence between spouses, especially when they felt it had become too intense and/or when it was also directed at them. The physical brutality which Louis Aubry used against his wife Margueritte Duchatel and their children began to cause a scandal in the neighborhood, particularly when he also began attacking some of the neighbors. In August of 1763 Aubry came into their home *pris de vin* and began beating Margueritte in the presence of their children with such force that she fled down the stairs into the street. The neighbors both within

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<sup>72</sup> Pregnancy could become part of the discourse in such situations, with women noting their condition within the testimony as a means of possibly introducing a second victim. See also Marion, pp. 206-35, for her discussion of how women used pregnancy as an excuse for violent behavior, to escape punishment, and even to commit fraud. Several of the cases I have found in the archives involving women and violence include statements they made along the lines of "She hit me several times in the stomach, even though I was pregnant."

the building and outside of it heard what was happening, and when Margueritte attempted to escape the beating, followed closely by her irate husband, they stepped in to protect her. For their trouble, he started aiming at whomever was close enough to be a target. The altercation that began in their home, moved into the street and eventually ended up in front of the shop of a *tapissier* named Dupré. As the violence perpetrated by Aubry continued to escalate, Dupré sent one of his apprentices to find the Guard. In the *plainte* filed against Aubry by his wife, she told the *commissaire* that when she tried to escape his brutality with their three children, Aubry dragged them back into their apartment, where he continued the attack until she was finally able to escape. Jean-Baptiste Masson, corporal of the squad assigned to the Sergeant of the Guard was called in to arrest Aubry for causing a *clameur publique*; he was taken to the Grand Châtelet prison. Margueritte Duchatel feared for her life and that of her children, and Commissaire Trudon felt that the threat was real enough to remove Aubry, if only temporarily, from the household.<sup>73</sup>

While she certainly relied on her neighbors for their help and support, there was a limit to how much neighbors were willing to intervene, especially when faced with a particularly violent husband. Neighbors did not want to be attacked themselves by the husband for interfering, even when they expressed concern about his behavior. Nor did they wish to interfere in a private matter between spouses, but it was clear that women knew they could rely on neighbors for help and/or protection to at least a certain degree.<sup>74</sup>

Between the role played by neighbors and that of the *commissaires* who could provide them with some legally-sanctioned relief, wives did have a degree of protection from abusive and wasteful husbands. A certain amount of frustration on the part of the

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<sup>73</sup> AN Y9688, Minutes of the Petit Criminel, August 1763.

<sup>74</sup> Roderick Phillips, "Women, Neighborhood, and Family in the Late Eighteenth Century," *French Historical Studies* 18, No. 1 (Spring 1993): 1-12.

wives of Saint-Antoine existed, however, in terms of the lack of willingness or ability of the Police Commissaires to act on the complaints lodged by abused wives. When Marie-Etiennette Lemoine lodged a complaint against her husband Nicolas Maures on 22 September 1749 for physical and verbal abuse, for example, she mentioned in her statement that she had filed two earlier *plaintes*, but she was still being subjected to poor treatment at the hands of her husband. Despite her earlier complaints, she continued to endure invectives, insults, and a variety of physical injuries at the hands of her husband, and, as she mentioned to Commissaire de la Grave, she feared for her life. Thus the legal protections afforded wives might be problematical.<sup>75</sup>

### Evading the Law

Regardless of the various restrictions and challenges placed upon them by law and custom, women learned how to work around them or to function within them to seek legal redress for their difficulties involving honor, reputation, and family matters. They also understood that their gender could be used to their advantage when they faced charges for the mundane crimes that afflicted a city like Paris. Women who found themselves facing punishment for wrongdoing knew that they could use gender to possibly minimize their punishment. If she was unable to “control her passions,” a single woman might evade punishment for wrongdoing by convincing the authorities that her father, or another male guardian, was responsible for not having kept closer watch over her.<sup>76</sup> Although subject to the same edicts and statutes governing behavior as the men around them, women could more easily escape punishment by claiming that temptation had overwhelmed them or that their male guardians had failed to uphold their

<sup>75</sup> AN 15945, Papers of Commissaire de la Grave, September 1749.

<sup>76</sup> Davis, *Society and Culture in Early Modern France*, p. 131.

responsibilities to control them. When Marie Dupuis was arrested in June 1762, along with another woman, Julienne Alexis Bosquet, for extorting money from an *épicier* (grocer), she implied that she was not fully responsible for her actions. Aware of the role she was expected to play as an unmarried woman, she told the authorities upon questioning that she had only been in Paris for a short time and that she was waiting for her father and brother to arrive. She hoped to mitigate her culpability by introducing into the picture the two male figures who had acknowledged legal authority over her actions. She implied that they should be held responsible for her misdeeds, and that their presence could have prevented her offense.<sup>77</sup>

However, merely mentioning the father and brother was not enough for a woman to avoid interrogation entirely. When subsequently asked about her association with the woman with whom she was arrested, whom she knew only as Alexis, Marie explained that she had taken advantage of Alexis' company during the voyage to Paris from Rouen, but that she was not well acquainted with her. Marie claimed that she had only spent a few hours with Alexis after their arrival in Paris and that the other woman had taken Marie to visit the grocer so that Alexis could get some ratafia<sup>78</sup> because she felt ill. Again, Marie was attempting to explain her presence at the scene of the crime as having been someone else's doing and not her own. In this case her tactic seems to have failed because she and Alexis reappeared in Parisian records applying for release from prison in October of 1762, four months after having been imprisoned. The failure of her attempt to escape punishment does not diminish the importance of the method Marie used, but in fact it informs us about one approach a woman in her situation might attempt to maintain

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<sup>77</sup> AN Y9677, Minutes of the Petit Criminel, June 1762.

<sup>78</sup> A liqueur made from an infusion of macerated fruit and often flavored with almond.

her freedom.

Invoking images of moral purity in the face of accusations of criminal behavior was the approach taken by Nicolle Collot, who was accused of having stolen a tobacco pouch from the man with whom she had been spending the evening. The man who brought the *plainte* against her told the *commissaire* that when he could not locate his tobacco pouch, he suspected the woman with whom he had shared some wine and bread, and then later some coffee. He then said that in an attempt to avoid any scandal, he simply asked her to return it to him. When she claimed not to have it, he went to find the police. Within the cultural and social mentalities of the time, the fact that she was a woman alone, who had sought the company of a man unrelated to her to have a drink together, immediately tagged her as being of questionable morals, especially given that she had invited him for the drink. Guilt for people who lived outside of acceptable norms was assumed. When questioned, however, she attempted to portray herself as a completely respectable woman. She told the *commissaire* that she had spent the day at home, except for when she went to confession, implying that a woman who did her spiritual duty could not possibly have committed a theft. Because the authorities took her to the Grand Châtelet prison, we can assume that the *commissaire* saw through her attempts to recast her image and to convince him that she was not the type of person to commit such acts.<sup>79</sup>

When accused of such activity as petty thievery and insults, successful use of gendered excuses to evade the consequences of their actions depended on various circumstances. During times when the family economy was threatened, for example, the authorities recognized the woman's right to use desperate means to defend her family,

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<sup>79</sup> AN Y15935, Papers of Commissaire Parisot, April 1735.

whereas simply engaging in criminal behavior was not acceptable. Such threats to the public order were not to be tolerated, but within her role as procurer of food for her family, involvement in food riots during times of high food prices and shortages was considered a statement of private distress, and a defense of both her family and her community. Theft, even because of hunger, was not seen in the same light. Women's presence in the marketplace and their role within the family economy was well established, so it is not surprising that they were almost always present at food riots in protest of food prices. They knew that they would be able to escape the consequences for participation in crowd actions because they were legally not considered fully responsible for their actions. Defense of family was a legitimate reason to engage in violent behavior, and as the studies conducted by Cynthia Bouton and William Beik show, women did so openly when they felt the situation justified such action.<sup>80</sup>

Another situation in which gender permitted reduced culpability was when the woman acted as accomplice to or in defense of her husband. As William Beik points out, wives understood the protection afforded them by their gender, and they used this to their advantage when confronting the authorities, even encouraging their husbands' anger in conflicts.<sup>81</sup> The argument over an unpaid bar bill that involved a René Catillon and a soldier in the Swiss Guard named Hyemelay might have ended when Hyemelay, who owed the money to Catillon, hit Catillon and left the tavern. Catillon's wife, Marie de la Pierre, however, who arrived some time later, decided that her husband had been misused by his drinking partner, and that they could not just ignore the fact that the bar bill had remained unpaid. So she decided to reignite the argument, this time involving another

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<sup>80</sup> Bouton, p. 18; Beik, p. 36.

<sup>81</sup> Beik, p. 36

soldier, and as a result, she and her husband became involved in a physical altercation with two soldiers.<sup>82</sup> If she had survived the altercation and, along with her husband, had to answer to the *commissaire* for her role in the conflict, she would have most likely faced lesser consequences than her husband, if they were judged to have been at fault in starting the quarrel. Although women and men were held to the same basic standard of behavior as far as criminal activity was concerned, women were not punished at the same rate as men. Indeed, women were likely to be given lesser punishments or none at all.<sup>83</sup>

### Conclusion

As we have seen from the cases explored above, the women of Saint-Antoine knew how to contend with the arcane legal system of their time when faced with representing themselves to the *commissaires* and other representatives of the patriarchal system under which French men and women lived. They called on contemporary understandings of their sex to evade consequences for their own criminal behavior, and they used gendered language to protect themselves from aggressors when their honor and reputation was threatened, and when they were victims of seduction, sexual assault, or domestic violence. Crafting a story that would present themselves in the best light was key to dealing with the challenges faced by the women of the lower orders. On the one hand, women were powerless in the public sphere because of the legal and customary restrictions placed upon them, yet on the other hand, they possessed a degree of real power during subsistence crises and when faced with threats to their individual place within the community. Women made use of eighteenth-century ideas about female frailty and innate lack of self control as tactics to ensure their own survival in the face of

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<sup>82</sup> AN Y9668, Petit Criminel Minutes, December 1761. For more on this case, see Chapter 5.

<sup>83</sup> See Ruff, *Crime, Justice and Public Order in Old Regime France*, p. 70.

daunting challenges. In the following chapters we will begin to examine the specific types of conflict the women of Saint-Antoine might face and how they confronted those situations. We will begin with the world of the household and the domestic sphere and follow in the subsequent chapter with the place of women within the neighborhood and wider community.

## **CHAPTER FOUR: “PRIVATE” QUARRELS & PUBLIC TRANQUILITY – THE DOMESTIC SPHERE**

As we saw in the previous chapter, women of eighteenth-century Paris not only understood the restrictions placed upon them by the patriarchal society in which they lived, they also knew how to utilize various methods of self-representation to confront those restrictions, and in some cases to evade the consequences of behaviors that fell outside of acceptable norms. In this chapter we will examine how these same strategies were used to confront the conflicts that were part of life in the domestic sphere, particularly those that threatened women’s economic or even physical survival by forcing them to respond to a variety of primary associates. In the process we will learn much more about the married and unmarried women of Saint-Antoine.<sup>1</sup> We will follow the example set by Arlette Farge, the preeminent historian of women in eighteenth-century Paris. She states that the lives of women were organized around the major moments the lives of men, particularly in terms of reproduction and acquisition of family patrimony; that a woman’s identity did not exist apart from the men in her life. Thus we will look at the challenges women faced as daughters within the paternal home, as they entered into the world of adulthood and marriage, and as they experienced their later years as widows.<sup>2</sup> While the focal point of the domestic sphere was the basic family unit, because of economic and familial ties, servants and other people who interacted daily with the family were also regarded as part of the world of the family.

### Ménage

Even in ideal circumstances, the only way the poor could survive was through the efforts of all family members. The natural economy of the poor, then, was the

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<sup>1</sup> See Roche, *The People of Paris*, pp. 19-20.

<sup>2</sup> Farge and Klapisch-Zuber, p. 22.

family economy that depended equally on the earning power of both the man and the woman. Despite work of both partners, it was difficult for the family unit to manage. Given the hardships that resulted from sickness, the birth of a child, industrial and/or agricultural depressions, its situation fluctuated above and below the poverty line. In all circumstances, however, the poor survived as best they could by their wits and whatever means were necessary.<sup>3</sup>

The family economy stood at the center of early-modern French society. Old Regime officials enumerated the population by *feux*, “hearths” or perhaps “households.” Their early attempts at collecting census data certainly were less than precise, because we can only estimate how many persons, drawn together by family ties, employment requirements, or just happenstance, gathered around an average hearth. Yet the Old Regime’s census unit tells us that this society identified people in terms of their membership in a household unit, whether bound by birth, marriage, or employment, giving us at least some understanding of the way the domestic unit functioned.

The household was on the one hand a basic structure of the conjugal family and on the other a complex structure that included the immediate family and others, often less permanently affiliated, who interacted with the family on a daily basis. The different members (father, mother, children) were all integral to the family unit, but so too were those who made up the local neighborhood and the physical spaces which they inhabited. Relatively small living spaces, a general lack of personal privacy, and the constant flow of people in and through shared spaces created unavoidable closeness with people nearby. From that proximity a community sensibility was formed. As people moved through various spaces, their lives intersected, even if only briefly, and although such casual interaction led to friction to be sure, it also allowed for support networks to

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<sup>3</sup> Danieri, p. 17.

develop, upon which the family depended to survive the challenges of life in eighteenth-century Paris.<sup>4</sup>

As we saw in chapter one, the Faubourg Saint-Antoine played an important role in the economic and socio-political life of Paris, particularly toward the end of the eighteenth century. While available data on the exact size of the population living in Saint-Antoine is not definitive, according to most estimates between 30,000 and 40,000 people called that part of Paris home at any given time.<sup>5</sup> The area was composed of a predominately laboring class population, though other socio-economic groups were represented in smaller numbers; the end result was a somewhat mixed population but with a definite labor-class character. Likewise, the buildings that the residents of the Faubourg called home were a mixture of various heights and quality, and within these were found a collection of people ranging from well-to-do merchants to unskilled laborers barely eking out an existence. Most of the buildings were constructed as cheaply as possible and were often crammed together along narrow streets and alleyways. In one description we see what was typical for most residents of Saint-Antoine:

A profusion of shops and workrooms intersected by passages and alley-ways and packed to the roof with lodgings and dormitories ... water dripping down walls ... turkeys roasting in the courtyard behind the poultry shop, one family's lodgings opening onto other family's lodgings.<sup>6</sup>

People made the most of the spaces available to them, using domestic spaces for commercial endeavors such as drying of merchandise that might have been made in the home of the craftsman or craftswoman but sold elsewhere. People and their activities were confined within relatively small spaces creating a shared life experience.

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<sup>4</sup> Garrioch, *Neighbourhood and Community*, pp. 19-22.

<sup>5</sup> Thillay, *Le Faubourg Saint-Antoine et ses « faux ouvriers »*, pp. 19-22.

<sup>6</sup> Farge, *Fragile Lives*, p. 9.

A conventional plot consisted of a building immediately adjacent to the street, with another building behind it separated by a small courtyard.<sup>7</sup> The challenges of life in the domestic sphere came in part out of the cramped living conditions, both in terms of the closeness of buildings and the number of people living within each apartment and on each floor. People sought relief outside their small abodes, in the semi-public space of the staircase and courtyard or in the openness of streets, where they interacted with neighbors and strangers alike. This local community led to a sociability and a familiarity with neighbors, upon which people relied when they needed support. Indeed, the *esprit de l'escalier* was vital to the creation of a sense of community for the residents of a particular area.<sup>8</sup> They asked their neighbors to watch their children or to hold their keys, and they relied on them to act as witnesses on their behalf particularly when they brought complaints against another party. Especially in difficult times, people came to the support or even the defense of their neighbors, as the incidents surrounding the kidnapping of Parisian children in 1750 demonstrated.<sup>9</sup> Fearing that their children were in danger of being seized by the police, the people of the neighborhood joined together in attacking the police, whom they felt were responsible for the disappearance of children from the neighborhood. Lacking membership within such a community would have deprived the people of the ability to protect themselves from threats perceived or real.

That is not to say that people were on intimate terms with everyone else within a building or area, especially given the lack of permanence of the Paris population. Immigration and the temporary nature of housing for so many people (whether they moved to escape paying rent or because they had to look elsewhere for work) meant that

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<sup>7</sup> Kaplow, *The Names of Kings*, p. 68.

<sup>8</sup> Roche, *A History of Everyday Things*, pp. 86-87.

<sup>9</sup> See Farge and Revel, *The Vanishing Children of Paris*.

the faces in a particular area might change with regularity. Yet making local connections could mean the difference between self-preservation and being set up as a neighborhood scapegoat when blame for wrongdoing needed to be placed somewhere. Berthe's case (from chapter three) was certainly strengthened by neighbors' statements against her employer's character.

The staircases and public spaces provided opportunities for people of different quality to intermingle, but within the buildings a form of vertical segregation was in place. The highest quality accommodations were found on the lower floors, and the rooms became smaller and more cramped as one climbed the stairs. A single building might house a rich bourgeois, whose successful shop was a prominent feature of the ground floor, while a poor worker made do with a tiny room at the attic level. The bourgeois on the first floor might have occupied several rooms, which unlike his poorer neighbors' spaces, were separated by function. Instead of living in only one room, he may have had the luxury of separating his life into multiple rooms, using different rooms for different activities. He also might have been the principal tenant of the building, having leased the building from the owner to sublet the apartments and rooms to the rest of the tenants, who were ranged in descending levels of the socioeconomic ladder on the upper floors.<sup>10</sup> Of wage earners, ninety percent were tenants who were unable to afford to buy a residence. During the early eighteenth century a typical furnished room would cost 48 to 72 *livres* per year, and a rent of 37-40 *livres* per year marking a tenant as being on the cusp of poverty; the worst accommodations cost about 2 *sous* per day. As the

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<sup>10</sup> Kaplow, pp. 67-69; and Roche, *The People of Paris*, p. 110.

average worker earned less than one *livre* per day, and most of this wage went to cover the cost of food and taxes and tithing, there was little left to cover the cost of lodging.<sup>11</sup>

However, renting was not the only means of procuring a place to live. For some Parisians housing was included as part of their employment. Servants and apprentices, for example, often resided with their masters, though with even less privacy than those who lived in rented rooms. Most spent a good portion of their day in their employers' company if not out doing his or her bidding. Then at the end of the day, most did not have their own room to which they could retire. They slept wherever there was room for them, be that in a closet, in a cupboard, or in an entryway. On the other hand, they generally had enough to eat and had nicer clothing than those not employed in domestic service.<sup>12</sup> For those who were too ill or aged to support themselves, along with orphans and others without clear support networks (the insane and the mentally challenged, for example), the *hôpitaux* provided at least minimal shelter.<sup>13</sup> Once again, however, the conditions at such places were far worse than were found in even the cheapest rented rooms. The Salpêtrière, which served as a poorhouse for women and girls, as housing for insane women, as well as a prison for prostitutes, and female delinquents and criminals, was known for the "administrative and medical negligence or indifference, disorder, filth, structural and human decay" that was found there.<sup>14</sup> Compounded by the fact that one's entry into such places was most often not voluntary, renting a hovel in an attic may certainly have been preferable, even with regular meals that were provided in the *hôpital*.

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<sup>11</sup> Roche, *The People of Paris*, pp. 104-108; Robert Jütte, *Poverty and Deviance in Early Modern Europe* (Cambridge: Cambridge University Press, 1994), pp. 65-66; and Kaplow, p. 54.

<sup>12</sup> Fairchilds, *Domestic Enemies*, pp. 38-39, 96 and 103.

<sup>13</sup> Jütte, p. 63; Frangos, pp. 13-17.

<sup>14</sup> Andrews, p. 355.

Whatever the type of housing they occupied, for most residents of Saint-Antoine, home consisted of one or two rooms, whose use was confined to basic needs of sleeping and preparing and eating meals. Separate rooms for use as kitchens and dining rooms were usually only found on the first floor, in apartments that the average worker could not afford. The lodgings on the upper floors consisted of only one or two rooms, and toilets for the upper floors were located on landings and were meant for common use. One can imagine, given their placement and the general lack of ventilation that the stench of these privies invaded the spaces nearby.<sup>15</sup> The odors of the open spaces in the streets, while most likely just as offensive, would have been at least a somewhat easier to deal with than those in close quarters. For the majority then, daily activities occurred within one or two rooms, with all members of the family sharing the space with no real privacy. People shared sleeping space and even sometimes slept in the same bed.<sup>16</sup> However, the lack of privacy experienced within one's home was compounded by the lack of privacy from one's neighbors. The thin walls and shared common spaces allowed for others to have access to the details of family's life. Neighbors heard each other's quarrels and celebrations, and everything became, in a sense, part of the public discourse.<sup>17</sup>

While most twenty-first century people would balk at such a degree of daily intimacy, for the eighteenth-century Parisian it was the norm. What may have been more difficult to cope with than the lack of privacy, was the condition of the rooms, which certainly would have created a desire to spend many of the waking hours away from one's residence. Louis-Sébastien Mercier's description provides us with a clear sense of

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<sup>15</sup> Kaplow, pp. 68-69.

<sup>16</sup> Roche, *The People of Paris*, p. 119 and Flandrin, pp. 98-100. Many of the cases of theft found in the archives involved possible theft by people who shared the same bed with the victim.

<sup>17</sup> Farge, *Vivre dans la rue*, pp. 32-33.

what home was like for the laboring class. A well-known observer of Parisian life in the eighteenth century, he described dirty furnished rooms, with disheveled beds, windows through which the wind blew freely, half-decayed tapestries on the walls, and stairways clouded with odors.<sup>18</sup> He also described bare walls, small, cold, damp spaces, and while he wrote from a particular upper-class perspective, other sources support his observations. We know that there was one fireplace for every two rooms, which meant that most Parisians had access to only one hearth for cooking and heating.<sup>19</sup> And according to notarial records the average household did not store wood (it would have been listed in the inventories otherwise), meaning that most could only afford to acquire wood as needed. In difficult economic times, when fuel costs may have been even more prohibitive, any comfort the fire in the hearth provided was supplemented by piling on clothing for warmth.<sup>20</sup>

Moreover, the type and quality of furniture owned by the typical family would not necessarily have diminished the general discomfort of the apartment. People typically owned only crude pieces worth no more than about 50 *livres*. They may have included stools, benches, tables, cupboards, wardrobes, but the focal point of the abode was the bed, a piece that was usually brought to the marriage as part of the wife's dowry and which represented twenty-five per cent of the value of the furniture owned by wage-earner families.<sup>21</sup> Beds were present in all dwellings and were the piece of furniture around which the rest of the room was organized. Other items that may have been found in a typical home included pots, pans, cutlery, stoneware, glass, pottery, and earthenware,

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<sup>18</sup> Pardailhe-Galabrun, pp. 42-45; Farge, *Vivre dans la rue*, p. 31.

<sup>19</sup> Kertzer and Barbagli, p. 9.

<sup>20</sup> Roche, *A History of Everyday Things*, pp. 129-30.

<sup>21</sup> *Ibid.*, p. 180.

but these would have been of low quality and inexpensively made. For laboring-class Parisians, the focus was on basic function and certainly not on luxury, given their very limited economic means.<sup>22</sup>

The images of the interiors of the homes of laboring-class Parisians, which have been gleaned from both contemporary accounts and inventories, give us a rather clear view of what domestic space was like for the residents of Saint-Antoine. Yet despite such conditions, having some space to call home was better than the alternative. A major reason for returning to one's apartment at the end of the day was to avoid being picked up by the police on suspicion of being a vagrant or other malcontent as happened to those who were found out late at night. Regardless of its condition, a residence provided protection from the elements and a safe haven from the dangers of night in the city. "Home" was, then, the place to which people retreated at the end of the day, where people were able to find temporary shelter, though it was not a place that necessarily evoked sentimental feelings of warmth or coziness.<sup>23</sup>

Once we look inside these buildings we can see the type of people who lived there. The basic unit making up the domestic sphere remained the conjugal family – father, mother, children – plus any servants or employees living with the family. The male head of the household was considered the most important component of the eighteenth-century family and was, as we have seen, the legally recognized authority over the family, but the wife, too, played an extremely important role within the household. One might say that she had the more important role within that sphere, given the number of tasks left to her care and the amount of responsibility that rested on her shoulders. In

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<sup>22</sup> Kertzer and Barbagli, pp. 10-11; Roche, *A History of Everyday Things*, pp. 182-83.

<sup>23</sup> Roche, *The People of Paris*, p. 97.

addition to domestic tasks required of her gender, she also bore the children. Laboring-class women had an average of six to eight children during their lives, though the number of living children was reduced by the high infant mortality that was in part the result of their own poverty. The number of pregnancies among laboring class women was also limited by their socio-economic status in that poor women married later, when marriage became more economically feasible, thus limiting the number of years in which they were able to bear children.<sup>24</sup>

Women attempted to avoid bearing children outside of marriage, not only because of the social pressures to do so, but also because of the economic realities of single parenthood. Husbands and wives were to share in responsibility for well-being of the family in the face of the challenges of life in eighteenth-century Paris, including the raising of children, and their success in this endeavor was in a way judged by the neighborhood of which they were a part.<sup>25</sup> Problems within the family, whether between spouses or between parents and children at times came to involve the neighborhood, especially when neighbors, out of a sense of necessity or possibly curiosity, inserted themselves into the situation. The family was at the same time part of the private domestic sphere and part of the public community. They were inextricably linked, and the family's place within the community had a tangible, even fiscal influence on the family's chances of successfully navigating the challenges of life in eighteenth-century Paris.<sup>26</sup>

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<sup>24</sup> Flandrin, pp. 53, 58-59.

<sup>25</sup> *Ibid.*, p. 4.

<sup>26</sup> Farge, *Fragile Lives*, p. 45; and Farge and Foucault, *Le désordre des familles*, p. 15. See also Garrioch, pp. 19-20.

However, not all of these challenges came from outside. The complexity of the familial structure itself often created difficulties, particular as a result of the layers of membership within that family structure. In addition to the conjugal family, there were non-kin members of the household who gathered around the hearth and who were connected to the family through a variety of relationships. We do read about families that included aging parents, unmarried siblings, and others who were related by blood or marriage, but membership in the household was also held by employees – servants, apprentices, and the like. The inclusion of non-kin added a layer of complexity particularly to the interpersonal relationships of an individual household, but the turnover of servants and apprentices or other employees also meant that the makeup of the domestic sphere was often changing. Because most servants came from outside Paris, their connection with the city and its customs was often tenuous, and although a certain amount of trust was implied or expected in the master-servant relationship, female domestic servants saw their service as a means to an end, that end being a dowry and marriage.<sup>27</sup>

### Unmarried Women

Until she married, the laboring-class woman was expected to remain within her parents' home, where her father especially could monitor her behavior and ensure that she did not lose her honor or disgrace the family.<sup>28</sup> In the ideal scenario, she learned a skill from her mother, from which she might earn a small income to either supplement the family's income or to create a dowry for herself. She also learned from her mother the skills necessary for running her own household. Once she married she could use her

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<sup>27</sup> Roche, *The People of Paris*, p. 68.

<sup>28</sup> Garrioch, *Neighbourhood and Community*, p. 63.

skills to find employment and supplement her husband's income. While still under her parents' roof, she also learned what she would need to know once she moved out into the wider community, at the same time that she was protected from that wider world until she could secure a husband who would take on the role of protector and supervisor.

Remaining within the parental home, then, meant protection from her own inherent female weaknesses and protection from the evils of the world outside. However, we can see from the police and judicial records that daughters were not always protected from the conflicts within the domestic sphere, conflicts that occurred between members of the same family as well as with those non-relatives who had a place within that sphere; living at home did not mean complete seclusion from the world outside or its conflicts, as is explored in the cases of Marie Bobin and Anne Lemoine below. Experience with conflicts within the parental home, however, could provide valuable lessons in how to successfully negotiate interpersonal relationships, the variety of which would inevitably grow once one moved into the wider community.<sup>29</sup>

In laboring class families both mothers and fathers worked to provide for the family, even when they had young children. With both parents working, often outside the home, constant attention to the activities of even young children was often simply not possible. Parents then had to rely on neighbors and others to care for young children while they worked. The neighborhood thus provided a vital resource for parents with small children, who despite the prevalence of infant and child mortality, demonstrated

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<sup>29</sup> On unmarried women and their economic problems, see Christine Adams, "A Choice Not to Wed? Unmarried Women in Eighteenth-Century France," *Journal of Social History* 29 (1996): 863-94; and Sabine Juratic, "Solitude féminine et travail des femmes à Paris à la fin du XVIII<sup>e</sup> siècle," *Mélanges de l'Ecole française de Rome. Moyen Age-Temps modernes* 99 (1987): 879-900.

care and concern for their children's well-being and sorrow when they died young.<sup>30</sup> Yet providing adequate care for their children was a challenge, even with the support network of the neighborhood, especially when a parent was faced with the task without the help of a spouse. After his wife's death, Louis Bobin arranged for Marie Lecuier to act as "governess" for his young daughter, Marie, while he worked as a day laborer. Two months after having begun looking after her, Lecuier allowed Marie to stay with a neighbor named Pierre Malcontent, his servant, Margueritte de la Rue, and his brother, David.

Though it was common for neighbors to care for neighbor children on occasion, in this case the neighbors were a poor choice. On 9 December 1732 Bobin came home to find that his daughter was not home nor was she with Lecuier, who at first attempted to hide his daughter's whereabouts from Bobin. He eventually discovered that his daughter had been left with Malcontent and that she had been sexually assaulted while she was there. When questioned about the incident, de la Rue claimed that Lecuier told her that Marie Bobin was her daughter and that she (de la Rue) had seen no evidence that any abuse had occurred in Malcontent's home. She had told the authorities that she had lived with and worked for Pierre Malcontent for nine months, but during questioning it was revealed that she had concealed the true nature of her relationship with Malcontent. She denied accusations that she had been passing herself off as his wife and that she was living in sin with him, but such allegations called into question the veracity of her previous statements regarding young Marie Bobin.

Lecuier was also questioned in the case for her part in the abuse suffered by the little girl. She admitted to having allowed Marie Bobin to stay with Malcontent but

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<sup>30</sup> Kertzer and Barbagli, pp. 191-97.

denied allegations that she had given the girl over to her abuser. Despite witnesses' statements that they had heard Marie Bobin telling Lecquier what had happened while she was at the Malcontent home (particularly that she had been hurt by Malcontent's brother David), Lecquier claimed that Marie Bobin had said to her that she preferred to stay with Malcontent rather than at her father's home. When asked why she had not returned the little girl to her father when Louis Bobin demanded his daughter's return, Lecquier said that she could not return little Marie because she did not know where she was. Louis Bobin's situation was a difficult one indeed in that he could not have taken his four-year-old daughter with him to work, so he relied on others to watch over her in his absence. When the details of the abuse suffered by his daughter were revealed, he turned to Commissaire Chauvin to punish those who had brutalized his child. After all the parties involved in the case (defendants, plaintiff, and witnesses) were questioned, the four defendants (Pierre Malcontent, his brother David, Marie Lecquier, and Margueritte de la Rue) were sent to the prison of the Châtelet while the investigation continued.<sup>31</sup>

One of the obvious challenges came in having to trust those neighbors, and given the residential mobility within a local community, trusting a neighbor could be a risky endeavor indeed. But it was hoped that parents would be able to protect their children, whether from outsiders or from their children's own lack of life experience. Of course children of early modern Europe were faced, at an early age, with responsibilities we would consider to be part of the adult world. As soon as they were capable of contributing to the family economy, children were expected to do so, even if it meant leaving home. Once they were able to help their family through their own labors, regardless of their limited skills in comparison to adults, they went from being solely

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<sup>31</sup> AN Y10043, Minutes of the Grand Criminel, December 1732.

consumers to becoming producers as well.<sup>32</sup> Many families relied on the added income brought in by unmarried children. Françoise Vincent, for example, was sent to Paris at the age of 15 so that she could find work, because her widowed father was unable to support both Françoise and her five-year-old sister. He sent his older daughter to work as a domestic in the home of a master painter, Claude Jerome Saussay, with whom his brother was acquainted. She had only worked for the painter for two months when she left her employer's home and made her way back to her village of Clachalôze and her father. The act of leaving her employer without permission from the employer was against the law, and Saussay turned to Commissaire Crespy to recover his employee. Françoise, when she was questioned by the *commissaire*, explained that she went back to her father because she was so homesick, which certainly is plausible given her age and the fact that she had left a small community for a very large and impersonal city. The father's statements to the *commissaire* made it clear that his decision to send his daughter away was not an easy one for him to make but that it was the only option he felt he had in the situation.<sup>33</sup>

Of course girls of Françoise's age and younger were commonly seen working outside the home. They were old enough to understand the hardships of life in Paris, but it was believed that they were still in need of parental, especially male, supervision. Therefore home was the best place for young and/or unmarried women to remain. In reality though, many were compelled to work outside the home and even to live on their own. What the case above demonstrates is that independence was too much for some young women, who were clearly not emotionally prepared for life outside the parental

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<sup>32</sup> David Hunt, *Children in History: The Psychology of Family Life in Early Modern France* (New York: Basic Books, 1970), p. 183.

<sup>33</sup> AN Y9665, Minutes of the Petit Criminel, 1754.

home. Whatever degree of independence was gained by leaving home, for some girls/women it was not enough to tempt them.

While parental protection was certainly necessary for young children who could not protect themselves, parental supervision could extend even up to the time of marriage.<sup>34</sup> Ideally, an unmarried daughter remained in her parents' home until she married, with the understanding that such a situation would protect her from her own lack of sound judgment and from evil influences lurking just beyond the front door. Yet, even family control over who was allowed to cross the threshold of the family home did not translate into adequate protection from external dangers. Anne Lemoine was living in her parents' house when she was seduced by Jean Desmoulins, who had been invited into the home by Anne's parents. After the seduction, and in order to quiet rumors about their daughter in the face of growing neighborhood gossip, they turned to Commissaire de la Grave for aid in compelling the marriage between their daughter and her seducer. However, their attempt to retreat back into the privacy of their household failed when they had to turn to Commissaire de la Grave once again when it became clear that their daughter's life was endangered by her abusive husband.<sup>35</sup> Although they were dealing with a family matter, they responded by making statements to de la Grave about things that had become part of the neighborhood gossip (and thus the public discourse). They attempted to contrast the wickedness and violence of Desmoulins with the blamelessness of their daughter, as well as themselves. They defended their decision to compel the marriage as their attempt to repair their daughter's reputation and the family's good name

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<sup>34</sup> Flandrin, pp. 130-31.

<sup>35</sup> AN Y15946, Papers of Commissaire de la Grave, June 1751.

within their community, yet their actions did more to endanger their daughter than to truly protect her.

One thing that is not clear from the record of this case, however, was what Anne Lemoine's feelings toward her parents were, given the situation in which she found herself. One might imagine that she felt trapped between duty to her parents and resentment that they had, in essence, caused her difficulties. The records available for such cases, however, do not generally provide much insight into the relationship that existed between parents and children, not surprising given the nature of the patriarchal family structure. Fathers were expected to govern their families and to ensure that their members' behavior remained within the proper boundaries, and the other family members were to accept his judgment. Yet, there are cases that were presented before the *commissaries*, which do provide a glimpse into the conflicts that sometimes arose between parents and children. Catherine Roger's 13-year-old daughter left home to live with Marie Clothilde in February of 1763, and it appears that she did so without her mother's consent. She is not listed as having been employed by Clothilde, but the minutes of the Petit Criminel for this case provide some sense of the reasoning behind the girl's departure. Her father was absent, and her mother is listed in the case as a *mendiant*e (beggar). The girl had apparently evaded her mother's attempts to locate her, and Roger's behavior upon discovering her daughter's whereabouts demonstrated a possible reason for her daughter's desire to avoid her. According to Clothilde, when Roger appeared at her door, she was drunk and belligerent. Her lack of employment and her demeanor in confronting Clothilde may indicate a pattern of behavior from which her

daughter wished to escape. For her trouble, Roger was sent to the Grand-Châtelet prison for two months. We are not told what happened to the girl.<sup>36</sup>

Even parents who may have made an effort to protect their children could not foresee all possible negative influences on them. They may have lived at home, but as most parents in Saint-Antoine worked, they could not possibly supervise their children for every moment of the day, nor could they necessarily control with whom their children associated when they were away from their parents. Also, as is certainly the case today, children in early modern Paris did not always behave according to their parents' wishes. Though living at home, children could and did fall under the influence of non-family members. Madeleine Pajot lived with her father, a tobacco seller on the rue de la Mortellerie. At thirteen years old, she was not really old enough to marry and make her way in the world, but she was old enough to create her own experience of life in Paris. She chose to spend time with an older woman named Marie Tampe, who turned out to be a bad influence on the younger girl. Pajot told Commissaire de la Grave that she had told Tampe that she had lost the cross her father had given her. Tampe convinced her that the solution was to steal two napkins from her father, to allow Tampe to sell them, and then use the money to purchase a replacement cross.

For Commissaire de la Grave, who passed judgment<sup>37</sup> in what became a case of theft against Tampe, Pajot's attempt to replace her lost cross was not of major importance. What was at issue was not only Tampe's having corrupted the girl, but also her knowledge of what to do with the stolen napkins. Such familiarity with the criminal

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<sup>36</sup> AN Y9682, Minutes of the Petit Criminel, February 1763.

<sup>37</sup> His decisions had to be ratified by the Châtelet or the police court, though many of the judgments ratified by the police court were simply validations of the decisions made by the *commissaire*. See Williams, pp. 120-21.

world of stolen goods marked Tampe as threat to the public order, and as such she was sent to the Grand Criminel. Pajot's father was glad to remove the bad influence Tampe, whom he described to the *commissaire* as a cunning thief (*coquine*), had over his daughter, but he relied on the *commissaire* for this to happen. Like most parents Pajot probably hoped to shield his daughter from the negative influences of people like Tampe and the world of which she was clearly a part, but this was made very difficult given the limited supervision a working parent could provide.<sup>38</sup>

While adequate supervision was difficult while children still lived at home, it was made more difficult when they left home. For many unmarried women of Paris, leaving the parental home before marriage was necessary to find employment which would enable them to amass a dowry that would ensure that marriage would be an option for them. When unmarried women lived outside the parental home, it was certainly possible for them to experience more freedom than they could under their parents' watchful eyes, but they also faced a more precarious situation. If they chose to leave home, they had to find employment and a place to live (if it was not provided by the employer). Lack of residence and lack of employment led women into questionable, if not criminal, behaviors that sometimes resulted in incarceration and further marginalization. However, it should be noted that securing employment and a place to live did not "negate" the legal control that a woman's parents still had over her, particularly in the area of marriage.

Single women living away from the parental home appeared before court officials for wrongdoing that normally would have been curtailed by parental supervision. Although some were able to lodge with other relatives who could have acted as parental figures, that was no guarantee of adequate control over female missteps. Marie Louise

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<sup>38</sup> AN15960, Papers of Commissaire de la Grave, January - February 1763.

Chibouste was arrested on 10 October 1761 by the Pierre Lehu, Sergeant of the Watch. He told the court that while he was on patrol in the early hours of the morning (around four o'clock) he noticed a suspicious woman who was carrying a *paquet* in her apron. When he stopped her to ask where she was going, she replied that she was returning to rue Nonaindiers where she was living with her aunt. She said she had been at mass the previous day and had then done some errands, but did not realize how late it was even though it was almost dawn of the following day. Upon further questioning, Chibouste revealed that she was a washerwoman by profession though she had lately been at the *hôpital* as a *bon pauvre*. She said that she left the *hôpital* because she missed her work and that is when she went to stay with her aunt. Her aunt's neighbors admitted that they knew Chibouste well but that they did not know what business would have put her on the street at that hour. She was taken to the Grand-Châtelet to await a decision by the court about her fate.<sup>39</sup>

In the absence (for reasons not revealed here) of her parents Chibouste had lodged with her aunt, but she clearly made her own decisions about when and where she spent her time, a decision that on this occasion at least brought her before the court's attention. She was fortunate that she had a place to stay, but the fact that she had spent time in the *hôpital* as a beggar marked her as being on the margins of acceptable society. Such masterlessness was a particular fear of officials, who aimed to control masterless single women like Chibouste.<sup>40</sup> Lacking a clear male authority figure in their lives, these women demonstrated a willingness to live outside of traditional societal boundaries that was viewed as a very real threat to the public order. Their attempts to survive outside

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<sup>39</sup> AN Y9666, Minutes of the Petit Criminel, October 1761.

<sup>40</sup> Fréminville, p. 506.

those traditional boundaries often led women to bend or even break the law to survive. While the patriarchal establishment viewed such women with particular suspicion, other women also felt the effects of their misdeeds.

Yet, adult single women, especially those living outside their parents' home, realized that they had an independence that their married counterparts generally did not have. They were aware of the problems surrounding the legal subjugation women experienced in marriage, and some probably realized that as single women living away from home, they had far more freedom than other women especially in terms of making decisions for themselves. In reality they were not answerable to fathers if they were too far away to be aware of their daughters' actions, though such women also had put themselves beyond the protection offered by their fathers. For good or ill, their decisions were their own, which also meant that they were responsible for themselves and their behavior. When she was detained on 18 April 1735 by a sergeant of the Guard because of suspicious behavior, Marguerite André had to stand on her own during the subsequent interrogation. She lived on her own and apparently outside traditional male supervision, which meant that she could not share culpability with the male figure who was supposed to have been supervising her actions. When questioned about what she was doing when she was detained, she only responded that she had been to see a female friend and that she had been returning home at the time. She was listed in the record as a woman of questionable moral standing (*filles du mauvaise vie*), and she was sent to the Saint-Martin prison for further questioning.<sup>41</sup> Although some women did introduce male figures into the picture when they found themselves in trouble with the police, as we saw in chapter three in the case of Marie Dupuis, others simply stood on their own.

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<sup>41</sup> AN Y15935, Papers of Commissaire Parisot, April 1735.

The women who lived in Faubourg Saint-Antoine apart from their parents did so for other reasons besides the search for a dowry, as will be discussed below. Moreover, this population of single women included those born in Paris as well as immigrants from towns and regions outside of Paris and from other nations of Europe. French men and women in the eighteenth century knew the capital to be a potential source of employment, which could mean the difference between a stable life and desperate poverty. As discussed in chapter one, life in Paris presented many challenges and potential dangers, but the city offered possibilities that the country did not. In cities like Paris women could find furnished rooms, lodging houses, networks of other women, as well as shops and taverns with prepared food; they could potentially live on their own financially and survive.<sup>42</sup> But the risk of failure in independent living was omnipresent, and while not all women who immigrated to Paris fell into dissolute living or were unable to secure a decent life for themselves through their own effort or with help from relatives, there were many cases in the papers of the *commissaires* of women who had gotten into trouble after having moved to Paris from their native villages.

These cases served to support the traditional patriarchal view that women possessed limited self-control and scant resources for self-preservation; and many of the cases involved the situations that male supervision was supposed to prevent. Reine Cuny arrived in Paris in September of 1760 in search of employment, but she had not yet found a job when she was arrested for engaging in debauchery (*libertinage*) with a man named Dupont. The interrogation of Commissaire Crespy reveals that she was a twenty-one-year-old seamstress, who had only been in Paris for a few weeks, and when asked about

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<sup>42</sup> Elizabeth Fox-Genovese, "Women and Work" in Samia Spencer, ed., *French Women and the Enlightenment* (Bloomington: Indiana University Press, 1984), p. 122.

her place of residence, she gave a vague answer about sharing a room with a woman she did not know. Upon further questioning, she admitted that she had shared four pints of wine with Dupont and that they were discovered in an intimate embrace. The *commissaire* asked her if it was true that she had solicited his company in the cabaret, to which she responded that he had invited her to have a drink with him and not the other way around. When he asked if she was a prostitute (*fille du monde*) she said that she did not know what he was talking about, and that she was an honest woman. Regardless, however, Commissaire Crespy seems to have considered her of questionable moral character and in need of correction, so he sent her to the prison of Saint-Martin.<sup>43</sup> This is but one of many cases of women in morally questionable situations, and these cases further bolstered the male belief that women were naturally incapable of self-control in the face of temptation. City officials were charged with protecting the rest of Paris from the immorality and corrupting influence of women like Cuny, especially where parental influence was lacking.

Even beyond the desire to keep women confined to the home as a means of guarding against their weaknesses, royal officials hoped to be able to maintain at least some degree of control over the unruly masses who posed a constant threat to the public tranquility. Where parents were not able to guarantee the good behavior of daughters not living at home, laws supplemented the role of parents. For example, all landlords were to keep a record of who lodged with them, to ensure that those renting space (be it furnished or not) were legal residents of Paris. French government officials hoped to be able to contain the population through regulation of lodgings and public establishments such as

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<sup>43</sup> AN Y14086, Papers of Commissaire Crespy, September 1760. It is not clear whether her name was a nickname or an alias.

cabarets and cafés, and these laws would ensure that officials could keep track of the kind of people who might threaten the public tranquility. According to Fréminville, Paris officials expressed concern specifically about debauched women (*femmes dissolues*), and threatened that anyone who rented to such women would face seizure of their house. Women were understood to be but one small step from immorality.<sup>44</sup>

For the government attempts to control female misconduct were a part of the larger goal of maintaining the upper hand over the entire population. The French government enacted laws to regulate many aspects of life for its people, including places of residence and work, but it also sought to control morality as well. As a result, in addition to the challenge of meeting basic needs, women also had to worry about living up to official standards of morality. The consequences of failing to do so had potentially dire consequences. One of the most common areas of concern for single women in terms of morality was the problem of unwanted pregnancy, and it was an aspect of life to which the government paid particular attention for moral as well as practical reasons. The laws regarding pregnancy among unmarried women were taken very seriously by city officials and they added yet another layer of surveillance to women's lives.<sup>45</sup> The challenge of dealing with unplanned pregnancy, as we have seen in the case of Marie-Louise Berthe, meant that women not only had to worry about what was best for themselves, what decisions could be made in their own best interests, but they also had to be aware of the public aspect of the issue. Their private actions could very easily have become public.<sup>46</sup>

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<sup>44</sup> Fréminville, pp. 177-80.

<sup>45</sup> Riley, pp. 70-72.

<sup>46</sup> The recent work by Vincent Denis, *Une histoire de l'identité: France, 1715-1815* (Seysse: Champ Vallon, 2008) provides a detailed history of this drive by officials to identify and track the movements of subjects of the French crown.

Men and women alike preferred to avoid being noticed by the police, especially if they feared revealing activities that could have been deemed criminal and deserving of punishment. When Margueritte de la Rue was questioned about her involvement with Pierre Malcontent in the abuse of Marie Bobin, she was asked about her relationship with Malcontent. She told the authorities that she had worked for him as his domestic servant for nine months but that she had never passed herself off as his wife. She was asked twice about her relationship with her employer, despite the seriousness of the case in question, that of the *viol* of Marie Bobin. Clearly, it was as important for the authorities to discern the true nature of that relationship as to discover the details of the attack on the little girl. If she was living with Malcontent as his wife, she had broken a law in her own right and could be punished for it.<sup>47</sup>

Other women, because of their chosen lifestyle, were bound to come to the notice of the police at some point, as we can see in the case of Jeanne Guyot. She was an eighteen-year-old seamstress who had, as she told the *commissaire*, moved to Paris from Franche-Comté perhaps hoping to find employment. By the time of this case, however, she had become known to her landlord as a wanton woman (*femme de mauvais vie*). He told the police that she often entertained various men and women in her room, but he did not indicate whether the authorities had been previously aware of her activities before they were called to her building one day in May 1762 by lodgers who had noticed an injured man wandering around the courtyard of their building. Because the courtyard was only accessible through doors that were locked at the time, the police concluded that the man, Sagault, could only have gotten into the courtyard through one of the windows

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<sup>47</sup> See Riley, pp. 17-31 for discussion about the King's attempts to control Parisian sin through the surveillance efforts of the Lieutenant of Police and his subordinates.

above the courtyard. Because of her reputation and lifestyle, the landlord assumed that Guyot must have been involved, and he told the police that they should question her about the man.

When the police questioned Guyot about the man in the courtyard, she claimed to know nothing about it. The police decided to examine her room anyway, and once inside they found a man's hat and handkerchief on the windowsill above the courtyard where Sagault had been found; Sagault identified the hat and handkerchief as his. They also found blood on the floor and several broken bottles around the apartment. Sagault, who was suffering from several cuts and bruises, told the police that he remembered meeting Guyot the night before in a bar. They consumed several bottles of wine together and then went back to her place. In spite of his testimony and the evidence found in her apartment, Guyot continued to protest her innocence. She told the police that she had stayed in all night and that she had gone to bed at around eleven the previous evening. When presented with the evidence, the hat and handkerchief, she said she did not know whose they were or how they came to be in her apartment. When they asked about the blood, she simply said that she had been bleeding the night before. Based on the very damaging physical evidence and Guyot's reputation with her neighbors, as well as the testimony of Sagault, the police concluded that she was guilty of having assaulted Sagault, so they took Guyot to the Grand-Châtelet.<sup>48</sup>

Whether or not her explanations of the events preceding the police inquiry were true or not is unimportant. What is significant is that she certainly would have served as an example of a typically immoral woman further supporting the need for strict rules governing female behavior. Expected to adhere to social norms, to traditional modes of

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<sup>48</sup> AN Y9673, Minutes of the Petit Criminel, May 1762.

behavior, women often found themselves faced with the dilemma of either compliance with society's rules or doing whatever was necessary to survive. Some found themselves falsely accused of behavior that might have been expected of them simply because of their situation in life: living away from home but without the supervision of a husband. Although some women did choose to live in *mauvais commerce* and to commit criminal acts, not every woman making such choices did so out of necessity.<sup>49</sup>

Given the large number of poor men and women who lived in the area of Saint-Antoine, one would expect that some decisions were based on necessity. Brigitte Riveaux was stopped by the Garde Français on 28 February 1750 because she was carrying a covered terrine of cooked capon. When questioned about why she would be in possession of cooked meat on a Lenten Friday, Riveaux told the Sergeant that she was carrying it for someone else. It is not clear whether she had intended to make a meal of the meat herself, but the Garde had orders to search out such contraventions to religious rules. As a result Riveaux was taken to the Grand-Chatélet prison to await questioning. Her "criminal" act was of a religious nature and she may have found the terrine and felt that it was too tempting to forgo the meat rather than follow the religious strictures concerning fasting practices.<sup>50</sup>

Some women took in lodgers to make ends meet, especially when they did not have male-earned income on which to rely. Anyone offering lodging for rent was required to keep a record of their lodgers, which was intended to provide the authorities with the means of controlling men and women who posed a threat to the public order,

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<sup>49</sup> AN Y9692, Minutes of the Petit Criminel, December 1763, Edmé Accard, whose occupation was listed as a worker for tailors, admitted to having been a prostitute but only for six months when she had been out of work. See also AN Y9699, Minutes of the Petit Criminel, July 1764, and AN Y9712, Minutes of the Petit Criminel, August 1765 for similar claims.

<sup>50</sup> AN Y15945, Papers of Commissaire de la Grave, February 1750.

though special attention was paid to women who were suspected of being *de mauvais vie*. Thus women who needed to supplement their incomes through renting out to others faced scrutiny by the authorities, and possible fines for having rented to questionable people. Yet, even the act of renting to a stranger posed a certain amount of risk.<sup>51</sup>

In late June 1736, Jeanne Queant was approached by a woman inquiring about a possible room for rent. The woman, Julienne Criou, told Queant that she was in need of a room since she had left the home of her employer and had no where else to go. After some reluctance Queant offered to rent a small chamber to Criou, who remained with her for 15 days. On 19 July Queant returned home after a day of work at which time she observed that both Criou and some of Queant's belongings were missing. Queant inquired of her neighbors if they had seen her lodger, and the child of one of her neighbors told her that Criou had told her that she was going to the river and that she had a *pacquet* with her. Upon a closer search of her apartment, Queant found that several items of clothing were missing and she conjectured that Criou's packet was probably made up of the missing clothes.

During the time of her residence Criou had revealed to Queant a story of personal hardship involving her previous employer. She related that her employer, a Monsieur Lefebvre, had refused to pay her the 500 *livres* in wages he owed to her, and for that reason she had left his place. Queant sent her servant to speak to this man in hopes of gaining some information about Criou's whereabouts. Lefebvre told the servant that he did not know where Criou was but that if she heard anything to let him know because Criou had stolen from him as well. A few days later Queant's servant saw Criou, who

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<sup>51</sup> Fréminville, pp. 177 and 328. The supervision of the capital's migrant population and its lodgings is the subject of Roche, ed., *La Ville promise*. General policies of control are outlined in Denis.

was quickly thereafter apprehended. When confronted with the evidence, Criou admitted that she had stolen the clothing from Queant but that she only did it because she was in such dire straits. She told the authorities that she often went days without food and the theft was committed to prevent her own starvation. Queant should have followed her initial instincts and not agreed to the rental arrangement, but financial needs may have been stronger than personal hesitations.<sup>52</sup>

Some single women were able to rent rooms without having to share them with other tenants. One might assume that this was a safer option, particularly if the room could be locked, but even in this situation there was no assurance that belongings were safe. On 14 December 1760, Jeanne Paris left her room at around three in the afternoon to go down to her job in the shop on the first floor of the building. She remembered locking the door and still had the key in her pocket when she returned later that evening. At some time between the time when she left and seven-thirty someone entered the room and took some of her belongings. A fellow tenant had noticed the door ajar as she went back to her own room, so she immediately went down to alert Paris. Two male witnesses told the authorities that the doors to the house were always locked and that the perpetrators of the theft would have to have come from within the house. Other lodgers suspected two men who were temporary lodgers in the house.<sup>53</sup> The neighborhood could act as a support network, but clearly not everyone within the network was trustworthy.

After spending the night at the home of her sister and brother-in-law, Anne Mullet returned home to discover that her furniture had been disarranged and that the locks on her commode had been forced open. She examined the contents and found that some of

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<sup>52</sup> AN Y10051, Minutes of the Grand Criminel, August 1736.

<sup>53</sup> AN Y9656, Minutes of the Petit Criminel, December 1760.

her belongings were missing. She quickly went into the hallway to alert the other residents that a theft had taken place, perhaps hoping to get information from them about the theft. After speaking to other residents, Mullot came to suspect the principal tenant of the house, Anne François, of having committed the theft. She eventually took the case before Commissaire Trudon, who apparently felt the case had enough merit to question François. In the interrogation François was asked how often she had used false keys to enter various rooms in the house for the purposes of stealing. Although she denied possessing a passkey (and the record does not indicate that one was found on her person), having carried out the thefts, or having committed any other infractions, François was sent to prison for three months for theft.<sup>54</sup> Without the support of the fellow tenants, Mullot would most likely have been unable to discover who had stolen from her, but she learned that she needed to be careful about which of those tenants were reliable.

Elizabeth L'Huillier found herself in a similar situation in June of 1750. She lived in the same house as a Monsieur Leger, and became the target of verbal harassment after someone stole something from Leger's apartment. He blamed L'Huillier for the theft even though he did not have proof that she was guilty. He and another neighbor, a Monsieur Rolland began harassing L'Huillier, calling her a thief and a bitch of a whore (*de garce de putain*). She tried to convince them that she was not a thief, but they continued their verbal attacks. Leger took his case before Commissaire Trudon to get permission to use his key to search L'Huillier's room. In response she filed a *plainte* against the two men with Commissaire de la Grave, in order to conserve her honor and

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<sup>54</sup> AN Y10059, Minutes of the Grand Criminel, November 1737. On the legal implications of possessing such keys, see François Serpillon, *Code criminel ou commentaire de l'ordonnance de 1670*. 4 vols (Lyon: Les frères Perisse, 1767), 1: 160.

reputation (*conserver son honneur et reputation*).<sup>55</sup> After having been questioned by one *commissaire*, she was willing to put herself under the scrutiny of another in order to put an end to the verbal abuse, and in taking her case before a separate *commissaire*, she demonstrated a desire to publicly defend her innocence. If her neighbors believed her to be a thief and a dishonest woman, her place within the local community would have been compromised, and she would not have been able to rely on the neighborhood support network that was so important for laboring class Parisians.

As was noted earlier, the line dividing public and private was rather fluid; private affairs at times spilled into the public sphere, and the public intruded onto the private. As we have seen, the interplay between the two was not necessarily a negative thing – Genevieve la Plante certainly benefited from her neighbors' involvement in her situation as we will see below – nor was it at all avoidable. For the people of Saint-Antoine, lack of privacy was simply part of life in the city. It had become at times, therefore, just another dynamic of the domestic sphere, particularly as concerned certain members of the household. Many families included among their members domestic servants and other outsiders, such as lodgers, but they also regularly interacted with their neighbors as well. Working parents often left their children in the care of neighbors, they relied on them to keep an eye on the building while they were absent, and they even relied upon them for assistance when they were ill. Moreover, common experiences and shared difficulties certainly strengthened ties within the neighborhood community, and it was on these connections that people relied, especially when living away from familial supports, which was the case for many of the single women of Saint-Antoine.<sup>56</sup>

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<sup>55</sup> AN Y15945, Papers of Commissaire de la Grave, June 1750.

<sup>56</sup> Garrioch, pp. 19-25.

Parisian officials viewed single women, especially those living outside the parental home, with suspicion, which could translate into their being arrested simply for engaging in questionable behavior. Lacking an established domicile with a recognized male authority figure to supervise them could lead to misbehavior on the part of single women from the perspective of the authorities. These women had to be protected from their natural tendencies toward misbehavior, and as part of his God-ordained duty, the king took up this task through the laws created in his name and the officials who upheld those laws.<sup>57</sup> Part of what fueled these attempts to control the female population was the traditional belief that women lacked inherent abilities to control themselves. Laws and customs which governed behavior were intended, therefore, to protect women from themselves, but the woman of Saint-Antoine understood that no one would protect her reputation with as much vigor as she would. She was responsible for her own reputation and for maintaining her own virtue.<sup>58</sup> If she wanted to avoid official scrutiny, if she hoped to have a successful life, if she hoped to someday marry, she had to closely guard her virtue. To lose her virtue was to lose all hope of a successful future, but it was understood to have an effect on society as a whole as well. The loss of virtue in a woman was considered a major flaw that entailed overall psychological degradation and corruption. Moreover, according to writers like Montesquieu, public incontinence in women was harmful to society because it did not contribute to propagation and weakened the stability of marriages, and thus society as a whole.<sup>59</sup> The best means for keeping

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<sup>57</sup> Riley, pp. 1-2, 63-67; Paul Gide, *Étude sur la condition privée de la femme* (Paris: Durand et Pédone-Lauriel, 1867), p. 388.

<sup>58</sup> Farge, *Fragile Lives*, p. 44.

<sup>59</sup> Pauline Kra, "Montesquieu and Women," in Samia Spencer, ed., *French Women and the Enlightenment*, p. 281. For her discussion about the importance of marriage to the state, see Hanley, "Engendering the State," p. 12.

women virtuous after they left the parental home was through marriage and the presence of a husband, who could govern the actions of the wife.

### Married women

For a woman of the laboring class in the Faubourg, marriage was the favored option for a secure future, and it colored her plans in one way or another. She could not help but be aware of the importance of marriage to early modern French society as the foundation for the domestic sphere, which in itself was a cornerstone for French society. When she married, she hoped to build a life with her husband that included having and raising children and running a household together, and she understood that her choices once she left her parents' home were rather limited. Law and custom dictated the type of choices available to her, and this situation was upheld by the society in which she lived. Women knew their place in society and they understood how to maintain it, but they also knew that successfully navigating through life required creative thinking about how best to live within their society's patriarchal structure, even if that meant bending or breaking the rules of Parisian society.<sup>60</sup>

Marriage enabled women to move into a new phase of life, to become part of the adult world in their own right and to occupy a new place within the community along with their spouses. Through marriage women could set up a household separate from their parents and have a family of their own, even though they would still be under the male supervision that was deemed necessary for women and which the husband took over from his wife's father. Wives were to submit to their husband's rule over them and the

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<sup>60</sup> Wiesner, *Women and Gender in Early Modern Europe*, pp. 43-44 and 62; and Hufton, *The Prospect Before Her*, pp. 63 and 256.

family and to accept discipline at his hands whenever he felt it necessary. Along with duties, though, came opportunities that made her life as a wife rather different than that as a daughter. Marriage could thus provide her with a life of her own independent of her parents as well as a new set of challenges, some of which were unique to the female experience.

Setting up a household together involved participation of both parties, and successfully doing this also involved preserving one's respectability within the neighborhood, which was achieved through accomplishing an acknowledged set of tasks on the part of both spouses. A proper wife ensured that the quality of food eaten by the family was good, that her children were not dressed in tatters, and that her husband had a decent place to come home to at the end of the day. She was expected to be moderate in her drinking and cursing, and to enforce 'respectable' behavior in her children. This meant not letting the girls of the family 'run wild' and keeping the girls and boys separated from each other.<sup>61</sup> At the same time, the wife expected that her husband would provide for the family, and that he would come home at the end of his day. The successful household, then, was a partnership of sorts dependent upon each spouse's contributions to the family.<sup>62</sup> The greatest challenge came when one or the other spouse did not do his or her duty.

Though not all women married, Parisian women seem to have accepted the role marriage played in eighteenth-century French life in spite of the restrictions inherent within the marital state. Marriage was not necessarily a perfect solution to the challenges of life in early modern Paris, but it certainly created the possibility that the wife would

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<sup>61</sup> Flandrin, p. 104; Bonnie Anderson and Judith P. Zinsser, *A History of their Own*, 2 vols. (New York: Oxford University Press, 1989): 2: 237.

<sup>62</sup> Tilly and Scott, *Women, Work, and Family*, pp. 43-44.

have help bearing the burden of survival. A husband's income, as well as the other benefits and supports he brought to the marriage, meant she had a greater chance of security than she would have had living on her own. She was expected to keep future security in mind when considering marriage, but women did also marry for more positive reasons, such as companionship, love, and a desire for children, though there was no guarantee of the success of marriage in terms of a woman's hopes and expectations, as will be seen later in the chapter. Lack of certainty did not diminish the view of marriage as "woman's natural destiny" and as the agent that transformed her into a new and different social and economic being. Without marriage, children were illegitimate, and women who entered into physical relationships lost their reputations as moral women. Marriage then, insured that a woman's honor remained intact by legitimizing her sexuality and any children that resulted from it.<sup>63</sup>

Before she reached a marriageable age, a woman might have prepared for marriage through learning a trade, which could ensure her livelihood until her marriage and would enable her to supplement her husband's income. Paris was an expensive city in which to live, and the low wages earned by most women were not enough to cover the cost of basic necessities. As a result, many women worked for years to accumulate a dowry sufficient to make a decent match, which could offer the chance of life within one's own household and possibly the chance for a better life than what was possible for a single woman. And they expected to continue working once they married.

Establishing a household involved a degree of risk for both men and women, and the choice of spouse certainly affected the degree of success in setting up a smooth-running household. The woman learned from her mother how to run a household, and

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<sup>63</sup> Garrioch, p. 71; Davis and Farge, p. 29; Fairchilds, pp. 103-104.

she may also have learned how to deal with a husband whose contributions to the family were less than what was needed.<sup>64</sup> Advice manuals admonished women to think of their family's future and their own in choosing a husband, and laboring-class women in particular were instructed to ignore romantic feelings and to instead choose a husband who would be a good provider.<sup>65</sup> "You cannot expect to marry in such a manner as neither of you shall have occasion to work," was the warning one eighteenth-century advice manual gave to female servants, and both women and men of the laboring class expected their partners to work as long as they were able.<sup>66</sup> The concerns of women particularly centered on finding someone with whom they could set up a household and survive in the often harsh economic conditions of early modern Paris, someone who could provide a steady income and who would not mete out correction with too heavy a hand.

Women of all classes saw marriage as a key element to future well-being, but laboring-class women at least had more latitude than women of higher classes in terms of their spousal choice because great property and fortune were generally not at stake. That is not to say that making a good choice became any less vital. A poor choice could not only lead to life with a wasteful or abusive spouse, but it could also mean that the woman might become dependent upon charity for survival. To prevent the choice from being left up to young men and women who, in the patriarchal vision of society, were driven by their passions, French law required parental consent for marriage up to the age of majority – twenty-five for women and thirty for men. Those who married without parental consent could be disinherited by their families, which for women could mean the

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<sup>64</sup> Garrioch, p. 71; and Tilly and Scott, pp. 37-38.

<sup>65</sup> Farge, *Fragile Lives*, p. 42; and Wiesner, p. 58.

<sup>66</sup> Quoted in Anderson and Zinsser, pp. 236-37.

loss of whatever dowry she might have otherwise received. Parents (especially fathers) were believed to have been better qualified to make the best choices for their minor children, and while they were not always successful in that, they were believed to have a greater ability in this endeavor than were their children.<sup>67</sup>

While records indicate that men and women generally chose spouses from similar backgrounds and from within their community, as is the case today, parents did not always agree with the choices their children made.<sup>68</sup> When children found themselves at odds with parents about the suitability of potential spouses, they knew that there were ways of compelling their parents to agree to their own choice of spouse, the most obvious being simply becoming pregnant. In order to save the family honor, parents would seek to legitimize their daughter's offspring through marriage to the father of the child.

Marie-Madelaine Levesque's pregnancy was the main reason that her parents agreed to her marriage to the father of her child, a man named Luart. The marriage would lessen the scandal among the neighbors or the wider community of their acquaintance, which in turn would preserve the family's place within in that community.<sup>69</sup>

Another means of compelling a marriage was through *rapt de séduction* (abduction and seduction). The legislation created in the seventeenth and eighteenth centuries to address the subject defined *rapt* as a crime of both violent seduction and non-violent seduction, and one that warranted capital punishment. However, by the mid-seventeenth century the punishments pronounced on those found guilty of the crime more often than not involved remunerations to the victim (and often to her family) rather than

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<sup>67</sup> Andrews, p. 47; Garrioch, pp. 66-70.

<sup>68</sup> Isabelle Robin-Romero and Giulio Romero Passerin d'Entreves, "Les maris, les femmes, les parents. Les contrats de mariage parisiens au début du XVII<sup>e</sup> siècle" *Histoire, économie et société* 17 (1998): 619-20.

<sup>69</sup> AN Y9661, Minutes of the Petit Criminel, May 1762.

corporal punishment. Part of the reason for this comes from the fact that the judges came to believe that the victims of the crime may have been complicit in their own “abduction” as part of their marital strategy.<sup>70</sup> The couple may have planned the abduction because one set of parents was against the match. Given that it was assumed by legists that once abduction had taken place, sexual intercourse followed, the woman’s honor had been compromised. The most obvious way to restore her honor was through marriage between the abductor and the abductee, and the woman who was a victim could legally ask for the authorities to compel the seducer to marry her, especially if the encounter had led to pregnancy.<sup>71</sup>

It was not uncommon for brides in early modern Paris to be pregnant at the time of their weddings, but there were risks to knowingly letting down one’s guard and consummating a relationship.<sup>72</sup> As was discussed in chapter three, belief in a suitor’s promises of marriage could lead a young woman into a desperate situation in which she would have to both defend her honor and seek at least some means of caring for her child. Her hopes were pinned on finding a suitable spouse, one who would be able to provide for her and their children, but instead she found herself with child and facing the possibility of never finding a spouse. Any thought of presenting herself as a true maiden was gone, so she had to make the case to the *commissaire* that she had acted in good faith, having honestly believed that she and her suitor were all but married. When the father was known (or revealed), he could and often did deny ever having made any promises to the young woman in question or to ever having entered into any physical

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<sup>70</sup> James R. Farr, *Authority and Sexuality in Early Modern Burgundy, 1550-1730* (New York: Oxford University Press, 1995), pp. 90-92. See also Cummings, pp. 118-25.

<sup>71</sup> Denisart, Tome 2, part 2, p. 14.

<sup>72</sup> Farge, *Fragile Lives*, pp. 26-41; and Tilly and Scott, pp. 38-39.

relationship with her. Charles Liard was named by Françoise Habié as the father of her unborn child, and she told Commissaire Trudon that Liard had promised marriage to her on numerous occasions. Liard denied this and further responded by saying that he had only limited contact with Françoise.<sup>73</sup> Whether or not Françoise was able to get Liard to pay for the early care her child would need is less important than the statements she made to the *commissaire* about her expectations regarding her relationship with Liard. The narratives recorded in such cases demonstrate the reality of romantic relationships among the laboring classes. Because they did not have the same concerns about fortune or property, the choice of marital partner could be based on mutual affection. However, even among the laboring classes, the choice of spouse did not affect only the husband and wife. Just as unsuccessful relationships became a threat to the public order, successful marital partnerships benefited the wider community through the stability that was created in them.<sup>74</sup>

Once a marriage had taken place, the next step for the couple was to set up their household. Of the many challenges facing the head of household, the decision of how best to manage the family economy could have serious consequences if the husband erred in his decision-making or if the wife failed to keep the household running smoothly. As a partnership, marriage depended on the participation of both spouses for the survival of the family unit, which was, in effect, “two people engaged in living and working to the best of their ability in the face of a neighbourhood which they watched and by whom they themselves were watched.”<sup>75</sup> If one spouse failed to do his or her part, the rest suffered. A husband’s absence from the family could cause the financial burden of caring for the

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<sup>73</sup> AN Y9665, Minutes of the Petit Criminel, August 1761.

<sup>74</sup> Garrioch, pp. 71-72.

<sup>75</sup> Farge, *Fragile Lives*, p. 45.

children and household to fall on the wife's shoulders, a difficult situation indeed given the disparity between wages earned by men and women. At the same time, the presence of a dissolute wife could be equally destructive for the family unit, with children not properly cared for and the husband possibly being forced to taken on wifely duties. The ideal situation, in which a partnership was formed with each spouse playing a specific role in the marriage, may have been achieved by some residents of Saint-Antoine, but it was certainly not experienced by all. While it is not possible to determine the percentage of marriages that were either happy or unhappy, the couples that made public statements (whether of their own accord or coerced to do so by the authorities or their situations) about their marriages can provide us with a sense of what was expected within marriage and how spouses dealt with problems that inevitably arose.<sup>76</sup>

Those who achieved the ideal or at least who lived a relatively unexceptional married life generally did not leave behind a record of their existence. We know about them and what constituted the ideal, in part, because of contrasting examples demonstrated by those who appeared in official records. The failure of husbands and wives to live according to societal expectations provides for us access to that which constituted failure. The means by which people dealt with these failures, whether as participants or as witnesses, are recorded in the *commissaires'* records. It is the conflicts and challenges faced by married women that we will explore here. The shared experiences of the wives of Saint-Antoine in eighteenth century Paris, as recorded in the police and judicial records, provide insight into what it meant to be a laboring-class wife and how these women faced the challenges inherent in that condition. The statements

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<sup>76</sup> Farge and Foucault, p. 29. I found 42 cases in which husbands or wives made public statements about problems with spouses.

recorded by and about them, whether completely factual or not, help to illustrate how they confronted the challenges of navigating the domestic and public spheres of Parisian society.

Of course, both husbands and wives failed in their duties from time to time, and the women of Saint-Antoine knew that their expectations for married life might not always be met, even when they followed the “rules” and upheld their responsibilities. Yet they knew that the consequences for women who failed were more serious than those of men who did. In spite of this, wives did whatever was necessary to survive, even if it meant challenging traditional gender roles, a lesson learned by Genevieve la Plante (see below) some time after her marriage, and by Jeanne Bautié (whom we discussed in chapter three) very soon after she was married. Bautié’s expectations were undermined when her husband’s true character revealed itself, and la Plante, likewise, found herself adjusting her outlook on her future when faced with what was essentially single motherhood within a society that provided few opportunities or support for her situation. If these women hoped to have a life in which there were few surprises or hardships other than the mundane, their hopes were not fulfilled. They demonstrated, however, that methods were available to them for dealing with less than ideal situations and that they understood how to make use of them.

Genevieve la Plante may have expected her life to turn out differently from what it had become in 1763 when she filed a complaint with Commissaire Trudon against her husband Pierre Lemaitre, a soldier in the Gardes Françaises. He had gained a reputation within the neighborhood as an immoral and irresponsible man, who spent much of his time in the company of women of ill repute. While he had spent his time debauching

himself with wanton women, his wife had stayed at home with their children, doing what she could to provide for the family's basic needs. When he did return home, Lemaitre often beat his wife. On 2 July 1763, neighbors called a sergeant of the Guard to where la Plante, beaten and bleeding, was lying on the doorstep of the building in which she and her husband lived. As she later informed Commissaire Trudon, in this latest incident her husband had returned home after an eight-day absence and began attacking her, hitting her several times in the face and then cutting her stomach with a knife he kept in his pocket. Fearing for her life, she finally was able to escape the attack and to make it as far as the building's front step, where she lost consciousness.<sup>77</sup> Whatever she may have expected out of marriage, one can be fairly certain that life-threatening violence perpetrated by her husband was not something that la Plante planned for upon entering the married state. Although a certain amount of violence was not uncommon – indeed physical correction of a wife by a husband was a part of the culture of the domestic sphere and la Plante herself lived with it for many years – when she felt that her husband had gone too far, la Plante went before Commissaire Trudon to make a public statement about her own faithfulness to marriage and to protest the lack thereof on the part of her husband. She then expressed her desire for a separation from her clearly dangerous husband.<sup>78</sup>

This case speaks to the inherent conflicts that permeated daily life in the Faubourg Saint-Antoine, and indeed in all of Paris, whether between husbands and wives, between parents and children, or even between unrelated individuals. Both within the private sphere and as part of the public life, troubled interpersonal relations were a part of daily

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<sup>77</sup> AN Y9687, Minutes of the Petit Criminel, July 1763.

<sup>78</sup> Farge, *Fragile Lives*, p. 43 – She points out that violence was a common part of daily life, and it was not usually made known to the authorities until it became intolerable.

life. When private quarrels spilled out into the street or other public spaces, as happened in la Plante's case, they became about more than just those involved with the conflict; the issue of the public tranquility came into play as well. La Plante's family life became part of the public sphere when the neighbors stepped in to help her and when la Plante herself made public statements about her situation to the *commissaire*. In the case of la Plante, her neighbors saw her bleeding on the doorstep and called for help. These neighbors later served as witnesses to the abuse perpetrated by Lemaitre and the lifestyle he had been living, about which they had long been aware. The problems with their marriage thus became part of the public discourse, and involved many of the women of the neighborhood who served as ever-present witnesses to the happenings of daily life in Paris.

La Plante had married Lemaitre when she was twenty-one years old and had been married to him for ten years before she filed a *plainte* against her husband. They had three children together, and she had continued to uphold her duties as his wife in spite of the fact that he was known to have been frequently (she described it as daily and nightly) in the company of prostitutes. Though she was only a market woman and had little, if any, access to education, she knew enough about the local judicial customs to know that although she was expected to submit to her husband's rule over her, she could seek protection from the worst excesses of his treatment of her. She might not have been able to fundamentally change the situation, but she could at least take some steps toward self-protection, separation from her husband being her choice in this case. As was discussed in chapter three, she could also have sought a *lettre de cachet* to secure her husband's

confinement.<sup>79</sup> Either choice illustrates how women like her attempted to cope with such situations, what options were available to them, and what their understanding and expectations were about marriage.

When the marriage partnership functioned well, stable households could be established, but when a spouse did not uphold his or her responsibilities, familial instability resulted, which strained the local community especially when the public became involved in the private out of a perceived need. The neighbors of Marie Sellier and Gérard Vermunte, for example, served as witnesses in Commissaire de la Grave's inquiry into the neglect suffered by Sellier and their children at the hands of Vermunte. The discord between Sellier and Vermunte had long been a subject of conversation in the neighborhood, and when Sellier filed a complaint with de la Grave against her husband, three male witnesses attested to the long-standing difficulty she had been having with her husband. Vermunte was known to his neighbors to have been a drunkard and wasteful spouse for many years. One neighbor, Pierre le Clerc, told the *commissaire* that in the twenty-five years he had known the husband, Vermunte's drunken and deranged behavior and his seeming lack of concern for his family's welfare had become common knowledge among the neighbors. The witnesses expressed concern for Sellier and the couple's children who were suffering from neglect and abuse at the hands of Vermunte. It was in the best interests of local authorities to ensure that Sellier's husband repair his behavior and begin providing for the needs of his family so that Sellier would not be forced into unlawful acts, such as theft or prostitution, to feed her family.<sup>80</sup>

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<sup>79</sup> See Brian E. Strayer, *Lettres de cachet and Social Control in the Ancien Régime, 1659-1789* (New York: P. Lang, 1992).

<sup>80</sup> AN Y15946, Papers of Commissaire de la Grave, August 1751.

The neighbors in this case acted as witnesses to Sellier's plight, and La Plante's neighbors actively came to her assistance, but neighbors did not always eagerly involve themselves in such domestic conflicts. Certainly the network of support within the neighborhood was an important aspect of life in early modern Paris, but the willingness of the members of that network to become involved was a gendered response. Women were more likely than men to make their private lives public, and women were also more likely to reach out to help other women who might be facing domestic conflicts. While men relied on established institutional authority to reinforce their power in the public realm, women "developed solidarities to resist male power," and to counter the fact that they traditionally had no institutional power. Women sought ways of empowering themselves, and they did so through creation and maintenance of local support networks. Women thus relied on each other for a shared knowledge of the female experience and for the means by which to overcome the challenges therein.<sup>81</sup> Women counseled each other about how to deal with situations such as those described above. Marie-Anne Monnoye told Commissaire de la Grave that she had brought her case before him upon the advice of her female neighbors.<sup>82</sup>

Men, on the other hand, were less willing to intervene and possibly challenge another man's authority. To question another man's right to mete out moderate correction to family members, for example, would bring into question his authority over his own family. Thus males were willing to grant greater latitude in the definition of what "moderate" meant. On a wider scale, taking private issues into the public sphere

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<sup>81</sup> Elinor Accampo, "Gender Relations in the City: A Response" *French Historical Studies* 18 (Spring 1993): 52, 54-55.

<sup>82</sup> AN Y15946, Papers of Commissaire de la Grave, November 1750.

compromised the man's hold on his power over women in general, which of course would have constituted a threat to ordered society.<sup>83</sup>

Wives who found themselves in situations similar to that of Sellier told the authorities that when they had agreed to marry their husbands, they believed their choices to have been made in good faith. They explained that they had believed their husbands to have been honest, hard-working men, who were capable and willing to support the wives and any children that might result from of the union. They hoped to convey to the officials to whom they appealed their cases that their choices had been good ones at the time they were made, and that, ultimately, the family's problems had arisen from the husband's failures and not the wife's. Like most of the women around her, Marie de la Vigne would probably have preferred to remain anonymous to city officials, but she was willing to speak publicly about her marriage because she felt she had no other choice. She and Antoine Bonchretien had been married for nine years when Bonchretien decided to move to the countryside, leaving de la Vigne to maintain the family's financial well-being, including caring for his two children from a previous marriage. According to de la Vigne, his reappearance in Paris did not solve the family's problems, however, as he began to mistreat her for no apparent reason. In her complaint to Commissaire Rousselot on 3 August 1733, she explained that she had always paid close attention to her duties within the home and that she had been a good wife, but that her husband had left her to manage the household without any monetary assistance. She described his behavior since his return to have been untrustworthy and even violent toward her, clearly

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<sup>83</sup> Roderick Phillips, "Women, Neighborhood, and Family in the Late Eighteenth Century" *French Historical Studies* 18 (Spring 1993): pp. 3-5; and Elinor Accampo, pp. 51-53.

contrasting her faithfulness as a wife, mother, and housekeeper with that of her absent, unreliable husband.<sup>84</sup>

Bonchretien filed a separate complaint with a different *commissaire* in which he declared that during his absence (which he did not explain) his wife had misused the family's financial resources, and that she had failed in her duties as his wife. He went on to request that she be confined in a convent, though he did not specify how long the confinement should be. Both de la Vigne and her husband drew on eighteenth-century attitudes toward marital duties and rights to make complaints about each other, and the vocabulary they used evoked images of what the eighteenth-century wife and husband was supposed to be.

Even if a wife came to despise her husband, however, she understood that life without the income he brought to the household could be worse than life with him. As a result, women often put up with a great deal of abuse or neglect because of the sheer fact of the needed income. In cases where their husbands were unfaithful to them, they might choose to pursue legal action against the other woman. Marie-Françoise Fear, for example, chose to file a complaint against Genevieve de Maucan, the woman with whom her husband had an affair, rather than bringing a complaint against her husband. While her husband's part in the adultery was not in doubt, she also knew that bringing an action against the other woman would be less damaging to her own situation. The removal of her husband from the household could have meant the loss of his income, whereas the action against de Maucan would have meant some punishment for the other woman with no negative effect on Fear, the wife who upheld her role as a dutiful wife. The judgment

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<sup>84</sup> AN Y11750B, Papers of Commissaire Rousselot, August 1733. See also AN Y15946, Papers of Commissaire De la Grave, July 1751; AN Y15960, Papers of Commissaire De la Grave, April 1763, and AN Y10998, Papers of Commissaire Remy, February 1757 for similar cases.

in this case was for de Maucan to be sent to the Saint-Martin prison for having been a recidivist in moral transgressions.<sup>85</sup>

The husband of Fear neglected his duty toward his wife, but it was more effective for her to seek redress against the other woman given the seriousness with which society viewed female moral missteps as compared to those of men. Women were held to a different standard than men were. A married woman was defined by the kind of household she managed. If her children were not well cared for or if the household was in a state of disarray, the responsibility was hers. Marie de la Vigne understood the importance of perceptions and sought to represent herself to the *commissaire* as a faithful wife, whose ability to do her duty by her family had been compromised by her husband's failures to do likewise. Indeed, if the details of domestic affairs were not well regulated, especially if the husband claimed to have been upholding his responsibilities, the blame would generally fall squarely on the wife's shoulders.<sup>86</sup> In these cases, the wives' attempts to impress upon the *commissaire* the contrast between their own faithfulness to their role within the household and their husbands' abandonment of domestic responsibility, often in exchange for more pleasurable activities.

While the record of this case does not include the husband's response to the complaint made against him by his wife, in complaints by husbands against their wives, men used much the same language to describe the problematic behavior of the wives. They accused their wives of drunkenness and idleness, and said that their wives were preventing the family unit from functioning properly.<sup>87</sup> When Marie de la Vigne took her

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<sup>85</sup> AN Y15945, Papers of Commissaire de la Grave, August 1750; Hufton, p. 292.

<sup>86</sup> François de Salignac de la Mothe-Fénélon, "Treatise on the Education of Daughters," in Vivien Jones, ed., *Women in the Eighteenth Century: Constructions of Femininity* (New York: Routledge, 1990), p. 102.

<sup>87</sup> Farge and Foucault, pp. 30-31.

complaint to the *commissaire*, her husband based his subsequent complaint on his wife's misuse of the family's funds and her inability or unwillingness to uphold her duties within the marital unit. The husband was to restrain his wife's behavior, but she was to ensure the welfare of her family through management of household affairs. If she failed in this task, it was assumed that the cause was a flaw within the wife herself. Dishonesty, laziness, carelessness and neglect were at the root of the problem according to Mercier. In his *Tableau de Paris* he decries those women who blatantly shirked their duties, calling them "half-honest wives," who preferred to entertain "friends" in their husbands' absence. These women were, he continued, "dangerous and worthless creatures" who threatened the fabric of the domestic sphere.<sup>88</sup> While such assessments were probably not baseless, many women took their responsibilities toward their family's wellbeing very seriously, especially given the consequences of failing to do so.

Ultimately, though, the judgment of the wife's success or failure as the manager of the household fell to the husband. If he decided that she had not been faithful to her obligations, the husband could correct what he deemed to be misbehavior on her part. It was understood in eighteenth-century French society that a certain degree of heavy-handedness was indispensable for controlling especially unruly wives upon whom simple exhortations to improve their behavior were not effective. Husbands were allowed to use physical correction upon their wives, but this correction was not to be so severe as to cause death. While customary law varied from region to region in France, for the most part it affirmed a husband's right to inflict physical punishment but with limitations. In Beauvais, a husband could beat his wife as long as he did not kill or severely wound her,

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<sup>88</sup> Louis-Sébastien Mercier, *The Waiting City: Paris 1782 – 88*, trans. by Helen Simpson (Philadelphia: J.B. Lippincott, 1933), p. 303.

and in Bergerac, he could do so until he drew blood.<sup>89</sup> As is evidenced in the la Plante case, wives seem to have accepted that violence was a part of married life and that it was but one of many hardships to be endured as a member of the laboring class of Parisian society. If he neglected his duty as the breadwinner for the family or if he was severely abusive, however, they knew that there was a limit to what a wife was expected to endure. When women found their situation intolerable, even within the eighteenth-century understanding of marital rights, they took steps to either correct the situation or to at least somewhat alleviate their own suffering. Bautié endured verbal and physical abuse and Sellier her husband's immoral behavior, but only to a point. When Bautié's life and that of her unborn child were threatened, she took action by presenting her case to the *commissaire*, as did Sellier when her husband began to severely beat her and cut her abdomen, a symbolic as well as real gesture. Their actions were not unlike those of many other women of Saint-Antoine in that when life took an unacceptable turn, they often took steps to restore the life they hoped to have, or at least to get some compensation for their suffering. Many similar cases can be found in the *commissaires'* records, and it becomes clear that women understood that although society tolerated physical domination of the wife by the husband, certain protections were available to the overly-abused wife.<sup>90</sup>

Of course the view of physical correction had a gendered perspective – men saw it differently than women. Marie-Anne Monnoye filed several *plaintes* against her husband, Jean Lambert, because he continually beat her and deprived her of basic necessities such as food and clothing, of which she said she was in great need. She felt so

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<sup>89</sup> Flandrin, p. 123.

<sup>90</sup> While accurate statistics are unavailable for the entire period of this study, I found 30 cases of women filing complaints against their husbands.

threatened by his abuse, which included admonitions against leaving their home, that she finally left their house and sought refuge with her sister. Based on the advice of others, she took her case to Commissaire de la Grave.<sup>91</sup> Some such as Mercier felt that a husband's dominion over his wife was a natural state of affairs, and he decried what he perceived as a lack of understanding for the role that such physical dominion played in family life. He wrote that when the father beat his wife, his daughter, or his female servant, it was a sign of his love for them, and that the slaps he gave them were tempered by affection. He went on to say that women seemed to have forgotten that without beatings, given with love, they are deprived of the good that comes from those beatings, and when they complain of such treatment, they become enemies of themselves. Clearly, he believed that such severity served to improve the women, in spite of their nature.<sup>92</sup>

One might assume that la Plante's experience with and opinion of such "correction" certainly differed from Mercier's, and, based on the statements recorded in the *commissaire's* papers, many other women as well refused to accept unlimited abuse at the hands of their husbands. Even the local community and the *commissaire* only tolerated wife beating up to a point. When the beatings began to cause a public scandal in the neighborhood, intervention took place.<sup>93</sup> Neighbors stepped in to help the victimized spouse, or the *commissaire* was called to investigate the situation and to possibly remove the problem husband. Moreover, "when their husbands beat them or wasted the family patrimony, [wives] fought back, sought refuge with female relatives and neighbors, complained to the police, and even demanded judicial separations."<sup>94</sup>

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<sup>91</sup> AN Y15946, Papers of Commissaire de la Grave, November 1750.

<sup>92</sup> Louis-Sébastien Mercier, *Tableau de Paris*, 2 Vols. (Paris: Mercure de France, 1994), 2: 709.

<sup>93</sup> Farge, *Fragile Lives*, p. 43.

<sup>94</sup> Fairchilds, *Domestic Enemies*, p. 105.

If physical violence toward the wife became excessive, the wife might not have been the first to complain. Family members and neighbors often spoke to the authorities about the abuse they witnessed. The intensity of the confrontations between Etienne François Roze and his wife Louise Vesque caused their neighbors to investigate, because they were concerned about Vesque who had suffered from mistreatment since the time of their marriage. Roze had never been a model husband during that time. He often came home late (after eleven at night) from a brothel, but for Vesque the worst part of the marriage came after Roze returned from a month-long absence. His return was accompanied with the commencement of physical and verbal abuse, for which Vesque told the *commissaire* she did not know the cause. When he hit her so hard that she fell to the floor and then proceeded to hit her with a cane, their neighbors intervened.<sup>95</sup>

Caring for the household, a husband, and children, while holding other employment was challenging enough for a woman whose work was often physically demanding, but adding abuse or neglect by one's spouse could make life unbearable. Both husbands and wives faced the possibility of a lazy, irresponsible spouse who preferred to enjoy the pleasures of life rather than face up to family responsibilities, and although there seem to be more cases against wives than against husbands, the court records do include cases in which husbands lodged complaints against wives who were neglecting their duties.<sup>96</sup>

Just as we have seen that wives had certain expectations from marriage, so, too, did husbands. Marie Anne Blouquier's husband Dubeau expressed his frustration with his wife's behavior in his statements to Commissaire Parisot. He told the *commissaire* in

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<sup>95</sup> AN Y15946, Papers of Commissaire de la Grave, November 1751.

<sup>96</sup> There were twelve cases of husbands filing complaints against wives in the documents I examined.

January 1735 that his wife had begun drinking heavily two years earlier, and although she had previously been a good wife, since her drinking began, she spent much time away from home, and when she was home she would attack him with the most atrocious insults. The last straw for him came when he returned home after a day's work to find that his wife had left with all the furnishings. He went to the *commissaire* to seek compensation for his belongings and for the treatment he had received from his wife.<sup>97</sup> Public drunkenness in women was far more serious in the eyes of society than male drunkenness. Frequenting the café bar was socially acceptable for men, but for a woman to drink to the point of public intoxication (or worse) meant the loss of her honor, which reflected badly on the husband. Even being in a tavern without her husband could lead to questions about her reputation.<sup>98</sup>

Through his statement to the *commissaire*, Dubeau made public his frustrations with his situation and expressed his desire for compensation for the belongings taken by his wife, but he also revealed his expectations for his wife's behavior. What we do not know about this case is what took place in that family during the two years between when Blouquier began drinking and when the *commissaire* was contacted. Dubeau decried his wife's absences, which prevented her from completing her domestic labors, and he might have sought other help with his wife's behavior before he went to the *commissaire*. He might have turned to other family members or his local parish priest for help, but whatever steps he may have taken, they were clearly not sufficient to solve the problem of his wife. The record of the case in the papers of Commissaire Parisot is proof enough of that.

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<sup>97</sup> AN Y15935, Papers of Commissaire Parisot, January 1735.

<sup>98</sup> Brennan, p. 207; Garrioch, p. 182-84; and Hufton, p. 267.

He described his wife's behavior as a two-year-long bout of drinking with corresponding violent behavior. The act of filing the case made public the problems he was having with his wife, and he used the *commissaire's* residence to speak out against his wife's refusal to behave according to cultural norms. Excessive drinking by a woman could only lead her to commit more serious offenses than those to which she subjected her husband. Because divorce was not a viable option, Dubeau's options for dealing with his wife were somewhat limited. He could request a separation, or he could have a *lettre de cachet* drawn up authorizing incarceration of his wife in a house of correction. If his request for a *lettre de cachet* was granted and he at a later time determined that she had mended her ways, he could request her release, but until that time she would remain incarcerated. If the husband determined that his wife had not corrected her behavior, he could insist that she remain imprisoned for the rest of her life.<sup>99</sup>

Husbands and wives relied on each other for the different roles they played within the family – husbands as breadwinners and wives as caretakers of home and children, for example. Failure to fulfill these roles certainly caused friction and difficulty for both spouses, but wives were generally compelled to accept such difficulties as part of life. The absence of the husband and his income could have potentially been harder to bear than his neglect or abuse. If the situation became completely intolerable, spouses could turn to other family members or even to neighbors for help, though theirs was only a temporary help; asking for a separation or a *lettre de cachet* would offer more permanent solutions. La Plante's neighbors stepped in to help, but they may have done so only when the situation had become so bad that they simply could not ignore what was happening. Some neighbors did not wait for dire circumstances to emerge, but stepped in

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<sup>99</sup> See Farge and Foucault, p. 24.

to help each other before things became intolerable, but most people may have preferred non-involvement. In any event the women of Saint-Antoine knew that support networks were available to them, and they certainly made use of them.

### Widows

Parisians who certainly understood the challenge of living without a spouse and of the importance of local assistance were widows and widowers.<sup>100</sup> Louis Bobin's wife was no longer alive to care for their daughter, so he had to rely on neighbors to act as caregivers to little Marie while he went to work, with the obviously disastrous consequences we earlier observed. In addition to the care of children, the strength of the family economy was affected by the loss of a spouse. A widower's earning potential may not have been completely compromised by the loss of his spouse, but the loss of his wife's contribution to the family economy made his ability to support his family more difficult. He would, therefore, have had to find a way to make up for that lost income. We saw this with Françoise Vincent's father, who was forced to send her to Paris to find work because he could not afford to keep both her and her sister at home. Clearly the family economy depended upon participation of both spouses for those at the lower end of the socio-economic ladder.<sup>101</sup>

The situation for widows, though, was even more tenuous than that of widowers, given the fact that their earning power was already less than that of men, that they were never truly in full control of their assets, and that they had the added stigma associated with their having had experienced intimacy, which was no longer under the control of

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<sup>100</sup> Central to the study of early modern French widowhood is Scarlett Beauvalet-Boutouyrie, *Être veuve sous l'Ancien Régime* (Paris: Belin, 2001) and a good recent history of the legal and economic aspects of Parisian widowhood, by Janine M. Lanza, *From Wives to Widows in Early Modern Paris: Gender, Economy, and Law* (Burlington, VT: Ashgate Publishing Co., 2008).

<sup>101</sup> Tilly and Scott, p. 53.

their husbands.<sup>102</sup> Widows, then, unlike widowers posed a potentially serious threat to the social order by the very nature of their situation, both in terms of their potential dependence on charity and of their potentially negative influence on the moral health of their community. For the widow the best case scenario would have been living with other family members, or, if she had children to support, perhaps remarrying and being supported by her new husband. However, many widows found themselves with no visible means of support, no family on which to depend, and no possibility for remarriage. For these women especially, life in early modern Paris was bleak indeed.

The eighteenth-century attitude toward women living outside the marital state was a rather negative one. In both literary representations and legal definitions, the word *célibataire* (unmarried woman) carried a negative connotation. *Célibataires* were described as having been threats to the natural order and to the institution of marriage, and were viewed with suspicion for economic reasons and their potential to depopulate France.<sup>103</sup> Yet, we know that many men and women did not marry in early modern France, even though marriage or remarriage was generally a better option than living alone, especially when faced with advancing age.<sup>104</sup> Marriage meant the possibility of more financial stability, that one had someone else with whom to share the burdens of everyday life, and that sexual activity stayed within acceptable parameters. However, though a widow may have wished to remarry, there were factors that discouraged it. Among women over forty, for example, only about twenty percent could be expected to remarry, but added to this were expectations placed on all widowed women by Parisian

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<sup>102</sup> Juratic, pp. 889-93; Hufton, p. 226.

<sup>103</sup> Farge and Klapisch-Zuber, pp. 209-19, 254-57.

<sup>104</sup> Christine Adams, "A Choice not to Wed? Unmarried Women in Eighteenth-Century France," *Journal of Social History* 29 (Summer 1996): 883, and Tilly and Scott, p. 52.

society that further restricted their ability to remarry. A widow had to show proper respect to her late husband's memory through an adequate mourning period, during which she might have had to rely upon her own earning power alone to support herself and whatever children she may have had. If she did remarry, it was to be with someone of like socio-economic standing.<sup>105</sup> To ensure that marriages, even for those who had already been married before, occurred within acceptable parameters, laws made it clear that parental influence was to be part of the decision to marry or remarry. Upholding an earlier law from 1556, the Ordinance of Blois of 1579 stated that no marriage was to be celebrated without parental consent, even if the children in question were over the age of majority; the law was reconfirmed by the Declaration of 1639.<sup>106</sup>

The main reason for requiring parental or familial consent for remarriage was to ensure that existing children would be cared for and provided with financial support. Moralists and legists feared that widows would make substantial gifts to their new husbands and that their children from previous unions would be left destitute. The ordinances on remarriage thus defined the limitations on widows' ability to make bequests to any new spouse. Men were encouraged more readily to marry, particularly to prevent them from having to do women's domestic work, which was seen as beneath them. The social order was threatened when men took on roles intended for women, and remarriage for widowers would restore the proper roles of men and women. Likewise, remarriage for widows was seen as a means of restoring control over women and their passions by a male authority figure. Moralists of the day worried that the widow's previously awakened sexuality, in the absence of a husband's control over it, would lead

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<sup>105</sup> Sandra Cavallo and Lyndan Warner, eds., *Widowhood in Medieval and Early Modern Europe* (New York: Pearson Education, 1999), pp. 85-86; Hufton, pp. 224-26.

<sup>106</sup> Isambert, 16: 520-24; Andrews, p. 47; and Mousnier, pp. 62-66.

her into immoral activities and that she would tempt men to engage in them as well.<sup>107</sup>

On the other hand, the Church encouraged widows to view their lives after the loss of their spouse as a new vocation, and to encourage them to remain unmarried. This was especially true for wealthy widows whom the Church viewed as a potential source of donations. Indeed, while the Church would bless second or even third marriages for widowers, blessings were refused for second marriages of widows.<sup>108</sup>

From the widow's perspective, though, more immediate considerations compelled her to consider finding another spouse. Upon her husband's death, she could be held liable for a portion of her husband's debts, and in addition to that she was faced with having to meet the costs of her own living as well as that of any children she may have had. If she was very fortunate, she might have been able to continue to run her husband's business after his death, though even if she could get permission from the guild to do so, there was no guarantee that she could make a success of the venture. The wife of an artisan might have been his bookkeeper, and she might have been familiar with all of the inner workings of the business, but the members of the guild to which her husband had belonged could exert their influence to prevent her from taking over the business. If they did allow her to take over her late husband's business, it was under restricted conditions.<sup>109</sup>

Even with the legal protections provided for female guilds, the male guildsmen who saw themselves as having to compete with female guild members made attempts to thwart the actions of women laborers, even if symbolically. The conflict between the guild of seamstresses and that of tailors over such privileges as serving as pall bearers in

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<sup>107</sup> Warner, p. 89; Hufton, pp. 224-26.

<sup>108</sup> Cavallo and Warner, p. 87.

<sup>109</sup> Crowston, *Fabricating Women*, pp. 84, 184, 228.

the funerals of unmarried seamstresses serves as a clear example of the problems skilled or semi-skilled women laborers faced in the male-dominated world of the guilds. They knew what their rights were within the world of labor, but they also knew that in a patriarchal society such as early modern France, other pressures could be brought to bear against women, which could directly harm their ability to support themselves. Those women who were allowed to continue the work of their late husbands within the male guilds found themselves doing so under the watchful eye of the other guild members.<sup>110</sup>

Those widows who had to rely on their own skill sets for survival (because it was not possible for them to take over their husband's work, for example) faced the very real possibility that the wages they earned were insufficient to cover the cost of living. In such cases widows might have been compelled to take on additional and sometimes less-than-desirable jobs for very low wages, as unskilled laborers for example. Without the income of a spouse, a widow could sink from poverty to absolute destitution. Once they found themselves in such circumstances, widows often turned to criminal activity, such as thieving and prostitution, further fueling the distrust with which widows were often viewed.<sup>111</sup> Desperate times called for desperate measures, and authorities seemed to have acknowledged this to the extent that they seemed to have been more lenient toward widows who committed acts of petty crime than they were with more hardened criminals.<sup>112</sup>

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<sup>110</sup> Crowston, pp. 217-55. Some female guilds were able to successfully defend themselves against attacks from male guilds. For additional work on guilds, Daryl M. Hafter, "Female Masters in the Ribbonmaking Guild of Eighteenth-Century Rouen," *French Historical Studies* 20 (Winter 1997): 8-10, for a discussion about female-centered guilds confronting attempts to restrict their rights to enter into the market and Daryl Hafter, *Women at Work in Preindustrial France* (University Park: Pennsylvania State University Press, 2007) as well as James R. Farr, *The Work of France: Labor and Culture in Early Modern Times, 1350-1800* (Lanham, MD: Rowman and Littlefield, 2008). On women retailers see Marion.

<sup>111</sup> Farge and Klapisch-Zuber, pp. 209-57; Tilly and Scott, pp. 51-53.

<sup>112</sup> Wiesner, p. 74.

At the same time, women understood that solidarity was the one protection they did have that was not so easily compromised. Female laborers often turned to each other for moral support, for companionship, and to share the burdens of the cost of living in early modern France. Given the low wages earned by women in eighteenth-century Paris, it often became necessary to find other means of survival such as sharing lodgings and combining resources to cover daily costs of living. Some widows chose to move in with their children or to have younger relatives move in with them to help share the cost of living, while other women set up households and even production units with other unmarried or widowed women.<sup>113</sup> Without the support of either fellow unmarried women or of a spouse, widows also found themselves in situations that might threaten to overwhelm them.

Madelaine Adnet found herself trying to fend off the unwanted advances of a man who had been an acquaintance of hers and her late husband's. In the *plainte* she filed with Commissaire de la Grave, she explained that she had known Antoine Ouzior for about eight years through her husband. Her husband had died five years earlier and within a few months of becoming a widow, Ouzior began visiting Adnet, insisting that she should remarry and that he should be her new husband. Had she continued the workshop of her late husband, who was a master locksmith, remarriage to another locksmith would have meant that the first husband's mastership would be transferred to the new husband, and the wife could continue to work in the shop as she had done before. Many wives assisted their husbands as bookkeepers; some even helped by preparing or finishing the husband's work.<sup>114</sup> As a *garde-malade* Adnet may have had only limited

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<sup>113</sup> Pardailhe-Galabrun, p. 34, and Crowston, pp. 360-64.

<sup>114</sup> Tilly and Scott, p. 47-48.

involvement with her husband's workshop, so it was unlikely that Ouzior, who was in the Gardes Françaises, sought marriage with Adnet for access to her husband's mastership. According to Adnet when she refused his offer of marriage, Ouzior attacked her verbally and even tried to force his way into her home. Because of his persistence Adnet was compelled to seek help from her local *commissaire*, and she made it clear to him that she feared for her life.<sup>115</sup>

Other women living on their own were fortunate enough to have neighbors to look in on them from time to time, which was especially important for ailing elderly widows whose families were unable or unwilling to ensure their well-being. Several neighbors looked in on the widow named Mère Michel during the day and evening, some bringing her soup, others helping her with the basic upkeep of her apartment, even though they were not related to her. They even came to her defense when another couple, by the name of Heron, appeared to be stealing Michel's belongings while she was away.<sup>116</sup> Neighbors of another elderly widow noted that they had not seen her in a couple of days, so they decided to check on her. She was found dead in her bed apparently of natural causes. Her neighbors' statements to Commissaire Trudon demonstrate that they were aware of her vulnerable situation and that they regularly looked in on her.<sup>117</sup>

Concern for an elderly neighbor, however, also involved a certain amount of self-preservation. The neighbors of Jeanne Gibert complained to Commissaire de la Grave that Gibert had clearly lost her mind and was endangering her neighbors with her bizarre and violent behavior. They told the *commissaire* that not only was Gibert known to act very menacingly toward everyone else in the building, she had also been seen standing

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<sup>115</sup> AN Y15945, Papers of Commissaire de la Grave, April 1750.

<sup>116</sup> See AN Y15945, Papers of Commissaire de la Grave, October 1750.

<sup>117</sup> AN Y9678, Minutes of the Petit Criminel, October 1762.

completely nude in the window of her apartment. This last incident, though not a dangerous situation for the rest of the building, was, according to the neighbors, a clear sign that Gibert was not of right mind and that she could not be trusted to take care of herself. Fearing for their own safety, as well as that of the widow Gibert herself, they asked for her to be removed from the building and incarcerated where she would no longer be a danger to herself or to others.<sup>118</sup>

Like single women, widows presented a challenge to local authorities, given that they often had more freedom than married women, especially when they were in command of assets and money. Likewise, widows shared with single and married women the experience of being vulnerable to economic forces beyond their control. Those who were not in command of assets, who faced the challenge of supporting themselves and their children on their own, were truly disadvantaged. Some of these women, in spite of the odds against it, were able to successfully confront the challenges facing them in their widowed state, whether through remarriage, employment, or cohabitation with other women. For example, inventories after death of various widows, whose husbands were grocers, valets, and confectioners indicate that, based on the amount of belongings left behind after their death, they were living in relative comfort.<sup>119</sup>

### Conclusion

The cases discussed above speak to the conflicts that women faced at various stages of life and tell us much about their expectations at each stage: about how they viewed themselves in their roles as daughters, wives, mothers, and widows, and what

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<sup>118</sup> AN Y15960, Papers of Commissaire de la Grave, May 1763.

<sup>119</sup> AN Y15945, Papers of Commissaire de la Grave, September 1749, October 1750, and November 1750. See also the Papers of other commissaires for similar cases: AN Y11750, AN Y15050, and AN Y15934.

strategies they were willing to use to face the challenges inherent in life for the laboring classes. In examining the domestic sphere and how the members of the household interacted with each other, we come to a better understanding of the nature of familial relationships during the eighteenth century. Women especially had to be creative in how they approached the difficulties of making the transition from daughter to wife, and from dependent to contributor to the family economy, and they had to be aware of how much they conformed to the image of woman as conceived of by eighteenth-century mentalities. They understood that their private lives were open to the scrutiny of the authorities and their neighbors, and as such, they also had to be cognizant of how their words and actions affected their place within the local community.

As we will see in the following chapter, the same tactics used within the domestic sphere were also applied to interpersonal conflicts in the public sphere. When private quarrels spilled out into the street or other public spaces, they came to involve more of the neighborhood's residents in the conflict, either as witnesses or participants. Some of the quarrels that were firmly located within the public sphere may have begun as private quarrels, exacerbated by the close quarters in which the people lived, while others were the result of relationships solely played out within the public sphere. In both the private and public spheres, however, the issues of honor and reputation were at the center of interpersonal conflicts as people jockeyed for position within the neighborhood. The manner in which they defended their own reputation or attacked that of others was shaped by the society in which they lived, and an examination of these cases helps to understand the geography of conflict.

## **CHAPTER FIVE: CONFLICTS AND COMMUNITY – WOMEN IN THE PUBLIC SPHERE**

James Gilligan, a twenty-first-century American psychiatrist who studies criminal behavior identified a fundamental, and timeless, cause of human violence when he wrote: “I have yet to see a serious act of violence that was not provoked by the experience of feeling shamed and humiliated, disrespected, and ridiculed, and that did not represent the attempt to prevent or undo this ‘loss of face.’”<sup>1</sup> Indeed, we will find that, as Gilligan suggests, concerns of honor were at the root of much conflict in the Faubourg Saint-Antoine. But we also will find that, while early modern French women defined personal honor somewhat differently than their twenty-first-century sisters, conflicts of honor involved very high stakes for them, indeed. To understand the genesis of such conflicts in the eighteenth-century Faubourg Saint-Antoine, we must examine neighborhood life, *la vie du quartier*, eighteenth-century concepts of honor, and the ways in which people assaulted the honor of their neighbors, and the venues for such conflict.

### Vie du quartier

While a person’s status within the family and within the domestic sphere was strictly defined in law and in custom, on the street and within the public sphere it was not as distinct or as permanent. With its high level of immigration and relatively high mortality rate, Paris and its public sphere was an ever-shifting landscape that presented challenges even to those who attempted to live within the rules of behavior ascribed by eighteenth-century Parisian society. Nevertheless, eighteenth-century Parisians spent a great deal of time in public spaces, which offered a wide variety of diversions, from the

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<sup>1</sup> James Gilligan, *Violence: Our Deadly Epidemic and its Causes* (New York: G.P. Putnam’s Sons, 1996), p. 110.

calls of the peddlers in the market and along the streets or the more practiced offerings of the traveling performers, to the simple spectacle of humanity offered by the daily activities of the city. In addition to the entertainment aspect, the public sphere also offered a greater anonymity than did the domestic sphere where one's daily life was open to scrutiny by the neighbors.

In modern Western society, home is generally viewed as a refuge from the trials and tribulations of life in the outside world, and even for the inhabitants of eighteenth-century Paris, it was a place where one could find basic protection from the elements and from the dangers of night in the city. Yet for most people it was not a place that could necessarily be called comfortable. As described in earlier chapters, the buildings in which the majority of Parisians lived were crowded places full of noise and disorder, and lacking modern building standards. The walls were thin, allowing inhabitants to know each other's business whether they wanted to or not. True comfort and privacy were hard to come by for the majority of the people.<sup>2</sup> For the typical resident of Saint-Antoine home was less a comfort and more a necessity, and refuge from the bleakness of life was best sought outside the home. In fact, much of life for Parisians was lived outside the home in the street or marketplace, in shops or eating and drinking establishments. Daily life involved tasks that necessitated leaving the domestic spaces, and the neighborhood was an essential part of life for eighteenth-century Parisians. According to David Garrioch the local community for Parisians "lay at the centre of their mental as well as their physical world" and was "the hub of daily life."<sup>3</sup> Certainly people relied on those

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<sup>2</sup> Roche, *The People of Paris*, p. 97; and Farge, *Fragile Lives*, pp. 9-11.

<sup>3</sup> Garrioch, *Neighbourhood and Community*, pp. 16 and 29.

neighbors they knew well, but membership in the wider community was also important to facing the challenges of life in the Saint-Antoine.

People could expect that those neighbors with whom they had a good relationship would most likely keep an eye out for them. These same neighbors could be looked to when one needed assistance or even protection. When the Widow Michel, as we have seen, had not been seen in a few days, neighbors remarked on it and went to check on her, and when they noticed people removing items from her home, they went to Commissaire de la Grave with their concerns about it.<sup>4</sup> The frequency of contact between neighbors, whether in the same building or just on the same street, meant that routines were known and irregularities were noticed, and people stepped in where they thought neighbors might be in need of assistance.<sup>5</sup> Remaining apart from the local community was to risk not having that support network at hand at difficult times.

Even going beyond the immediate surroundings of one's apartment building, a certain amount of self-policing occurred. Local tradesmen and women were the eyes and ears of an area, especially those who sold their goods on the street. Regularly setting up a stall at the same location, the street vendor saw everything that happened in his or her immediate vicinity and would most likely share those observations with others. If friends or neighbors came under attack, verbally or otherwise, they would be more likely to step in or to at least run for the Watch than if the people involved were strangers. Women were an especially good source of information about the happenings of the neighborhood, given the amount of time they spent in public spaces. Their trips to the market or to the well provided them not only with the opportunity to catch up on the latest gossip, but also

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<sup>4</sup> AN Y15945, Papers of Commissaire de la Grave, September 1750.

<sup>5</sup> Garrioch, *Neighbourhood and Community*, p. 29.

to witness conflicts or other events of interest to the neighborhood. They added their opinions and information to a constantly fluctuating collection of gossip and news that circulated throughout the neighborhood.<sup>6</sup> More than just a conduit, the eighteenth-century Parisian street was a place where the give and take of news and scandal added to the general entertainment, and it was here that people socialized, conducted business, even quarreled, and where reputations were attacked and defended. It was, to quote Arlette Farge, “*un espace pour vivre.*”<sup>7</sup>

Whether married or unmarried, women were a constant presence in the street as they fulfilled their various duties as wives, daughters, or employees. Caring for the needs of the family fell largely on the shoulders of wives, who were responsible for feeding and clothing their families, and for making sure that their needs were well met. Collecting water from the nearest well or fountain, buying food or other goods from the market, and any number of other errands took women into public spaces and brought them into contact with a wide variety of people. Practically from the moment she arose to start her day, the woman of Saint-Antoine interacted with her neighbors in one way or another. She could hear the carpenter from the floor above clomping down the stairs as he made his way to the shop where he worked. As she dressed for the day, she heard the newly-married woman in the chamber next door already berating her husband for some fault of his. She made her way downstairs to the well in the courtyard to fetch some water for her family’s use, and along the way she encountered the seamstress who lived in the attic room, and reminded her that she needed to return the spoon she had borrowed the week before.

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<sup>6</sup> Farge, *Fragile Lives*, pp. 13-16. See also Farge, *Subversive Words*, for a discussion about the nature of words and public opinion.

<sup>7</sup> Farge, *Vivre dans la rue*, p. 19.

A typical morning might have found the woman's daughter helping her mother to prepare the morning meal for the family, which was part of her education in domestic affairs. Her father would have left after the morning meal to go to his place of employment, and if he had a son, the son would likely have followed in his father's professional footsteps and been apprenticed within the profession. The wife may have worked from home doing piecework, or she may have also worked outside the home, possibly in her husband's shop, or as an unskilled laborer in any number of capacities. The daughter, if she was old enough, may have been given the task of looking after an elderly neighbor, who was too old to work but who could teach the girl the skills she had learned in her younger days. Leaving their residence in the morning, the sights and sounds that greeted the members of the family would have been varied and lively. Shopkeepers opening for the day called greetings to each other, and children playing in the street and vendors setting up their carts added to the general din of the neighborhood. Women of the neighborhood took the opportunity whenever they could to catch up on the news of the day – on the staircase, in the courtyard, or at the well, for example. It was important to know what was going on around them, and to be a part of the community.

While even the most mundane task could involve some sociability, the residents of Saint-Antoine did also seek out solely social scenarios as a break from their usual routine. The socio-economic position of the residents of Saint-Antoine may have offered few real choices in life, but they had many options for how to spend what leisure time they had. Some of these options involved a destination and the outlay of some money, but other opportunities were free of charge. During the eighteenth century, whole families could be seen promenading through the Tuilleries, the new Champs-Élysées, and

the new boulevards which replaced medieval city walls, perhaps without a specific destination. They simply sought a change of scene, a break from their living conditions.<sup>8</sup>

In fact, for those with even modest means, inexpensive entertainment could be readily found throughout the city in the form of cheap theaters, dance halls, and gambling dens, open-air entertainments, and vendors of all manner of goods, from foodstuffs to charms and talismans.<sup>9</sup> Different kinds of street performers, including acrobats, carnival barkers, and hucksters added to the level of entertainment offered on the street. Such public spectacles were generally well attended and provided a wide range of amusements for the Parisian public. Also available were circuses, animal shows and animal fights (involving bears, deer and bulls, and dogs), aquatic shows (with mock ship battles), and other activities, enough to suit most anyone's preference.<sup>10</sup>

In addition to typical outings, also important were planned public celebrations, open-air entertainment, and other such diversions. As was mentioned earlier, although feast days were not as well attended in Paris, Parisians did make the most of the activities of Carnival, donning masks and costumes and joining in street celebrations. Opportunities to escape mundane day-to-day roles and leave behind their daily toils were not to be squandered. Likewise, celebrations in honor of royal marriages and coronations allowed people to celebrate at the crown's expense. Cheap entertainments such as these were much appreciated by families who struggled to stay financially afloat.<sup>11</sup>

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<sup>8</sup> On problems of maintaining order in such venues, see Arlette Farge, ed., *Flagrants délits sur les Champs-Élysées: Les dossiers de police du gardien Frederici (1777-1791)* (Paris: Mercure de France, 2008).

<sup>9</sup> Andrews, pp. 12-13.

<sup>10</sup> Isherwood, *Farce and Fantasy*, pp. 167 and 209-12.

<sup>11</sup> Garrioch, *Neighbourhood and Community*, pp. 196-99; Kaplow, p. 54; and Roche, *People of Paris*, pp. 84, 107-110.

The streets, therefore, fulfilled several important functions for Parisians of all classes, but this was especially true for the laboring class, who could ill afford to spend much for distraction from the hardships of their daily lives. These outlets helped to provide a chance for the laboring classes to blow off steam, but from the perspective of those charged with maintaining the public order, there was a risk that the leisure activities would get out of hand. The laboring classes were known to be boisterous during times of rest and amusement, but as long as their enthusiasm did not lead to outright riot, the military units charged with helping to maintain security within the city seemed willing to let them be. The police forces, however, were willing to intervene in street fights to preserve the public tranquility.<sup>12</sup>

Another area of public spectacle that was part of the neighborhood expression, at least in the early decades of the eighteenth century, was the *charivari*, which also functioned as a means of addressing wrongs, either perceived or real, done by others within the neighborhood. This was accomplished by the wronged person standing in front of the target's house and shouting or singing insults at him or her, similar to what we saw in the case involving the little girl in front of the home of Marie du Castel (see chapter three). The noise of the *charivari* was intended to "bring community pressure to bear on someone in order to make them redress a grievance," such as paying an unpaid drink bill, or compelling a wife to return to her husband. Although the noise was probably annoying to the neighbors, they put up with it because they understood and accepted the role such displays played in interpersonal relationships within neighborhood. By the middle of the eighteenth century, however, *charivaris* had largely

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<sup>12</sup> Kaplow, pp. 106-109; Andrews, pp. 39-40; Garrioch, *Neighbourhood and Community*, pp. 217.

disappeared because of efforts by police to replace them with more official forms of community policing.<sup>13</sup>

Some people sought less public places to relax at the end of the day, such as at places where they could purchase food or in cafes or wine shops (though these generally only attracted men, or women who were either with a male relative or were of questionable morals). The men who gathered at such places did so because the wine shop provided a chance to get away from their families, a place to find solidarity with other men, and a location where local politics could be debated and contests of honor be performed. Wine shops and cabarets offered a chance to share a meal or a drink with friends and neighbors, while at the same time saving the wood they would have used to heat their homes.<sup>14</sup> The rules of sociability dictated that, if invited, a patron was expected to drink in company with a fellow patron, which could, of course, lead to much consumption of alcohol. It does not take a great leap of imagination to see how this atmosphere could lead to tensions and arguments, but most men saw the wine shop as a place to relax rather than a place in which to look for trouble.<sup>15</sup> Also available to the people of modest means were the *guinguettes*, taverns situated outside the city gates, where they were not subject to the same taxes as in the city itself. The wine could be had in these establishments for only a penny and a half, whereas in town it cost four or five.<sup>16</sup> What was key, regardless of the form that the entertainment took, was the sociability of the affair. People were intensely interested in each others' lives, and wanted to know

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<sup>13</sup> Garrioch, *Neighbourhood and Community*, pp. 44-45 and pp. 217-20. See also Davis, *Culture*, pp. 97-123 for her discussion about the development and uses of the *charivari* in the sixteenth-century.

<sup>14</sup> Brennan, p. 8; and Garrioch, *Neighbourhood and Community*, p. 24.

<sup>15</sup> Ruff, *Violence in Early Modern Europe*, p. 126. On the role of the tavern see Beat Kumin and B. Ann Tlusty, eds., *The World of the Tavern: Public Houses in Early Modern Europe* (Burlington, VT: Ashgate, 2002) and Brennan, *Public Drinking and Popular Culture*.

<sup>16</sup> Farge, *Vivre dans la rue*, p. 76; and Kaplow, pp. 78-79.

what was being said about themselves as well as about their neighbors. Reputations were at stake, and one needed to know where one stood in the eyes of the members of the local community.

#### Honor and its importance in the community

The local community was essentially a collection of relationships, which were all governed by certain rules of behavior. At times these relationships became strained as a result of the typical types of interpersonal contact in which the members of the community engaged, and at the heart of many of the conflicts was the issue of honor. One's place within the neighborhood depended upon one's reputation, one's honor or standing with the other members of the local community. Without good standing within the neighborhood, one had nothing. We must keep in mind the context and meaning of honor to the eighteenth-century Parisian. Honor was a complicated issue, in part because of all that was tied to it. To ignore a neighbor's negative comments about one's honesty could have disastrous effects on one's ability to keep a job and to provide for family, which was of particular concern for those who were already struggling to survive. A seamstress or laundress accused of theft would find herself hard pressed to keep her clients or to acquire new ones. A shopkeeper with a reputation for dishonesty might not be trusted by his customers to charge a fair price or to provide good quality goods. A servant girl would be unable to find employment because no one would want to open their homes to someone who might steal or invite unscrupulous acquaintances into the house.<sup>17</sup>

The archives are full of cases involving attacks on one person's honor and the

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<sup>17</sup> Davis and Farge, p. 20.

individual's response to it, and these disputes were "ultimately struggles for recognition and respect from other members of the local community."<sup>18</sup> Interpersonal conflict, therefore, was an accepted part of life which the people acknowledged as a means of addressing the issue of honor and standing.<sup>19</sup> As we will see, attacks on reputation and honor came from many fronts, from within the immediate vicinity of the building where the person lived, from competitors in the marketplace, and even from strangers, who might have simply been using established terms of derision to inflame. Each district was a "well-defined territory in which everyone found his or her place in relation to a neighbour or someone else."<sup>20</sup> Defense of one's place in the community, of reputation, shaped the interpersonal interactions which were part of their life in the quarter. Honor or reputation did not have any monetary value as such, but it was important to the women of Saint-Antoine whose entire future could be destroyed by a tarnished reputation. Marie-Louise Berthe's chances for making a decent marriage were already compromised by her pregnancy, and any further threat to her reputation within the neighborhood could have meant that she might never marry and thus jeopardizing her very future.

In some of the cases we will examine, it is impossible to discern the initial cause of the animosity between the combatants, but in others, we can at least speculate, based on the relationship between those involved. Competition for customers and a share in the market was certainly a source of conflict, but so too were the subtle hierarchies inherent in laboring-class Parisian society. Within the artisan groups, different professions saw themselves as superior to others. More educated servants thought themselves of higher rank than mere errand boys, and skilled workers, such as seamstresses, would certainly

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<sup>18</sup> Garrioch, *Neighbourhood and Community*, p. 37.

<sup>19</sup> Ruff, *Violence in Early Modern Europe*, p. 122.

<sup>20</sup> Farge, *Fragile Lives*, p. 11.

see themselves as of higher status than those women who resorted to carrying heavy loads for a living.<sup>21</sup> As a result the people of Saint-Antoine had to constantly fight for position in relation to their neighbors. They did so by making public statements about themselves in response to specific threats to their honor, or even by attacking the reputation of neighbors in order to promote themselves. One had to be careful, however, about slandering another person for risk of being the subject of a *plainte*.<sup>22</sup> The street was a much less controlled space than the household, with people constantly moving into and out of neighborhoods, which meant that one's place within the street and community was more precarious.

That is not to say, however, that there was no organization at all to the commotion of the street or that the people acted in a completely lawless manner. On the contrary, clear patterns existed in terms of the types of insults used to cut someone down, and when these verbal altercations became physical, there was also a pattern to how one engaged in physical altercations, and all of these patterns varied along gender lines. Though both men and women of Saint-Antoine faced a continuing struggle for place within the community, women had the added challenge of their sexuality, as female honor was directly tied to female sexuality. Key to successfully surviving the challenges of such a society was understanding how these conflicts should best be confronted

From the record of the case in Commissaire Trudon's papers, we know that Berthe's mother stepped in to help her daughter file a complaint against Berthe's former

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<sup>21</sup> Farge, *Fragile Lives*, p. 19. See also David Garrioch, *The Making of Revolutionary Paris* (Berkeley: University of California Press, 2002), pp. 35-40.

<sup>22</sup> Farge. *Fragile Lives*, p. 19; Garrioch, *Neighbourhood and Community*, p. 45; Brennan, *Public Drinking and Popular Culture*, pp. 60-72. Andrews lists slander as one of the petty crimes, p. 59, but that is not to say, however, that filing a *plainte* for slander would have led to formal punishment, but attacking rival within the community could compromise one's own standing within that community.

employer, but there was only so much she could do for her daughter. Berthe, like the other residents of Saint-Antoine, was expected to hold her own within the shifting conditions of life for the laboring classes in Paris. That did not mean, however, that her struggle would necessarily be a solitary one. On the contrary, neighbors depended on each other for moral, psychological, even material support in the face of the challenges presented by life in early modern society. Luckily for Berthe, the women of the neighborhood supported her in their statements to the *commissaire* about Roudouin. Their descriptions of Roudouin and his general behavior certainly aided Berthe in her attempt to convince the *commissaire* that she had been taken advantage of by her employer.<sup>23</sup> Defense of honor, then, was an important factor in the struggle for place or status within one's local community. Because the neighborhood was the hub of daily life, and because people relied on others in their daily life, their place within that community and in relation to the people living around them was extremely important, which explains the number of disputes that were presented to the *commissaires* for resolution. Though many of these conflicts may have seemed petty to outsiders, the combatants felt them to have been important enough to warrant exposing their private lives to a public official and to the wider public as well (and thus exposing their lives to the gossip mill).<sup>24</sup>

Failure to address attacks on one's honor was tantamount to acknowledging that the things said about one were true. When Marie Metivier became aware that a gardener named Lefevre had been telling people that he had seen her in the *hôtel* of Sieur de Talmon, her former employer, doing the deeds of a prostitute, she went to Commissaire

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<sup>23</sup> See chapter three for further discussion about this case.

<sup>24</sup> Garrioch, *Neighbourhood and Community*, p. 33. See also Farge, *Subversive Words*, p. 57 for her discussion of the prevalence of gossip and news-telling in Parisian society.

de la Grave to file a complaint against Lefevre. As a chambermaid she had to protect her reputation or face dismissal. Her employer, the wife of a Monsieur de Meleray, could not afford to have a wanton woman attached to her household.<sup>25</sup> We cannot know (because it was not recorded) what if anything Metivier had done before approaching the *commissaire* to deal with Lefevre's statements about her, but by presenting the case to de la Grave, she made a public statement refuting the portrayal of herself as an immoral woman. In a society where maintenance of a decent level of economic survival was essential, it was absolutely indispensable to protect one's place within society.

The words and gestures that women like Metivier and others like her used to protect their status formed part of an established collective behavior and the method by which the community achieved some sense of self-regulation. The repetition of similar statements and actions points to an understanding of how the game was played. Whether the conflicts that erupted in the public sphere of Paris resulted from typical daily contacts between people who knew each other at least nominally or were the result of strangers' lives temporarily intersecting, these conflicts seem to have followed a pattern that explains not only the nature of the conflicts but also the social context in which they were set.<sup>26</sup> Through the complaints recorded in the papers of the *commissaires* and other judicial sources, we can understand the nature of interpersonal conflicts in eighteenth-century Paris and how people dealt with them. However, we should keep in mind that the words and actions used in these types of interactions must be understood for what they were – words said to achieve a desired end – and not assign more importance to their veracity than can be proven. These words do provide us with a sense of what methods

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<sup>25</sup> AN Y15946, Papers of Commissaire de la Grave, February 1751.

<sup>26</sup> Burke and Porter, pp. 115-17.

were deemed appropriate for dealing with conflict and what people of early modern Paris felt warranted approaching the *commissaire* or other officials. Ultimately we gain a better understanding of the pattern of life in early modern Paris. Thomas Brennan's study of taverns and the conflicts and disputes that occurred in them makes clear the fact that people understood and employed rules of engagement, including use of specific types of words and gestures, as well as choice of the location of the confrontation.<sup>27</sup> The cases in the *commissaires'* papers for other spaces (market, open street, church, etc.) support Brennan's conclusions that the people knew how to conduct their public affairs, and even when it was appropriate for private conversations to become part of the public discourse.

Gender defined the most obvious pattern of words used against another person. Insults used against women generally focused on themes of sexual promiscuity, often including accusations of prostitution and of being infected with venereal disease. A woman's honor was tied directly to her sexuality, and accusations of immorality were much more damaging than accusations of dishonesty.<sup>28</sup> In countless cases, therefore, a set vocabulary developed from which men and women could draw when involved in a dispute or argument. Women were called any one (or more) of a list of names: whore or tramp (*salope, poutain, garce*), loose woman (*coureuse*), and the like. Dishonesty and criminal activity were accusations generally directed toward men, and they were generally referred to as villains or scoundrels (*scélérat, fripon, coquin*),<sup>29</sup> or they were

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<sup>27</sup> Brennan, *Public Drinking and Popular Culture*, pp. 11-15. See also Garrioch, *Neighbourhood and Community*, pp. 38-48.

<sup>28</sup> Garrioch, *Neighbourhood and Community*, p. 38. According to some contemporary sources (often based on biblical references) women were naturally dishonest, therefore accusations of dishonesty in and of themselves were pointless.

<sup>29</sup> All used by Marie-Catherine Fournier against the Abbé Jacques Duval. She also called him a blasphemer. AN Y10044, Grand Criminel Minutes, December 1733.

accused of being financially irresponsible.<sup>30</sup> In many cases women and men crossed the gender divide to hurl insults at each other, with each choosing terms appropriate for the opposite sex. For example, in an argument between two married couples in December 1758, the husband on one side called the wife on the other a *garce* and referred to her husband as a thief.<sup>31</sup>

Insults against women also at times included accusations of criminal association, of actual criminal activity, or of having previously received punishment for wrongdoing. During the course of the argument between Anne Courgis and Marie Lieviz in November 1763, a sizeable crowd assembled to watch the proceedings. Neighbors of the two women, as well as passersby, were witnesses to the insults that passed between them, including the typical references to sexual impurity on both sides. Lieviz, however, decided to bring other members of Courgis' family into the argument by announcing to all who were listening that Courgis had a cousin in prison who deserved to be hung. Whether or not this was true was not important. In making this statement in such a public manner, Lieviz aimed to taint Courgis by her association with a criminal.<sup>32</sup> Suggesting some kind of criminal conviction or association was a common tactic to call into question a person's moral quality, their honesty, and/or their ability to live in civilized society. Although this type of accusation was used more commonly against men, the archival records indicate that it was used by and against women as well.

Witnesses to the conflict between the household of a man named Desjardins and another man named Leblanc attested to the long-standing dispute between the combatants

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<sup>30</sup> AN Y9649B, Petit Criminel Minutes, November 1758: Rivet called Roze bankrupt during dispute that also involved their wives.

<sup>31</sup> AN Y9649B, Petit Criminel Minutes, December 1758.

<sup>32</sup> AN Y9691, Petit Criminel Minutes, November 1763.

and the insults that often passed between them, but two witnesses expressed their surprise at seeing Desjardins' *garçon* putting a placard on Leblanc's door that depicted a man hanging from the gallows. The inscription, indicating that someone in the house deserved the treatment depicted on the placard, was clearly an attempt on Desjardins' part to accuse Leblanc of some kind of criminal activity and to do so in front of the whole neighborhood.<sup>33</sup>

Other accusations, though, were more specific and potentially more damaging to one's place within the local community. In March of 1765 Elizabethte Ruillier accused another woman, Margueritte Trochet, of being both a slut and a police spy (*moucharde*). Trochet had for some time attempted to protect the neighborhood from Ruillier, a known troublemaker, by calling for the Guard when Ruillier had caused trouble for others in the neighborhood. Ruillier's comments about Trochet were clearly in response to Trochet's actions against her. Calling her a slut was an established method of attacking a woman's reputation, but accusations of spying for the police might have more effectively damaged her ability to live among her neighbors. Even if the accusations were untrue, her neighbors might thereafter question Trochet's associations. They would wonder whether their own actions were under surveillance, and Trochet could potentially be forced to leave that neighborhood as a result.<sup>34</sup>

Some of the accusations employed as part of interpersonal conflicts also included attacks on morality alone, but as was discussed in chapter two, what we might consider merely moral failings were often considered criminal actions in early modern Parisian

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<sup>33</sup> AN Y10982, Papers of Commissaire Remy, August 1731.

<sup>34</sup> AN Y9707, Petit Criminel Minutes, March 1765. Of course, we must acknowledge that the accusation of spying may, in fact, have been true, given the fact that Trochet seemed to have taken on the role of "policing" Ruillier's behavior.

society. Accusing someone of being a prostitute or of living as the spouse of someone to whom one was not married were more than just statements about morality, they also highlighted eighteenth-century French legal understandings of criminality. Riley discusses Louis XIV's attempt to impose virtue on French society through legal and police efforts, which were aimed particularly at women, the "Soldiers of Satan," with their corrupting influence over the men around them.<sup>35</sup> However, we should point out that the laws that came out of this and earlier efforts toward social and moral control were much more laxly enforced by the early- to mid-eighteenth century. Instead of a full-scale attack on immoral behavior, authorities concentrated their efforts on controlling the more scandalous aspects of it.<sup>36</sup> The police maintained their surveillance on those considered potential troublemakers, especially prostitutes, yet they did not arrest all those who were suspected of actually breaking the law.

French jurist Daniel Jousse in his *Traité de la justice criminelle* remarked that

We have in France many ordinances that impose punishments against prostitutes who live in public and scandalous debauchery, but these ordinances are not rigorously observed because of a large number of culprits who would have to be punished. We content ourselves with making examples from time to time by punishing those offenders who are the most obvious in their behavior.<sup>37</sup>

Indeed, attempts were made to keep prostitutes from plying their trade too openly, and a record was to be kept of the location of the brothels of the city, but unless the women who worked in such places were causing a scandal in the neighborhood, chances were

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<sup>35</sup> Riley, pp. xiv, 1-3.

<sup>36</sup> Riley, p. 169.

<sup>37</sup> Quoted in Benabou, p. 445: "...nous avons en France plusieurs ordonnances qui imposent des peines contre les femmes et les filles prostituées qui vivent dans une débauche publique et scandaleuse; mais ces ordonnances ne s'observent pas à la rigueur, à cause du grand nombre coupables qu'il faudrait punir. On se contente de faire des exemples de temps en temps de punir celles qui sont les plus débordées. »

lower during this period than earlier that they would actually have been placed in custody.<sup>38</sup>

That is not to say, however, that prostitutes and other women of *mauvaise vie* never faced any consequences for their behaviors. On the contrary, they were given sentences of banishment and imprisonment. And Louis-Sébastien Mercier wrote about the times when prostitutes were rounded up, convicted as a group, and then taken in open wagons to serve time in the Salpêtrière.<sup>39</sup> Yet, attitudes toward women of questionable morals were somewhat moderated by the mid-eighteenth century from what Louis XIV had intended. As Erica-Marie Benabou points out, even the terminology used demonstrated this change in the authorities' attitudes toward women. Instead of being outright called prostitutes, women who received pay for sexual activities were generally referred to as *filles de débauche* or *femmes de débauche*, and only those who had fully adopted the life of a prostitute, those who received men of all ages and conditions at all hours (according to Joly de Fleury) were considered *prostituées publiques*. Women who engaged in the trade on a limited basis, perhaps fulfilling an immediate need for food, were referred to as *femme de mauvaise conduite* and were considered guilty of *libertinage* (debauchery) and not prostitution; thus they were placed in a different category from their more experienced sisters. The women who were found guilty of *libertinage* without scandal were to be admonished by their local *curé*. Otherwise, the punishment was generally banishment for a short time or incarceration in Salpêtrière.<sup>40</sup>

Therefore, the accusations made against Madelaine Adnet by Antoine Ouzior, while ostensibly referring to the morality of the accused, were in essence accusations of

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<sup>38</sup> Williams, pp. 100-102, 194.

<sup>39</sup> Mercier, (Amsterdam: 1783): tome 3, chapter 238, p. 116.

<sup>40</sup> Benabou, pp. 30-31, 55-56, 59.

criminality. Adnet had been acquainted with Ouzior through her husband, and after her husband's death, Adnet began to receive attentions from Ouzior, who tried to compel her to marry him. After she rebuffed him numerous times, she eventually married someone else. Ouzior then decided to continue his "attentions" to her by demanding compensation money from her new husband after claiming that she had slept with Ouzior but had refused to marry him. Ouzior hoped to use immorality and the criminal association therein against the woman who had spurned him, and although this might have damaged Adnet's reputation, it could also have affected her new husband as well.<sup>41</sup>

Throughout much of Europe women were allowed to bring suits to court in defense of their honor, but because of ideas about the nature of female sinfulness and weakness, women were considered incapable of effectively defending their honor without some male assistance. Adnet and other women like her were able to bring complaints in response to attacks on their honor, but the archival evidence makes clear that many others resorted to trading insults or physically fighting each other as their way of defending their honor. When arguments escalated to a level of physicality, a pattern of engagement was followed regarding where one was hit, how hard, and even what type of further threats of physical violence were made. For example, grabbing a man's wig or hat was a way to show superiority over the victim, and a slap in the face, used by both women and men, was a sign of contempt. Whatever the tactic used, attacks on women generally targeted different parts of the body than those targeted in attacks on men. Hitting a woman in the stomach (an area of the body associated with pregnancy) or on the face (potentially damaging her attractiveness) were methods of striking and potentially damaging the

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<sup>41</sup> AN Y15945, Papers of Commissaire de la Grave, April 1750; see also Garrioch, *Neighbourhood and Community*, p. 39.

sources of femaleness. When a man's hat was knocked off or his external body parts were struck, his honor and potentially his means of wage earning were the targets.<sup>42</sup>

That the people of Saint-Antoine understood the nature of such gestures can be seen in the argument between Claude Briet and Etienne Lachosse. Lachosse accused Briet of having been a thief who deserved to be hung as punishment for his actions. Then when their wives entered into the dispute, as extensions of the husbands in a way, they also used gender-specific tactics. After having witnessed the argument between the two men, Femme Lachosse saw Briet's wife and immediately attacked her with "*beaucoup de colère*," even going so far as to throw mud on Briet's face.<sup>43</sup>

A similar situation could be seen in the brawl between the Roze and Rivet families. When the wives got involved, they, too, employed accepted female tactics. Femme Roze grabbed Femme Rivet by the hair and threw her to the ground.<sup>44</sup> Marie Louise Courtin was hit and then cut on the face by Dominique Ducreux after their argument, which began with words, escalated into a full-out brawl.<sup>45</sup> Even when the physical confrontation occurred across gender lines, the parties involved still maintained established methods of attack. For example, during the fight that erupted between a Femme Boulogne and Jean-Baptiste Bertrand, Boulogne hit Bertrand with much force upon his arms and body,<sup>46</sup> and in the attack on Marie-Jeanne Chevalier by a doorman, her stomach seemed to have been the main target of the blows he aimed at her.<sup>47</sup> Clearly,

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<sup>42</sup> Garrioch, *Neighbourhood and Community*, pp. 42-43; and Ruff, *Violence in Early Modern Europe*, p. 123.

<sup>43</sup> AN Y15946, Papers of Commissaire de la Grave, September 1750.

<sup>44</sup> Y9649B, Petit Criminel Minutes, November 1758.

<sup>45</sup> AN Y9672, Petit Criminel Minutes, April 1762.

<sup>46</sup> AN Y15934, Papers of Commissaire Parisot, September 1734.

<sup>47</sup> AN Y9654, Minutes of the Petit Criminel, 10 September 1760.

combatants chose their targets as carefully as their words when involved in such altercations, and likewise, they drew from a set repertoire in so doing. Their aim was

a symbolic casting-out of the victim, individual expressions of rejection and contempt which if left unpunished could affect the attitude of other people. They were a blow to the victim's self-esteem, a public humiliation which both the adversary and the witnesses would delight in recounting.<sup>48</sup>

These actions were part of the public spectacle and were acceptable methods of dealing with interpersonal conflicts.

While such conflicts were in many cases rather violent, the threats or promises of further violence were often even more extreme. A standard vocabulary of bravado included threats to break arms and/or legs, to hit with a cane, or even to cut the victim with a knife, a sword, or some other cutting instrument. However, it was generally understood that these threats were not to be taken at face value, but served to build upon the already heated nature of the conflict.<sup>49</sup> That is not to say, however, that some people did not believe the aggressor's claims. When Adrien de Sain ran into a cabaret in August 1761, he told those assembled that he was being followed by a woman who had threatened to strangle him and that he needed their help in dealing with her. De Sain returned to his home with several of the men from the cabaret as escort, and when the woman, Alexis Phillipart, spied him, she began anew her verbal attack against de Sain. The men, who later served as witnesses to the altercation, distracted Phillipart while de Sain fled into his home.<sup>50</sup>

In addition to the words and gestures used in arguments and brawls, the place in which the altercation occurred was likewise carefully chosen. Many disagreements could

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<sup>48</sup> Garrioch, *Neighbourhood and Community*, p. 40.

<sup>49</sup> Garrioch, *Neighbourhood and Community*, p. 44.

<sup>50</sup> AN Y9663, Petit Criminel Minutes, August 1761.

have been conducted in private or semi-privately (inside a boutique, for instance), but that would not have served the purposes of the aggressor, who hoped to attract as much public attention as possible in order to multiply the overall affect of the altercation. Each move was “open, theatrical, carefully timed,” with the hope that the target would either give way or would at least be publicly humiliated.<sup>51</sup> Instead of following de Sain into the cabaret to continue her attacks, Phillipart remained outside where she could attract as much attention as possible from anyone who might have been in the area at that time. Making a scene, therefore, was yet another part of the established strategy. In another case, Margueritte le Foulon entered into the bakery of a man named Husepy, with the intention, we might assume, of purchasing bread. Husepy’s wife started an argument with le Foulon over money she claimed the other woman owed to her. What began as a rather ordinary disagreement became a public dispute when Husepy’s wife slapped le Foulon and then pushed her out of the shop. Once in the street, Husepy’s wife could continue to insult le Foulon, but in front of a wider audience.<sup>52</sup> In both cases a wider audience ensured that the aggressor might inflict greater damage on the opponent’s reputation. Moreover, such public clamor reflected on the person attacked rather than on the attacker, and whether or not local opinion supported the aggressor, “the neighbours appear to have recognized the legitimacy of the exercise for although they suffered from the disturbance...it was only ever the victims who complained.”<sup>53</sup>

The place where a conflict occurred, therefore, was an important part of the occasion. Knowing that the people of eighteenth-century Paris were insatiably curious about the neighbors, one could easily adjust the location of an argument to garner a

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<sup>51</sup> Garrioch, *Neighbourhood and Community*, pp. 42-43.

<sup>52</sup> AN Y9689, Petit Criminel Minutes, September 1763.

<sup>53</sup> Garrioch, *Neighbourhood and Community*, p. 45.

greater audience by simply pushing it into the street. Claude-Therese Gilbert seemed to have taken this tactic to deal with an altercation with Antoine Bellequent in July 1763. She claimed that he came into her boutique insulting her, threatening to strangle her, and even going so far as to put his hands on her throat. Gilbert responded in kind to Bellequent's insults, but went further by pushing him out of the shop and then attacking him with a broomstick, hitting him so hard that he fell down. The four witnesses to the incident all testified that they saw Bellequent being pushed out of the shop by Gilbert, and they all described the subsequent use of the broomstick by Gilbert as a weapon against Bellequent. None of them seem to have witnessed what went on inside the shop, thus revealing Gilbert's intent of pushing Bellequent out into the street.<sup>54</sup> The placement of the conflict was as important to the community as the thoughts and feelings behind it. Therefore, in the next section, we will more fully examine the sites for such disagreements.

### Foyers of Conflict

Given the fundamental importance of honor to the people of Saint-Antoine and the necessity of defending it publicly within the local community, challenges to honor of residents of the Faubourg Saint-Antoine occurred almost everywhere residents of the district gathered. In analyzing the spatial setting of conflict we will have an additional window into the lives of eighteenth-century Parisian women. It is well known that violence was a regular part of life in Paris, and upon closer examination of the papers of the *commissaires*, we can attempt to discern a pattern to the conflicts and gain a greater understanding of the part that those conflicts played in the lives of the people of Paris. In

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<sup>54</sup> AN Y9687, Petit Criminel Minutes, July 1763.

the previous chapter, we explored the types of conflicts typical of life in the domestic sphere, conflicts which did at times become public, but whose origins remained squarely within the household. We will now examine the interpersonal confrontations that played out within the public sphere, keeping in mind that they followed a somewhat different set of rules, having come out of different circumstances, namely non-familial interactions. Longstanding conflicts led to some of these clashes, while others seemed to have been sparked by incidental events.

One of the most common sites of violence was just over the thresholds of some Parisian women, under the very roof they shared with other residents in the multi-storied tenements of Saint-Antoine. People regularly saw people on staircases, in hallways, in courtyards, and such regular contact provided ample opportunity for problems to arise. This was the experience of Marie-Françoise Hayez, who suffered through two years of abuse by a couple who lived in the same building and who took every opportunity to verbally attack her. She finally went to Commissaire Crespy on 20 May 1760 for help. She told the *commissaire* that from the time Pierre Vitry and his wife had moved into the building two years earlier, they had regularly insulted her, calling her such names as *s. garce* and *f. putain* (“stinking slut” and “fucking whore”). After having put up with the insults for two years, Hayez told the *commissaire* that she feared for her reputation within the neighborhood and that she had come to him to file a complaint so that the verbal assault on her would be stopped. One witness remarked that he was surprised at the frequency of the verbal attacks on Hayez. He told Crespy that Hayez had tried to ignore these confrontations, but that her efforts did nothing to lessen the efforts of Vitry and his wife to make life miserable for Hayez. Much may have remained unsaid (or unrecorded)

about this case, namely why Vitry and his wife felt the need to treat Hayez in this way or whether she had provoked them. We also do not know what methods Hayez may have already employed to deal with her situation, but clearly Vitry and his wife intended that all the neighbors in the surrounding community would hear their comments about Hayez. Likewise, Hayez decided that she could not simply ignore her neighbors' attacks any longer, and thus went to the local *commissaire* to file a complaint.<sup>55</sup>

As we have seen, the people of Saint-Antoine lived in crowded buildings and apartments, where they lacked privacy and sanitation and where, in some cases, they shared their own beds with other tenants. People also shared common spaces such as stairways, entryways, courtyards, and other places where casual meetings could easily escalate into a much more serious conflict. Daily and almost constant contact with neighbors presented many opportunities for such occurrences, and even a small slight could intensify into a more serious situation. The perception that someone was overusing the common well, for example, or that someone had left the main door to the building unlocked again, or the suspicion that another tenant had stolen a personal item, all were concerns that added even more tension to a life that was already difficult. Animosity often built up until it erupted into interpersonal altercations, which sometimes played out within the immediate vicinity of the building in which one or both of the combatants lived, though in other cases one or both people involved chose to take their conflict to a wider audience in the street or marketplace.

The animosity between Catherine Brossard and two sisters, Marguerite Dalliet and Marie-Catherine Dalliet, stemmed from the Dalliet sisters' complaints to the landlord that Brossard continued to leave the door to the building open. Tension increased over

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<sup>55</sup> AN Y9653, Petit Criminel Minutes, May 1760.

time, with each side insulting the other whenever they came into contact, until their tempers boiled over. The ensuing brawl involved all three women, and verbal and physical tactics were used to attract a crowd in the courtyard and in the street just outside the building. The witnesses, all of whom were involved in the bread trade and lived in the building, in their testimony to Commissaire Crespy spoke of the atmosphere of hostility between the three women, and all agreed that Brossard was the instigator. As a result, the sisters filed a complaint with Commissaire Crespy against Brossard stating that not only were they concerned about continued hostility, but that they feared that Marguerite's unborn child was endangered by actions of Brossard.<sup>56</sup>

Clearly areas of common use within a building could easily become settings for conflict and danger. But as was noted in chapter one, life in Paris was fraught with potential dangers from falling signs, from reckless carters, and from objects falling or being thrown from open windows above. Paris was well-known for the dirt that clogged its streets, and it was something that many visitors complained about when writing about the city. J.C. Nemeitz, in his *Séjour de Paris*, complained that the Parisian streets were little better than a latrine, that the streets were never dry and were often impassable because of the water and filth.<sup>57</sup> Lacking modern sanitation and garbage removal, people often used the window as a means of ridding themselves of refuse. It was understood that walking down the street could be a risky activity and that if you were unfortunate enough to be beneath a window from which a chamber pot was being emptied, you were unlucky indeed, but that was just one of the many risks of living in Paris.

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<sup>56</sup> AN Y9690, Petit Criminel Minutes, September and October 1763.

<sup>57</sup> J.C. Nemeitz, quoted in Farge, *Vivre dans la rue*, p. 17.

Simon Mauclaire, a hatter, may have been considered one such unfortunate, when his hats were ruined by the waste water thrown out her window by one of his neighbors, the wife of a shoemaker named Grou. He had been using the courtyard of the building in which they lived as a space in which to dry the hats he had made. When he went to confront the woman and her husband and to ask them to avoid throwing the dirty water into the courtyard and onto his hats, they seemed to take exception to this request. According to Mauclaire, the wife soon thereafter spied a large quantity of hats drying in the courtyard and threw five or six rotten eggs directly at the hats. She continued to destroy various quantities of Mauclaire's hats in this way, and he continued to appeal to her husband to end the attacks. When it became clear that she would not stop and that these acts could not possibly be the result of carelessness, he filed a complaint with Commissaire de la Grave.<sup>58</sup> The relationship between Mauclaire and the couple may have long been strained, which might have explained the actions taken by Grou's wife against Mauclaire, but while the records do not indicate any earlier friction between them, the actions of Grou's wife certainly put Mauclaire's livelihood at risk. Because Grou seemed to encourage and endorse his wife's behavior, Mauclaire had no choice but to seek help from the local *commissaire*.

While discerning the initial cause of conflict between neighbors is, in many cases, impossible, we can nonetheless learn much about how people interacted and how conflicts were handled. Where we do know what caused initial conflict, and where it led to longstanding animosity, it is possible to see how the conflict played out and to ascertain any patterns in disputes. We can ask ourselves if different methods were employed in dealing with conflicts that were confined to the building where the

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<sup>58</sup> AN Y15945, Papers of Commissaire de la Grave, September 1749.

combatants lived as opposed to those taken into the street or another public forum. Were things handled differently when the dispute involved people who were not neighbors but who may have been acquaintances?

As was discussed earlier, a sense of community was an essential part of life in eighteenth-century Paris, and it was something upon which the people of the neighborhood relied in both an emotional and material sense.<sup>59</sup> Based on the witnesses' accounts found throughout the papers of the *commissaires*, people living in the same building knew a lot about their neighbors. These accounts also tell us that in many cases, people heard altercations between other people in the building but chose not to become involved. They often told the *commissaire* that they had heard a commotion, stuck their head out the window to see what was happening, but then just went about their business. On the other hand, neighbors did at times involve themselves in their neighbors' lives, especially when concerned with the dangers neglectful neighbors might pose to the residents of the building or to themselves.

Because the residents of an apartment building shared the building, they were all responsible for how their actions affected their fellow tenants. Given the quality of construction of these buildings, fire was of great concern to people, and tenants who engaged in behavior that put others at risk were certainly a problem to their neighbors. When Marie-Anne Barbié, a widow, discovered that her neighbor, a man named Barangue, was blocking her chimney and causing her apartment to fill up with smoke, she attempted to resolve the problem directly with Barangue. Her efforts were ineffective, however, as he refused to listen to her complaints. She was therefore forced

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<sup>59</sup> Garrioch, *Neighbourhood and Community*, pp. 31-33.

to file a complaint in April 1751 with Commissaire de la Grave.<sup>60</sup>

Candles and other fire-based sources of light and heat in careless hands could cause the entire building to burn down and everyone who resided there to become homeless. Therefore the people of the neighborhood by necessity kept an eye on how their neighbors handled the responsibility of building safety. When neighbors believed a widow named Marie-Claude Mandant had been leaving lit candles in her apartment, several of them went to confront her about it. They knocked on her door to ask her to put out the candles, because of the potential danger to the rest of the building. Such scenes were probably commonplace in Parisian society, but we know about the cases like this one because the neighbors felt compelled to involve the local *commissaire*. Mandant's response to her neighbors' request was to hit one of them on the head with the piece of glass she was holding, causing a minor wound over one eye. Because of the nature of the incident, involving as it did the issue of public safety and as well as assault, the case went before Commissaire Crespy, who decided that Mandant should be incarcerated for a time.<sup>61</sup> When it became obvious that neighborly vigilance was not sufficient to ensure the safety of everyone else, or in the case of Mandant when the offending party refused to cooperate, the people turned to the *commissaires* for protection as well as out of a sense of concern for a neighbor who could no longer take care of herself.

The residents of a building paid attention to the goings on in their building, but one person who would possibly have been most knowledgeable about the residents of a given building was the *principal locataire* (main tenant). In addition to being responsible for collecting rent for the building's owner and being held accountable for any

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<sup>60</sup> AN Y15946, Papers of Commissaire de la Grave, April 1751.

<sup>61</sup> AN Y9702, Petit Criminel Minutes, October 1764.

uncollected rent, the police charged such persons with registering the people to whom they offered lodging. Furnished rooms had a reputation for being places that required surveillance, which is why those renting to others were required to register them.<sup>62</sup> From the perspective of the tenants of the building, the *principal locataire* was also a potential source of conflict, in large part because he or she could decide not to renew a lease or simply give notice to a tenant to move out, but also because when they came to collect rent, many of the tenants simply did not have it to give.<sup>63</sup> Non-payment of rent seems to have been a widespread practice among the lower classes. Mercier described how, every few months, hundreds of families who were unable to pay their rent simply left their small apartments to search out new accommodations.<sup>64</sup> The papers of the *commissaires* also contain many cases of landlords or *principal locataires* who sought the assistance of the *commissaire* in recovering rent not paid by a tenant and the furnishings they sometimes took with them. Jacques Delongchamps, for example, had for some time been trying to collect rent for a boutique and cellar from a widow named Coullon who had managed to leave with the furnishings but without paying rent dating back for over a year.<sup>65</sup> However, the differences in how the people dealt with each situation speak to the various methods that could be used in such circumstances. In April 1763 Françoise Geneste, the main tenant of her building, attempted to collect the back rent owed to her by François Pascal, who had rented some shop space from her. When she discovered that he had attempted to secretly leave without having paid his rent, she confronted him and

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<sup>62</sup> On police surveillance of the *chambre garnies* see Roche, *La ville promise*, pp. 291-352. We now have a definitive study of the increasing efficient efforts of Old Regime authorities to track subjects of the French crown in Vincent Denis, *Une histoire l'identité : France, 1715-1815* (Seyssel : Champ Vallon, 2008). Interestingly, these efforts included imposing requirements for the numbering of Parisian buildings.

<sup>63</sup> Fréminville, p. 177; Brennan, *Public Drinking and Popular Culture*, p. 296; Farge, *Vivre dans la rue*, pp. 29-32 ; and Garrioch, *Neighbourhood and Community*, p. 34.

<sup>64</sup> Louis-Sébastien Mercier, *Le Tableau de Paris* (Paris: Mercure de France, 1994), vol. 10, p. 358.

<sup>65</sup> AN Y10998, Papers of Commissaire Remy, July 1757.

he responded by physically attacking her and threatening more violence if she persisted. Because of his threats, Geneste took her case to Commissaire Crespy, who sent Pascal to the Grand Châtelet for trial.<sup>66</sup>

The situation involving another *principal locataire* Jacques Maziere and his wife Margueritte Collard, however, was rather less typical in that they were the perpetrators and not the victims of the theft of furnishings from the apartments. They seem to have simply waited until the other people in the building were not at home, and then they left with many of the furnishings that had been in their apartment as well as those of other tenants, locking the doors before they disappeared.<sup>67</sup> Main tenants were usually the ones at risk of becoming victims to tenants who did not pay the rent and/or who left with some of the furnishings that came with the apartment; some apartments were rented as furnished. Such behavior certainly compromised the sense of community in as much as it posed a problem to the policing of the city and community.

The previous incidents occurred between neighbors and were played out within the confines of the buildings in which they lived, at least until they involved the local *commissaire*. Others in conflict with their neighbors felt that they would have a greater chance to advance their side of the argument if they took the conflict out into the wider community. Margueritte Chambon may have clashed with her neighbors, Lefevre and his wife, Marie-Anne Marchande, long before she filed her complaint with Commissaire Trudon in June 1761, but she knew that she had to do something about her situation or risk irreparable damage to her reputation within the community. Her husband and Lefevre were both shopkeepers whose shops faced each other across rue Saint-Antoine,

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<sup>66</sup> AN Y9685, Petit Criminel Minutes, April 1763.

<sup>67</sup> AN Y15946, Papers of Commissaire de la Grave, December 1750.

so they certainly would have had regular contact with each other. Moreover, witnesses to the altercation that led to the filing of the complaint told Commissaire Trudon that there had been tension between the two wives for some time.

The spark that seems to have set off this confrontation occurred when Marchande threw dirty water on Chambon, ruining the serge rug that she was carrying. When Chambon complained to Lefevre and his wife, the couple began insulting her, even going so far as to announce to anyone within earshot that Chambon had beaten her parents and that she belonged in the *hôpital*. For women, this would have meant confinement in the infamous Salpêtrière. What may have been an accident escalated into a full-blown fight between Chambon and Lefevre and his wife. Witnesses reported that the Lefevre and Marchande called Chambon *garce* and *putain*, but that Chambon countered with her own insults, saying that Lefevre had syphilis. He responded by saying that he must have gotten it from her and that Chambon had killed her first two husbands, to which Chambon retorted that Lefevre had killed his first wife. The words exchanged by the three people then intensified into a physical altercation that caused a sizeable crowd to gather in front of Lefevres' shop and to temporarily halt other activities in the area while the fight continued. This case is particularly helpful in illuminating the relationship between neighbors and what happened when the relationship became strained. The husbands in this case were both shopkeepers and had shops across from each other, and although they sold different products, a certain degree of competition may have developed between them. Regardless, their wives would have had regular contact with each other, and they clearly did not get along well.<sup>68</sup> Tension may have naturally

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<sup>68</sup> AN Y9662, Petit Criminel Minutes, June 1761. Chambon's husband was a haberdasher, while Lefevre sold hosiery.

developed between merchants in competition with each other, but many other reasons presented themselves for causing tension between people living close to each other, people who would have seen each other on a very regular basis. Use or misuse of shared spaces inevitably led to disagreements, as we saw in the case of Simon Mauclaire, which then sometimes escalated into full-blown brawls.

Other cases became more complicated, either in terms of escalating tempers and even violence or because they involved others outside the immediate circle of combatants. When Louise Bernard, her husband Lebeque, and his brother-in-law attempted to avoid paying rent on the space they had rented from Robert Cleret, they lashed out not only against Cleret, but at others in the building who otherwise might not have been involved in the situation. One night in December 1760, they went to the shop they were renting from Cleret and began taking away some of their belongings from the space. They returned the next day to continue moving out of the space, but when a neighbor came over to see what was going on, they insulted him and threatened to beat him up if he tried to stop them. Some time later another neighbor noticed a man sleeping in the alley next to the building. She asked for Cleret's help in getting rid of the man (who turned out to be Lebeque's brother-in-law), but when the man woke up, he recognized Cleret and started insulting him. A few weeks later the same neighbor heard a commotion outside Cleret's door, and when she stuck her head out her window, she saw Louise Bernard standing there yelling insults at Cleret through his door. Cleret responded by going to Lebeque to tell him to control his wife and to get her to stop insulting him, which led to a very public argument between the men, one that many of the neighbors witnessed. From there the relationship between Cleret and the Lebeque family

simply worsened, escalating to a level of violence against Cleret at the hands of Lebeque and various family members that worried several of the neighbors and that led Cleret to file a complaint with the *commissaire* against Lebeque, his wife, and his brother-in-law.<sup>69</sup>

Escalation to violence, whether in verbal or physical form, was commonplace among the laboring-classes, and even the authorities tolerated it as long as it did not become overly aggressive.<sup>70</sup> One of the concerns was that arguments between two or three people could come to involve more and more people and ultimately become a riot situation. This was not an idle fear; the incidents surrounding the abduction of children in 1750 certainly bore that out.<sup>71</sup> The Cleret case demonstrates how other people could be drawn into a conflict through association with or support of one side or the other. Sometimes those without evident connection with the contending parties even chose to step in to help one or the other side of the argument. It may have been the case that the people responsible for the confrontation (those who attempted to avoid paying their rent) saw these neighbors as threats, even when they were not so clearly involved. At other times, it seems more evident that attacking those not directly involved was done more out of spite than anything else, which may have been what happened in the case involving François Gaudin. A case that began as a simple disagreement over how much money was owed by Gaudin to a woman who lived on the same street (the wife of a man named Boucher) came to involve not only the children of both adults, but also Gaudin's dog. Some time after the argument between Gaudin and Boucher's wife, Boucher's son passed in front of Gaudin's door, saw his dog there and decided to kick the animal because it

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<sup>69</sup> AN Y9657, Petit Criminel Minutes, January 1761.

<sup>70</sup> Ruff, *Violence in Early Modern Europe*, p. 129; Farge, *Vivre dans la rue*, p. 193; and Williams, pp. 189-211.

<sup>71</sup> See Farge and Revel.

belonged to Gaudin. Gaudin tried to get the boy to stop abusing the dog, but when he refused, Gaudin grabbed him by the arm. When Boucher and his wife happened upon this scene, they believed Gaudin was mistreating their son and the boy's mother encouraged her husband to go after Gaudin. He received so many injuries from this attack that he sought the protection of Commissaire de la Grave.<sup>72</sup>

However, both the people and the police preferred that such conflicts remain within a level of acceptable violence. The police had no wish to become too closely involved in people's daily interactions. Nor did the people wish to have increased surveillance of their activities. They knew that conflict was part of life, but they preferred to focus on their place within their local community without interference from outside of it. Membership and acceptance within the local community meant, as we have seen, that when outside authorities did become involved, support from one's neighbors was sometimes readily available. Having neighbors paying attention to one's private affairs was beneficial because they could later serve as witnesses on behalf of these neighbors should the nature of the conflict warrant involvement of the city authorities. That is, unless they had avoided becoming a true member of their local community. Neighbors did not stand up for outsiders the way they did for fellow members of the community. When a washerwoman known as Fanchon was confronted in her apartment by Nicolas Julliard and his wife, Margueritte Jandot, who accused her of having stolen from them, her neighbors clearly heard what transpired. The confrontation was in a way private because of where it took place, but the thinness of the building's walls enabled neighbors to hear everything that transpired. Her neighbor Marie Boucot, for example, told Commissaire Trudon that she had heard the argument between Fanchon and Julliard

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<sup>72</sup> AN Y15946, Papers of Commissaire de la Grave, July 1751.

when he and his wife forced their way into Fanchon's apartment in search of the missing items. She went on to recount what was, by her description and that of other witnesses, a rather aggressive attempt by Julliard and Jandot to recover their lost items.

It is certainly possible that Fanchon had done something to warrant the confrontation by Julliard and Jandot, but given that they did not live in the same neighborhood as Fanchon, it is not surprising that witnesses like Boucot presented Fanchon as the victim of a brutal attack.<sup>73</sup> Such witness accounts provided Fanchon with support in the face of the accusations laid against her by Julliard and his wife, which was especially important in sustaining her reputation because she was facing charges that could, if not disproved, destroy her credibility with her customers and essentially end her career as a washerwoman. In response to the complaint of theft filed by Julliard and his wife, Fanchon and Pierre Girard, with whom she lived, decided to file a complaint against Julliard and Jandot with Commissaire Crespy, who also had jurisdiction in the Faubourg. They told Crespy that Julliard and Jandot had confiscated certain items that belonged to Girard, which he requested to have returned to him. They amplified their complaint by noting that Fanchon still felt in danger from her attackers, and that more importantly she wished to be able to repair her reputation within the community. A washerwoman who was known to steal from the people who utilized her services would very quickly find herself without anyone willing to hire her. Therefore, she was compelled to defend herself and her employability against the accusations of the theft. Of course, her situation was not improved by the fact that she was clearly living with a man who was not her husband, but her neighbors were more than willing to stand up for

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<sup>73</sup> AN Y9678, Petit Criminel Minutes, September 1762.

her against Julliard and his wife.<sup>74</sup> The witness statements in the case filed by Julliard and Jandot also make it clear that the neighbors felt that Fanchon had a good reputation among the neighbors, and none of them seem to have made any negative statements about her.

A person may have gone through her whole life with very little trouble from anyone else in the neighborhood, but the opportunities for conflict were many, and once animosity developed between two people, it was possible for the aggressor to pursue the object of their ire with regularity. Chance meetings occurred daily at wells and in staircases and courtyards in apartment buildings, at fountains outside the building, and at the various shops nearby where people regularly purchased goods for the home.<sup>75</sup> Many complaints lodged by the residents of Saint-Antoine include statements about how their adversaries took every opportunity to continue their harassment. Even if they had wished to, the women of Saint-Antoine could not avoid going out and about, where they faced the possibility of running into people they would have rather avoided. As caretakers of the family, their many daily tasks which took them out of the home, as did the occupations with which they helped to supplement the family income.

As was the case for men in eighteenth-century Paris, women worked in a variety of occupations and at different skill levels. As unskilled laborers, they worked as casual laborers at construction sites moving building materials, as ditch diggers, and even as boatwomen ferrying people across rivers. They carried water, heavy laundry, and vegetables, and any number of other tasks of drudgery. Women also found work doing the repetitive tasks that were important to preparing materials with which skilled workers

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<sup>74</sup> AN Y9678, Petit Criminel Minutes, October 1762.

<sup>75</sup> Garrioch, *Neighbourhood and Community*, pp. 20-22, 27, and 34.

created a finished product, including stripping fur from pelts for hat making, processing the raw materials used in papermaking, and winding the thread used in silk weaving.<sup>76</sup>

Although the women working in these trades often did so alongside (or in complement to the work of) men, they did so as unskilled workers at significantly lower wages than their male counterparts, who as head of households were expected to support their families.

Being the head of the household was not a role women were supposed to assume within the eighteenth-century family, thus the lower wage was considered appropriate.

Women worked in the textile, clothing, leather, and provisioning trades, and they were also apprenticed to pin-makers and gilders. They ran inns and taverns, were painters, and made any number of items such as linen, shoes, gloves, and belts. They found work as midwives, laundresses, or market women selling a variety of products. Indeed, James Farr found that female petty retailers perhaps outnumbered males three to one.<sup>77</sup> Whatever labor they were able to find, though, was largely derived from their gender, and it was often associated with clothing, textiles, food production or provision, or other areas of typically female domestic duties. They dominated the clothing industry in both the creation and washing of it, even though much of what they did in these occupations was low-paying, unskilled work.<sup>78</sup>

Some women were able to gain the skills necessary to enter into life-long careers, which sometimes included guild membership and mastership. Female-only guilds included the linen drapers (of both new and old clothes), knitwear makers, and

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<sup>76</sup> Davis, *Society and Culture in Early Modern France*, p. 70; Haftner "Female Masters in the Ribbonmaking Guild of Eighteenth-Century Rouen," pp. 1-14; Elizabeth Musgrave, "Women in the Male World of Work: The Building Industries of Eighteenth-Century Brittany," *French History* 7, no. 1 (1993): 30-52; Judith Coffin, "Gender and the Guild Order: The Garment Trades in Eighteenth-Century Paris," *The Journal of Economic History* 54:4 (1994): 768-793; Farr, *The Work of France*, p. 82-83.

<sup>77</sup> Farr, *The Work of France*, p. 58.

<sup>78</sup> Fox-Genovese, p. 118; Farr, *The Work of France*, p. 58.

seamstresses, and the women who gained access to membership not only gained a certain degree of economic and labor independence from their husbands or fathers, they were also sometimes able to exercise the same type of control over membership to the *métier* as the male guilds had.<sup>79</sup> For these women their work came to also involve playing a role in the governance of the guild structure. Even in the mixed-gender guilds, such as the grain and flour merchants, spinners, fashioners of feather ornaments and religious vestments, and ribbon makers, women achieved mastership and the right to conduct their business in their own right, without reference to their husbands. Of course these guilds did generally place restrictions on women's role in the administration of the guilds, particularly if they gained membership or mastership through their husbands or fathers.<sup>80</sup> Restrictions also were placed on the all-female guild of the seamstresses, which was created in 1675 by King Louis XIV, but with the stipulation that they would only make clothes for women and children, leaving clothes for men and gowns for court women as the domain of the tailors.<sup>81</sup>

People in the Faubourg Saint-Antoine worked in wide variety of occupations, but the area was particularly known for the work done there in furnishings, metalwork, wallpaper, glass, and ceramics.<sup>82</sup> It was certainly a center of artisanal activity, but a cursory examination of the women of the Faubourg Saint-Antoine listed in the Inventory 450 also shows a wide variety of other occupations including: washerwoman, maker of bonnets, seamstress, fruit seller, seller of used goods, bread delivery person, innkeeper,

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<sup>79</sup> Haftner, p. 4.

<sup>80</sup> Crowston, "Engendering the Guilds," pp. 339-71; and Léon Abensour, *La Femme et le féminisme avant la Révolution* (Geneve: Megariotis Reprints, 1977), pp. 186-96.

<sup>81</sup> Crowston, "Engendering the Guilds," p. 339.

<sup>82</sup> Monnier, pp. 38-72.

cook, embroiderer, lace maker, and domestic servant, among others.<sup>83</sup> A major distinction, however, separated the world of work in Saint-Antoine from the rest of Paris, and that came from the special status granted to the Faubourg by the king in 1657. Through *lettres patentes* he granted the artisans and workers of the area the right to work outside the corporate structure.<sup>84</sup> Not surprisingly many workers established themselves in the Faubourg where they could avoid the process of gaining acceptance into the guild. Stocking makers, for example, increasingly established themselves in Saint-Antoine between 1690 and 1730 because of the area's special status.<sup>85</sup> Of course, this met with opposition from the guilds, who viewed these non-guild workers as usurpers, workers of no quality, and false workers. They worried especially that these workers were supplying substandard, defective, and even dangerous products, which would have been prevented by the standards imposed by the guilds on their members.<sup>86</sup>

Although there were four female-only guilds (linen draper of new clothes, linen drapers of old clothes, knitwear makers, and seamstresses), and women could gain at least limited admission into other guilds, the special status granted to the Faubourg Saint-Antoine provided women with the same opportunities to evade guild restrictions as it did men. The women of Saint-Antoine employed makeshift techniques for survival, working within their own neighborhoods outside the corporate guild structure, or doing clandestine work outside the Faubourg. As much as the guilds bristled at the freedom

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<sup>83</sup> AN, Inventaire 450. (An alphabetical table of accused judged on appeal at the Parlement of Paris by the Chambre Criminelle (La Tournelle) from 1700 to 1790. The table includes for each accused person name, age, profession, domicile, original jurisdiction, accusation, punishment pronounced by the original jurisdiction, date of the ruling, and judgment pronounced by La Tournelle.)

<sup>84</sup> Thillay, *Le Faubourg Saint-Antoine*, pp. 74-75.

<sup>85</sup> Alain Thillay, "L'économie du bas au faubourg Saint-Antoine," *Histoire, économie et société* 17, no. 4 (1998): 678.

<sup>86</sup> Steven Kaplan, "Les corporations, les « faux ouvriers » et le faubourg Saint-Antoine au XVIIIe siècle" *Annales: économies, sociétés, civilisations, Année*. 43, no. 2 (1988): 354.

provided to workers in Saint-Antoine to work outside their restrictions, even the guilds themselves were willing to support clandestine work by contracting out to non-guild workers. Indeed, Judith Coffin points out that the number of clandestine workers may have even been higher in the textile trades than the number of guild workers in those occupations.<sup>87</sup> Whether they were members of a guild or were clandestine workers, the work done by women, even in those jobs that were closely associated with the household (washing, cooking, cleaning), meant that they were never completely cloistered within the home. Therefore, in the course of their working day, women encountered many other people, both men and women, and in the process they found themselves facing many of the same kinds of conflicts as they did within their local community, and they employed similar tactics in facing those conflicts.

In the workplace, however, they faced the possibility of competing directly with other men and women for business. Such competition, to be sure, inevitably led to frictions not necessarily found in other situations. Women who worked in those trades that were exclusive to women could generally avoid the antagonism of men who saw as threats those women who worked in the same or similar trades. The strictly female trades involved those types of work that were associated with the domestic sphere and were termed “women’s work,” which included, among the others already mentioned, wardrobe women, spinners, and flower girls. Likewise, boutiques that sold products geared to a female audience were generally run by women. Moreover, occupations such as midwifery enabled women to assist each other with aspects of life in which men had no personal first-hand experience. Under early modern European standards of decency, it was considered unacceptable for a man who was not a woman’s husband to have access

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<sup>87</sup> Coffin, “Gender and the Guild Order,” pp. 779-80; Hufton, *The Prospect Before Her*, p. 258.

to her in the way a midwife would. To become a midwife, however, a woman was expected to be a Catholic of good morals and clean living and to have received formal training at the *Hôtel Dieu*, or under the supervision of surgeon or a master midwife.<sup>88</sup>

Once a woman had secured employment, she often then had to shift her attentions to not only keeping her position (dismissal could happen for a variety of reasons and was often completely outside of one's control), but also toward defending herself on several different fronts while doing her job. She might find herself facing verbal abuse by her employer, for example. Jeanne Grossaint found herself at the receiving end of invectives from her employer's wife. During the two years she had worked for the Gandier family, the marital difficulties between her employer and his wife created so much tension in the home in which Grossaint was a servant that the young woman decided to collect her wages and seek permission to look elsewhere for employment. She was especially desirous of leaving that situation because of the verbal attacks that her employer's wife had begun to launch against her.<sup>89</sup> She had no means of defending herself against an employer whose station in their society was notably higher than her own. Thus the best option available to her in this situation was to find other work.

The work done by many women was in support of their husbands' occupation. In their husbands' shops they were in charge of the managerial tasks, including hiring and firing workers, imposing discipline on them, doing the bookkeeping, and selling the goods made by the husband and his employees. In this role, the wife also served as a shield of sorts against outsiders who might endanger her husband's reputation. For example, Jeanne Hamelin was working for her husband, who was a second-hand clothes

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<sup>88</sup> Abensour, pp. 184, 204, and 215-16.

<sup>89</sup> AN Y15946, Papers of Commissaire de la Grave, June 1751.

dealer, when a woman came into the shop with an old, black jacket that she wished to sell. When Hamelin asked where the woman had gotten the item, she was told that the woman's employer had given it to her to sell for him. When Hamelin told the woman that she would have to speak to the employer before she would sell the item, the woman responded that her employer was out. Suspecting that the item was probably stolen, Hamelin told her that she would hold onto the jacket until she could speak to the employer. The woman then left the shop and was not seen by Hamelin or her husband again. If Hamelin or her husband had knowingly accepted and then sold stolen goods, not only could they have faced some kind of punishment, their reputation in the neighborhood would have been seriously compromised and they could have faced the loss of their livelihood.<sup>90</sup>

In protecting her husband's interests, Hamelin was also protecting her own, especially given the fact that she did not seem to have a separate career from her husband. Claire des Hayes also found herself attempting to protect the interests of her husband, Chrestien Henriette, when she entered into an altercation with one her husband's customers. Henriette was a baker and regularly supplied Pierre Dumont with bread, until he decided that the quality was no longer good enough and he refused delivery when des Hayes attempted to deliver it as she normally would. In his absence des Hayes began insulting Dumont while at the same time publicly defending her husband's bread. Henriette and des Hayes then went to Dumont's house together to speak with him, but when they were told he was not home, they began verbally abusing his servants. The couple's hostile behavior toward Dumont continued until it escalated into a physical fight between the couple and two of Dumont's servants. Dumont

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<sup>90</sup> AN Y9660, Petit Criminel Minutes, April 1761.

happened to be home at the time, and he had to chase off the baker and his wife with his cane. Des Hayes clearly felt that she needed to defend the quality of her husband's product and also his reputation, but her actions and those of her husband went beyond mere defense of honor, and as a result Henriette was required to pay a fine of six *livres*; des Hayes was not punished for her role in the affair.<sup>91</sup> In defending Henriette's product, he and his wife also defended their place within the marketplace. If other customers thought that the quality of his bread had declined, they might have chosen to buy from another baker, and the loss of business could have been very detrimental to Henriette's family's ability to survive.

If des Hayes had been selling a product to support herself (rather than as part of a married couple), maintaining her reputation with potential and current customers was vital. The marketplace was one place where many opportunities existed for women to make a living, and it was a place where the presence of women was very apparent and where opportunities for conflict were also rather abundant. In their capacity as procurement agents for the family and as vendors, women were everywhere in the marketplace, but theirs was more than just an economic presence. They negotiated over prices and quality on both sides of the counter, and were very willing to make their dissatisfaction known whether they felt the price was too high and the quality too low, or they felt that the buyer was trying to cheat them out of the full value of what they were selling. When Anne Chatelain went to buy some meat from a local butcher, she expected to pay a certain price for it. When the butcher tried to charge more than what Chatelain thought was customarily fair, she took exception to it and they ended up in a shouting

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<sup>91</sup> AN Y10080, Grand Criminel Minutes, October 1740; des Hayes' occupation is not listed in the record, and she may have simply worked in her husband's bakery selling the bread, keeping the accounts, and other such activities in support of her husband's baking.

match about it. She and her husband, a locksmith, were most likely on a tight budget, and as the one responsible for buying the food for their family, she had to make sure they were not cheated on the price of their food.<sup>92</sup>

As Rene Marion has shown, women were able to construct for themselves a unique identity within the marketplace, through their own initiative as well as because of the special status afforded them by the *lettre de regrat*, which allowed them greater freedom to sell than men (and women) who did not possess this right. Of course, this did not mean that they could completely disregard all other rules of the marketplace and simply do as they pleased. Restrictions regulated where they could sell their produce and for how much.<sup>93</sup> The market days occurred two or three times per week, with many days restricted because of holidays and religious observances, but tradition allowed women with the *lettre de regrat* to sell virtually seven days a week. Some women did so from permanent market stalls, which they often ran for their husbands, selling the goods made or procured by them. And these stalls were certainly valuable, as evidenced by the practice among many market women of passing their right to sell on certain spots to other women.<sup>94</sup> Most, however, sold their goods from temporary structures made from various materials such as barrels and bits of wood and disassembled at the end of the day. Those with even less permanent arrangements vended their wares from baskets or trays, which they carried through the streets or held as they stood along busy roadways.<sup>95</sup>

Those women who relied on irregular locations to sell their goods had to be careful not to intrude upon locations that had already been claimed by or granted to other

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<sup>92</sup> AN Y15946, Papers of Commissaire de la Grave, July 1751.

<sup>93</sup> Marion, pp. 12, 79-81, and 136.

<sup>94</sup> *Ibid.*, p. 12.

<sup>95</sup> *Ibid.*, p. 127.

vendors. Not only could they face problems from officials who were charged with enforcing the restrictions governing where people could stand to sell, but they also had to deal with unofficial methods used to deal with what could become a menace. Vendors were prohibited from blocking doorways and roadways, though sellers did not necessarily follow these restrictions if official enforcement was lacking. Marie-Madelaine Stamps may have been disregarding such rules governing where she could sell her fruit, and a *limonadier* named Porchet, who was also a neighbor to Stamps and her husband, was upset enough with her to attack her livelihood. Porchet repeatedly cut Stamps' fruit basket with a pair of scissors in a direct attempt to compromise her ability to sell her goods, while at the same time shouting expletives at her for the entire neighborhood to hear. Stamps' husband, Jacques Bodard, was the owner of a nearby cabaret, and perhaps Porchet saw himself in competition with Bodard for customers but felt that it was wiser to attack his competitor's wife instead of Bodard himself. For whatever the reason, his attack on Stamps in June 1760 led her to take her case to Commissaire Crespy. In filing her complaint she sought protection against the attacks, but she also sought to defend her honor in front of the neighbors who witnessed Porchet's actions and the words that accompanied them.<sup>96</sup>

Because of the openness of the marketplace, itinerant vendors like Stamps could not depend on neighborhood self-policing the way other women we have seen could.<sup>97</sup> She could not call on her neighbors to come to her aid, and instead had to rely on help from the *commissaire* to protect her livelihood. Threats to one's livelihood came from competitors or occasional acquaintances, but in many cases the conflict came from much

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<sup>96</sup> AN Y9653, Minutes of the Petit Criminel, June 1760.

<sup>97</sup> Marion, p. 12.

more familiar quarters. Two sisters, Marie-Françoise Vaugeois and Marie-Margueritte Vaugeois, both sold butter and eggs at the market and on the same days. Marie-Françoise had gotten her place at the market from their mother but sold her product in her own right while Marie-Margueritte sold for their mother. In the complaint she filed with Commissaire Parisot, Marie-Françoise said that her sister Marie-Margueritte had become jealous of her and her success in the marketplace. As a result Marie-Margueritte, had begun to insult her daily and in front of anyone who was near enough to hear. She used many of the typical phrases to insult Marie-Françoise's moral character and called her husband a thief. Marie-Margueritte took whatever opportunity she could to publicly insult Marie-Françoise, especially in the area of their market stalls, even going so far as to attempt to disrupt the sales that Marie-Françoise tried to make. Marie-Françoise went on to blame her sister for two previous miscarriages and told Parisot that she feared for the life of the child she was currently carrying.<sup>98</sup> To prevent continued mistreatment by her sister and the *grand bruit* she had caused in the entire marketplace, Marie-Françoise asked Parisot to intervene. Failure to respond to her sister's comments about her and to prevent continuation of the attacks upon her would have compromised Marie-Françoise's ability to make a living with the marketplace.

Taking her case to the local *commissaire* was an act of self defense in terms of both her reputation and her place of work, the market. Threats to one's business or profession came from many fronts, as the Vaugeois and Stamps cases demonstrate. These women were able to ask the *commissaire* for assistance, which would have taken the form of putting a stop to the actions of one other person. For others like Jeanne-Elizabeth Hamelin the threats to their livelihood did not come from a single person, nor

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<sup>98</sup> AN Y 15934, Papers of Commissaire Parisot, August 1734.

was the remedy for the threats as simple. As we saw above, Hamelin helped to make sure that materials of questionable origins were not sold in her husband's shop. If her husband had been found selling stolen goods, he could have faced punishment for it.<sup>99</sup> Hamelin herself appears in the Petit Criminel records in two different years reporting that on each occasion a woman she did not know had come into the shop to sell an item of clothing. Each time the woman was questioned as to the origin of the item, with the first woman saying that her master, for whom she was a servant, had asked her to sell the item. The scenario of April 1761 was repeated in September 1762 with the same results: the woman refused to let Hamelin consult with the owner of item for sale, the woman left, and Hamelin turned the item over to Trudon.<sup>100</sup>

Not only does this case point to the challenge of making a living while also living within the law, we also see how shopkeepers and other members of the laboring class acted on behalf of the forces of control within the marketplace. Hamelin may have acted out of self-preservation but she may have been in the pay of the police as a *moucharde*, which was a possibility. Since Parisian *revendeuses* were notorious as fences, she may also have been under surveillance herself.<sup>101</sup> In either case she clearly knew how to handle herself and the business for which she was responsible. The women of Saint-Antoine demonstrated such knowledge time and time again, whether in being selective with whom they did business or in speaking or acting out when their ability to earn a wage was disrupted. But they did more than just protect themselves; their attempts at self-preservation also helped to maintain the public order that royal officials hoped to

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<sup>99</sup> Muyart de Vouglans, p. 401: The punishment for this offence was hanging.

<sup>100</sup> AN Y9677, Petit Criminel Minutes, September 1762.

<sup>101</sup> AN Y9678, Petit Criminel Minutes, September 1762: Charlotte Giront, who listed her occupation as a *revendeuse*, was accused of receiving stolen goods.

preserve. In guarding against accepting goods that may have been stolen, Hamelin effectively aided the police in controlling (to a degree) the actions of a woman who was most likely acting outside the boundaries of legitimate society. The rules governing the workplace and marketplace were intended to prevent the masterlessness that many thought was the natural tendency of the laboring classes.

More so than the marketplace, however, the places where the laboring classes sought entertainment were viewed as potential hotbeds of tension and disturbance. Any place the laboring classes congregated could, in the minds Parisian officials, be places where problems could arise, but it was especially during the times of leisure that the *menu peuple* were thought to be prone to mischief. Sitting in a group with friends, the men and women of Saint-Antoine shared stories and gossip, and they attacked or defended the reputation of friends, neighbors, and acquaintances who happened to be featured in the gossip of the day. Some of the violent altercations that were typical to laboring-class Paris occurred during the course of ordinary socializing, particularly in the city's taverns and inns. As was mentioned in the beginning of this chapter, the people of Saint-Antoine spent much of their day and evening in public spaces rather than inside the home. The tavern especially played a role in fostering this type of atmosphere, and as Brennan pointed out the tavern played an integral role in laboring-class life. Public drinking was, for the laboring classes, a means of structuring social relations and a forum for expressing their values and beliefs.<sup>102</sup>

As with personal interactions that occurred in the street, those that were played out in the taverns and inns paint a picture for us of what life was like for the people of Paris; the tavern was a microcosm of wider Parisian society. We see how people

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<sup>102</sup> Brennan, *Public Drinking and Popular Culture*, pp. 9 and 12.

interacted socially, what types of behavior was accepted by others in the neighborhood, and how people dealt with troublemakers. For the men of the neighborhood the tavern was a comfortable place to relax, but the police viewed the taverns as dens of iniquity and the patrons therein as degenerates in the making.<sup>103</sup> Plenty of examples of conflicts within drinking establishments can be found in the archives to support their opinions. The case of Nicolle Collot, serves as a good example. According to what was told to Commissaire Parisot by Jean Clery, Collot had approached Clery as he was walking down the street and asked if he would like to have a drink with her. Such an invitation from a single woman to a stranger to accompany her to the essentially male space of a drinking establishment could have but one interpretation. Clery should have perceived Collot as a wanton woman, and should have been on guard. Instead Collot took Clery to a tavern where they had some wine and some bread, after which they went to another place for coffee. While they were having coffee together, he reached for the tobacco that had been in his pocket but discovered that his snuff box was missing. Suspecting her of having taken it, he asked if she knew where it was. She said she did not know what had happened to it. To avoid a scandal he took her outside the café to question her further and ask her to simply return it. She continued to protest that she did not have it and therefore could not return it, and the argument that proceeded from that point drew the attention of the Watch. According to Clery, she solicited his company and while they were conversing, she kept pulling at his snuff-box, though in a supposedly playful manner. After further questioning she was taken to the Grand Châtelet.<sup>104</sup>

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<sup>103</sup> Ibid., pp. 20-23.

<sup>104</sup> AN Y15935, Papers of Commissaire Parisot, April 1735.

The social atmosphere of the tavern allowed for such personal interactions between men and women, even those of a morally questionable nature. Collot may have solicited Clery for more than conversation, but the authorities were sufficiently suspicious of her motives toward Clery to arrest her and send her to the Grand Châtelet for further questioning. Clery could have made a scene in the tavern over the theft of his snuff-box, but he decided to spare the young woman the embarrassment that would have caused her. He presented her with the opportunity to return the item without any repercussions. Many other similar incidents did end in loud arguments or even brawls, especially when the parties involved had been drinking. Although alcohol may not have always factored into the intensity of disagreements, it certainly could facilitate violence.<sup>105</sup> Alcohol was most definitely a factor in the fight that led to the death of Marie de la Pierre and to the injuries that Marie-Louise Courtin received at the hands of Dominique Ducreux in a cabaret.<sup>106</sup>

De la Pierre's husband, René Catillon, and a soldier in the Swiss Guard named Hyemelay, were drinking together in a cabaret, when they decided to have a contest to see who would pay for the wine they would consume. According to witnesses Catillon had won and the soldier was to have paid for the wine, but he dealt Catillon a blow and left without having paid for it. Some time later de la Pierre joined her husband in the establishment for a meal and more wine. With the permission of Catillon and de la Pierre another soldier from the same unit as Hyemelay joined the couple for food and drink. However, de la Pierre, to whom Catillon had obviously related the earlier incident, would

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<sup>105</sup> Ruff, *Violence in Early Modern Europe*, p. 126.

<sup>106</sup> Brennan, *Public Drinking and Popular Culture*, p. 32: "The fights could be brutal, and there are numerous stab wounds reported in tavern brawls, but murder was quite unusual—little more than 1 percent of the cases taking place in taverns ended in murder."

not so easily ignore what she felt was an affront to her husband. She began needling the other man, Buffet, about his fellow soldier's having failed to uphold his end of the drinking deal with Catillon, even going so far as to call him a villain. Buffet responded at first by telling her that if she had something to say to Hyemelay, then she should direct her ire toward him, not Buffet, who had nothing to do with the earlier occurrence. According to other tavern patrons, de la Pierre refused to end her attacks on Buffet, who responded by hitting her. A fight then erupted and came to involve de la Pierre, Buffet, Catillon, and at least one other soldier who was with Buffet. By the time the other tavern patrons had finally separated the combatants, de la Pierre had been seriously injured by the blows from Buffet who used a cane with which someone else had tried to separate them. Catillon and some of the other people in the tavern carried her home, where she later died of her injuries.<sup>107</sup>

The argument between de la Pierre and Buffet, which began as an issue of honor, had in itself originated in a ritual that was repeated daily in countless taverns throughout Paris. People joined friends for food and drink, sharing conversation and the warmth of the tavern, and the patrons of such establishments understood that even the simple pleasure of drinking with companions was governed by certain rules. The offer of wine to a newcomer, for example, was an invitation to join the group already there; it was a "formal act of inclusion." To refuse such an invitation was an affront to the sociability and community that was being offered, and it might be seen as an attack on one's honor.<sup>108</sup> When arguments did occur, they, too, generally followed established patterns

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<sup>107</sup> AN Y9668, Petit Criminel Minutes, December 1761. The physician who examined her body declared that her death had been caused by the blows she had received during the fight with Buffet.

<sup>108</sup> Brennan, pp. 222-27.

involving insults and retaliations, and these were all part of the life and sociability of the neighborhood.

Although the Church was a major part of the collective identity of eighteenth-century Parisians, and although the Church was a ubiquitous presence in the city (including fifty-two parish churches and many more religious orders), the parish church does not seem to factor much into neighborhood sociability.<sup>109</sup> The majority of the cases of conflict seem to have occurred away from the local parish buildings, and there is no mention of the type of sociability normally associated with rural parishes.<sup>110</sup> The church was, however, a focal point for religious practice, and everyone knew that it provided sanctuaries of a sort, a place where people listened to the word of God, and where sanctity was of utmost importance, especially during the celebration of the Mass. Yet, as we see with the dispute between Marie-Françoise Joignaux and Marie-Jeanne Collon, people took their disagreements with them wherever they went. Their tempers flared up into physical confrontations even in places where it was understood to be inappropriate, such as a church sanctuary during Mass. The brawl that occurred in a church between Marie-Françoise Joignaux and Marie-Jeanne Collon on June 7, 1740 was the continuation of a disagreement between the two women that had stemmed from the sister of Collon having allegedly spilled oil on Joignaux's dress.<sup>111</sup> These two women shared a history, which may have included more than just the incident with the dress. Their husbands both worked as wine growers, and it is likely that they were acquainted through this link as well as their having lived in the same neighborhood. Whatever the cause of the disagreement, their fight which became rather physical and included one of the women

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<sup>109</sup> Garrioch, *Neighbourhood and Community*, pp. 149-68 and 22.

<sup>110</sup> Ruff, *Crime, Justice and Public Order in Old Regime France*, p. 83.

<sup>111</sup> AN Y9649A, Petit Criminel Minutes, June 1740.

hitting the other with a book, disrupted the religious service and resulted in their both being questioned by the *commissaire*. Although an argument between two women might not have been of interest to most *commissaires*, because this argument occurred in a church and during the Mass, it was considered a *cas royal* and thus called for more serious treatment.<sup>112</sup>

Critics of lower-class Parisians would have argued that such behavior was typical of the uncouth poor, who lacked the inherent ability to control themselves, but for the members of the lower orders, what was more important was the carrying out of their disagreements in as public a place as possible. They appeared to have been less concerned about the appropriateness of the venue in which this was accomplished than they were about making their point to the neighborhood. The attack on Jeanne Lequay in June of 1751 by a man named Bernard demonstrates this very well. Lequay was attending morning Mass on 18 June, 1751 when the son-in-law of her landlord began harassing her, perhaps over unpaid rent. She tried to ignore him, especially because of where they were, but she was no longer able to do so once he started hitting her. One of her fellow churchgoers at one point came to her rescue because of the violence of the attack on Lequay. She then tried to get away from him with the hope of ending the attack in that way, but Bernard followed her. In complete disregard for the sacredness of the place, he also called her a whore among other things, and at one point told her that the next time he found her alone, he would kill her. She was able to find members of the Watch to whom she related the details of the attack. They advised her to take the case to

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<sup>112</sup> See Dauphin and Farge, p. 79, and Chapter Two for more about the legal and actual ramifications of this case.

Commissaire de la Grave, which she did.<sup>113</sup>

Bernard's attack on Lequay not only disrupted the religious services, it also disrupted the daily life of those around them in the service. Moreover, it called into question Lequay's reputation and standing within her community. Bernard would have known that calling Lequay's moral purity into question in such a setting would also threaten her reputation with their neighbors. Filing a complaint with the *commissaire* was her way of making a public statement in opposition to the public statements made by Bernard. She and countless women like her could not risk losing their place within the community, and as a result, we have the records they left behind as glimpses into their lives. As we have examined the sources of conflict between the women and men of Saint-Antoine, it has become clear that the places where these conflicts occurred were deliberately chosen. Many occurred within the buildings where the combatants lived and were most likely exacerbated by the almost constant contact between those involved. Even for those who may not have been directly involved, it was difficult if not impossible to avoid at least some knowledge of what happened. Arguments on staircases, in courtyards, and even within apartments were heard throughout the building, and even sometimes in the street. When such a localized audience was not sufficient, combatants often pushed the argument into the street or other public space like a church. If the aim of the words and gestures used was to compromise the reputation and standing of the other person, the larger the audience, the more damaging those words and gestures would be.

The one question that has not yet been addressed here is whether or not we can discern a temporal pattern to coincide with the spatial patterns for the personal

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<sup>113</sup> AN Y15946, Papers of Commissaire de la Grave, June 1751.

interactions we have examined here. An examination of the cases compiled in my research has shown that most of the conflicts that have been documented in the records I examined for the Faubourg seem to have occurred during the hours when people were regularly out and about, between five and eleven in the morning and four and nine in the evening. One of the earliest disputes occurred during the morning Mass, around five in the morning, and is one of the few incidents that occurred within a parish building.<sup>114</sup> The other morning cases were concentrated between nine and eleven, and they occurred either near the homes of the people involved, or they were situated in or near the shop of the opponents. The morning hours would certainly have been a time when people were out and about, either getting prepared for the day or going to work, and the chance meetings that occurred during these hours would have been perfect opportunities for conflicts to develop or to escalate. Because much of the violence that has become part of the archival record was predicated on interpersonal conflict in which honor or reputation was in jeopardy, it makes sense that these conflicts occurred during the daylight hours when people were present in the public spaces. In his study of crime in the Sénéchaussées of Libourne and Bazas, Julius Ruff found that 71% of reported violence occurred during the daylight hours. The early evening hours, when the workday had ended, were periods of intensified socialization and can account for increased incidences of violence as well.<sup>115</sup>

In contrast to twentieth- and twenty-first century patterns, nocturnal violence was less prevalent in the eighteenth-century, when a lack of electricity meant that the streets at night were very dark indeed, and became havens for the more hardened criminal

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<sup>114</sup> AN Y9649A, Petit Criminel Minutes, June 1740.

<sup>115</sup> Ruff, *Crime, Justice, and Public Order*, pp. 83-85.

elements.<sup>116</sup> Few of the conflicts that I found in my research occurred after dark, which is easily explained given that anyone found wandering the streets after dark (which came around ten o'clock during the summer months), particularly as the night progressed, was assumed by the police to have been up to no good. The people who appear in the archives as having been out late at night were picked up by the Watch, and none of these was the result of interpersonal conflict. Those cases that occurred in the evenings and before dark were similar to those during the earlier hours in terms of the types of conflicts and how they were played out by those involved. However, one difference can be seen in where these encounters occurred. Although some took place in front of the home of one or both people involved, many others took place in drinking establishments. Obviously the population of taverns and wineshops increased once the workday ended, thus creating more opportunity for the typical violence of the neighborhood to shift from the homes and shops to places of sociability. While this brief examination of temporal patterns, though very rudimentary, does help to add to our understanding of the nature of interpersonal violence among the laboring classes of Paris in the eighteenth-century, it does bring up more questions, which could be addressed with a more detailed examination of the archival sources.

Conclusion:

What we can discern from these cases is that interpersonal conflict was clearly a part of daily life that the people of Saint-Antoine accepted, became involved in, and used to their advantage. Launching public attacks on neighbors and acquaintances, whether verbal or physical in nature, was a means of attacking the honor and standing of those people. Successfully destroying the other person's reputation could help to elevate one's

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<sup>116</sup> Ruff, *Violence in Early Modern Europe*, p. 129.

own within the local community, or they may have simply been hoping to get back at a rival. When faced with such an attack, a woman of Saint-Antoine on the receiving end may have attempted to ignore the words or gestures, but she did so at great risk. Failure to respond publicly to public attacks on one's honor and reputation was almost tantamount to acknowledging that the statements made were true. A woman's very survival depended upon her place or standing within the community, and thus she was forced to become engaged in the public discourse about her. She could hope that once the incident was addressed, it would blow over, and then she could go back to being a bearer of neighborhood gossip, rather than the subject of it.

For those people who were unable (or in some cases unwilling) to maintain their reputation and consequently their place within the neighborhood, membership in the marginalized segments of the population was their fate. Those on the margins and outside of traditionally accepted social boundaries comprised a diverse group that included those women and men who were simply unable to successfully cope with the economic challenges of the times as well as the hardened criminal elements that were part of every urban environment. The fluctuations in the economic conditions in France during the period guaranteed that Paris experienced a relatively steady flow of immigrants in search of employment and food. If they were unable to secure a job and a place to live, they could find themselves under arrest as beggars.<sup>117</sup> As a result some women and men had to resort to criminal activity in order to survive, and for women this meant stealing or receiving or selling stolen goods, and, of course, prostitution.

Regardless of whether the women of Saint-Antoine lived within acceptable boundaries of

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<sup>117</sup> See Jütte, p. 12 for all of the various terms used to define the begging poor. For more on those on the margins, see also Forster and Ranum.

early modern French society or outside them, the ways in which they dealt with life during this period, particularly as was recorded in the archival sources on which this study is based, demonstrated their understanding of themselves, of their society, and of how they could maintain or even change their place within that society.

## Epilogue

Paris was a city of contrasts. For some it offered unlimited luxuries and a life as dissolute as they wanted, while for others it represented the possibility of escaping the tedium of life in a small village where few if any work opportunities could be found. Yet for still others, Paris came to represent a continuation of a life of poverty and extreme want from which escape seemed impossible. This was especially true of those who lived at the margins of acceptable society. For these unfortunates the temptation to partake in criminal activity as a means of survival was a very attractive one indeed. For the women and men of the laboring classes, Paris was at times a place where employment could be found and where one could enjoy leisure activities at little or no cost, but it was also as likely to be a place of misery and death.

The powers that governed Paris, and all of France, created and enacted laws aimed to not only secure their own power within an increasingly patriarchal system but also to control those Parisians on the margins who posed a threat to the public tranquility. The model of divine right rule, with the king at the top, served as the example for the rest of French society, even down to the family, the basic building block of French society. The king was the source of all power in the kingdom, and his subjects were to accept his authority whether in the person of the king himself or from his representatives. Women in particular were subject to the patriarchal controls placed upon French society, especially within the family unit where the father's authority was in theory absolute. As we have seen, the law and custom of the time saw women in need of life-long control by male authority both because of the natural weaknesses of the female sex and to protect the authority of men from masterless women. If the woman was unmarried, that

responsibility rested with her father, and when she married, it shifted to her husband. Domestic stability rested on this system of paternal rule. Women living outside male controls were deemed a threat to the public order and tranquility.

However, as historians of the working classes realize, the law and the reality of life for the lower classes often diverged when basic survival was at issue. We have certainly seen that women, though severely restricted within the system by law and custom, were able to work within and around the controls placed on them to ensure their survival and that of their families. Moreover, they showed a great deal of ingenuity as they formed strategies that enabled them to successfully confront the challenges faced at every stage of life, from childhood, through adolescence, to adulthood. They did this by calling on eighteenth-century understandings of women and by effective use of gendered language to craft stories to explain their actions when questioned by the authorities. Whether in defense of themselves or in complaints against others, women knew that drawing from a specific type of vocabulary could lessen consequences of misbehavior or ensure that their complaint against an adversary carried enough weight for their objectives to be realized.

While the women of the Faubourg Saint-Antoine shared these traits with the laboring class women of all of Paris, their situation was in some ways distinctive, particularly given the nature of the area of the city in which they lived. The Faubourg Saint-Antoine was a unique quarter of Paris during the eighteenth century both in terms of its position at the edge of the city and its special status as a free-work zone where guild restrictions generally did not apply. Less densely populated than the rest of the city, the Faubourg retained its semi-rural character well into the eighteenth century, but it was still

an important part of the city because of the artisanal activity that took place there. For many immigrants to Paris, Saint-Antoine offered a better chance of finding employment and making a life for themselves than other areas of the city, but at the same time, the residents of the area were mostly modest or poor wage earners who struggled to make ends meet, especially during difficult economic times, such as the time of poor harvests in 1724 and 1747-48. Given that poverty breeds desperation, it is hardly surprising that the frustration of these times of dearth often led to disruptions of the peace by the residents of Saint-Antoine. As discussed in chapter one, the people of the area were willing to express their frustration and even anger at their situation, even going so far as to attack the police who were local representations of the royal authority. The king, as the father of his people, was supposed to look after his people especially in times of need, and in the minds of the people failure to do so warranted action. They were, therefore, willing to risk the consequences of insurrection, which could have been (and were for some) serious.

As a result, the area of Saint-Antoine gained a reputation both for the poverty of its residents and as a locus of discontent. As David Garrioch points out, the geographical position coupled with the homogeneity of the area helped to isolate it from the rest of Paris to a certain extent, and it also led to the creation of a sense of community among the residents that led them to identify themselves with their faubourg. They considered themselves more as *faubouriens* than as Parisians.<sup>1</sup> This special self-identity along with the people's willingness to partake in crowd actions against what they saw as injustice, led the residents of this area of Paris to take on an important role in eighteenth-century

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<sup>1</sup> Garrioch, *Neighbourhood and Community*, pp. 241-42.

France, especially at the end of the century, when all of France would come to be affected by the changes that would come out of events centered in Saint-Antoine.

The women of the Faubourg demonstrated their willingness to defy the cultural understanding of their sex to attempt to achieve specific objectives such as relief from dissolute and wasteful husbands or compensation for attacks on reputation. But they also took this disobedience several steps further when they initiated and took part in crowd actions like that of the bread riots of 1725. As the ones responsible for procuring the food for their families, women were aware of changes in food prices, especially when harvests had been bad and supplies were limited. If they felt that food sellers, particularly bakers who supplied the main staple of their diet, were charging too much, women not only showed their discontent, they also were willing to lead the way in doing something about it, as they did when they attacked the bakeries in Saint-Antoine in 1725.<sup>2</sup> We saw this type of action again in the riots of 1750 (which involved the rumor of child abductions by the police) and in 1774-1775 when poor harvests and severe food shortages put the populace on edge, and when the situation for the lower classes became dire indeed. Many of the residents of Saint-Antoine had experience with struggling to make ends meet, but the shortages in these time periods pushed their tolerance of deprivation to the breaking point.

Even in the best of times, the women of the Faubourg, had to pay attention to price and quality, given the challenge of procuring sufficient food for the family with limited funds. But when even their meager wages could not meet basic needs, their frustrations for themselves and for their families led them to voice their complaints to their friends and neighbors. The general dissatisfaction of the residents of the area fed off

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<sup>2</sup> See Garrioch, *The Making of Revolutionary Paris*, pp. 117-21.

of these complaints and intensified the bitterness about their situation until something incited the people to action. The crowd was an ever-present part of Parisian life, and one that could not be ignored by the authorities. Indeed, they understood the potential danger posed by the crowd even if they often misjudged that potential. The bread riot of 1725 certainly demonstrated the lack of preparedness on the part of the police forces, who were so ill-equipped to deal with the uprising that it took them almost five hours to mobilize and bring the situation under control, and only three people were arrested by them for involvement.<sup>3</sup> Viewed as a single entity, as an animal, the crowd was either a “friend who might be called on to express its joy” or an “enemy, subject to indefensible furies.”<sup>4</sup>

Women, like the crowd, were ever present in the public spaces of the city, and this was certainly true when public disturbances took place. They could be seen as instigators of crowd actions and as willing and active participants in them. As participants they helped not only to articulate the issues at hand, but they also compelled men to become involved as the disturbances became full crowd actions. Women in essence served as a voice for the poor, as their representatives within the community, when they spoke and acted out in times of dearth against those they felt were responsible for the plight of the poor, which included themselves. Although the political dealings of the later eighteenth century had little direct effect on the women of Saint-Antoine (though they did participate in discussions about it<sup>5</sup>), the fall-out of the political and financial changes made by the government of France certainly did have an impact on their lives. The rising cost of bread, accompanied by consistently low wages and poor harvests of the last few decades of the eighteenth century fed into growing frustration with the government from

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<sup>3</sup> Garrioch, *The Making of Revolutionary Paris*, p. 120.

<sup>4</sup> Farge, *Fragile Lives*, p. 171.

<sup>5</sup> See Farge, *Subversive Words*, p. 189.

many quarters, which, as we saw in chapter one, led to significant crowd actions that would have long-lasting and wide-ranging consequences within the kingdom.<sup>6</sup>

The events in the Faubourg of April 1789, in part resulting from food crises, began with riots within the Faubourg such as the “Reveillon riot” and escalated to the storming of the Bastille, an event that sparked the beginnings of the French Revolution and the end of the Old Regime. Tensions within Paris and the entire country had continued to grow. The political crisis brought about by the political changes preceding the storming of the Bastille – the coup by Maupeou against the *parlements* and the formation of the National Assembly, for example – led to a breakdown in civil authority and a deepening economic situation, all of which drove the country toward revolution. The *menu* people however, maintained their faith in the king as their protector in the face of the machinations of his ministers, and on October 5, 1789 the women of Paris decided to seek bread from their father-king, whom they saw as ultimately responsible for protecting them from starvation.<sup>7</sup>

Through their role in such crowd actions, women helped to initiate the creation of this new France, but they did not truly get to reap the benefits of it. Women did see the Revolution as the possibility for greater equality within the changing society of France, and they entered into the dialogue of rights that became part of the revolutionary effort. They sought equal rights in marriage, the right to divorce, and greater opportunities for training, among other things, but such changes were not guaranteed. The introduction of the “Declaration of the Rights of Man” in 1791 made that clear with its silence on the rights of women. Even with the response by Olympe de Gouge and her “Declaration of

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<sup>6</sup> Davis and Farge, pp. 496-500.

<sup>7</sup> Kaplow, pp. 153-54.

the Rights of Women,” the aspirations for greater equality and participation for women in essence died with de Gouge and her fellow *révolutionnaires*. Whatever gains were made for women during the Revolution were more or less erased by the Napoleonic Code, which re-established control by husbands over wives and made women legally and economically dependent upon men. However, although French women did not gain the right to vote until 1944, they continued to participate in crowd actions and revolutions throughout the nineteenth century.

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