

# Women and the Courts in the Control of Violence between Men: Evidence from a Parisian Neighborhood under Louis XIV

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**Abstract** *Exceptionally detailed court cases from a neighborhood in early modern Paris show that working-women routinely criticized and broke up men's fistfights and other violent altercations. The royal government was thus partly dependent on women to help regulate male behavior and maintain order. Forces empowering women here included the royal criminal courts, whose penalties for much intermale violence gave men an incentive to acquiesce to women's intervention; women's use of language and physical force; and the protection provided by their close male kin. These forces also empowered women in many other nondomestic relations with men. The article deepens our understanding of early modern gender relations, royal criminal courts, and community self-regulation, as well as of workingwomen's roles, sources of empowerment, goals, and contribution to a key aspect of the "civilizing process."*

On October 30, 1670, a stonemason angrily dragged the two brothers apprenticed to him out of his workshop by the hair, threw them into the infamous mud of the streets of Paris, and allegedly started to hit them. A witness testified that "two neighborhood women who opposed this violence" entered the scene. After one shouted a powerful rebuke, the two women led the stonemason back into his workshop. A woman sent for the apprentices' father, who came and, apparently following her suggestion, offered to compensate the stonemason for anything his sons might have done to cause such anger. Throughout, at least one or two women simply watched. That same day the apprentices' father took his sons to the nearest commissioner (a neighborhood official with policing, court, and public administration duties) and paid for the writing out of a complaint and witness testimonies—including testimonies

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by several of the women—and the forwarding of the resultant dossier to the appropriate royal criminal court for judgment.<sup>1</sup> Verdicts for all but the most serious crimes from this period have not survived, but if found guilty, the stonemason would have been forced to pay a substantial fine and ordered neither to do nor to say anything harmful to the plaintiffs.

The exceptionally detailed court cases examined here, from a neighborhood in early modern Paris, show that workingwomen routinely criticized and broke up men's violent altercations: the majority were fistfights; a few were sword fights. This article argues that, in practice, the royal government was partly dependent on workingwomen to help regulate male behavior and maintain order. Many women's desire for calm and decency often paralleled the state's desire for law and order, leading the two to reinforce each other. Workingwomen used language and muscle in the streets to help enforce the peace with a speed and on-the-ground presence that was beyond the state's power, while men accepted women's informal peacekeeping in part because it lowered their risk of substantial penalties, usually fines, imposed by the royal criminal courts. Other forces also helped keep intermale violence in check—including workingmen themselves and perhaps the guilds and religious organizations, as well as seigneurial courts for many areas outside Paris—but they lie beyond our scope here.<sup>2</sup> This article seeks to deepen our understanding of gender relations, royal criminal courts, and community self-regulation, as well as of workingwomen's roles, goals, and sources of empowerment, including their use of language. Reducing the scale of study to a small but richly documented arena reveals how “the powerless” could play an important role and how subjects usually studied separately—such as men and women or state and neighborhood—were deeply entwined.

<sup>1</sup> Citations to court cases are made in the following format: name of witness when a specific testimony is cited; chief defendant in italics; date of case; call number in the Archives Nationales, Paris (hereafter AN); original French of any translated quotation. Boudran, *Michaut*, Oct. 30, 1670, AN Y12251, “Deux femmes du voisinage quy sopposèrent a cette violence.” A local commissioner's full title was Conseiller du Roy, Commissaire-Enquêteur et Examineur au Châtelet. Outside of minor civil infractions, commissioners did not render judgment. In the cases examined here, they summoned and questioned witnesses, oversaw the transcription of testimonies, and forwarded the resultant dossiers to the appropriate court. See Alan Williams, *The Police of Paris, 1718–1789* (Baton Rouge, LA, 1979); and Orest Ranum, *Paris in the Age of Absolutism* (Bloomington, IN, 1968), 272. The cases used here were all criminal; several quotations that suggest civil court proceedings concern minor aspects of a more serious case.

<sup>2</sup> James R. Farr, *Hands of Honor: Artisans and Their World in Dijon* (Ithaca, NY, 1988), 166, 168–72, 186; David Garrioch, *Neighborhood and Community in Paris, 1740–1790* (Cambridge, 1986), 48–55; Gregory Hanlon, “Les rituels de l'agression en Aquitaine au XVIIe siècle,” *Annales: Economies, sociétés, civilisations* 40 (1985): 255–56, 262; Arlette Farge and André Zysberg, “Théâtres de la violence à Paris au XVIIIe siècle,” *Annales: Economies, sociétés, civilisations* 34 (1979): 1001–2, 1004; Jeremy D. Hayhoe, *Enlightened Feudalism: Seigneurial Justice and Village Society in Eighteenth-Century Northern Burgundy* (Rochester, NY, 2008).

Other research has concluded that interpersonal violence constituted a defining characteristic of early modern society.<sup>3</sup> Understanding how that violence was kept in check is essential for understanding how early modern society survived and functioned on a daily basis. Such control has been presented by Norbert Elias as part of a “civilizing process” that gradually instilled the heightened self-discipline supposedly characteristic of modernity.<sup>4</sup> For early modern France, there is a fair amount of research on the control of intermale violence among the nobility and in rural villages, but relatively little concerning urban environments.<sup>5</sup> Research has shown, though, that urban neighborhood culture generated both the tensions that led to frequent intermale fights and the pressures that sought to stop such violence; part of the “ritual” of intermale altercations was that neighbors broke them up, and disputants facilitated this process by fighting in public spaces.<sup>6</sup> The nature of the archives, discussed below, has meant that women are nearly absent from our understanding of the control of intermale violence and ultimately from the forces contributing to any “civilizing process.”<sup>7</sup> We know that workingwomen participated in the regulation of other aspects of early modern French society, particularly in regard to bread prices, domestic violence, women’s sexuality, and women’s work.<sup>8</sup> This

<sup>3</sup> For overviews of research, see Julius R. Ruff, *Violence in Early Modern Europe, 1500–1800* (Cambridge, 2001); and Eric A. Johnson and Eric H. Monkkenon, *The Civilization of Crime: Violence in Town and Country since the Middle Ages* (Urbana, IL, 1996). For France, principal works include Stuart Carroll, *Blood and Violence in Early Modern France* (Oxford, 2006); Farge and Zysberg, “Théâtres de la violence,” 984–1015; Malcolm Greenshields, *An Economy of Violence in Early Modern France: Crime and Justice in the Haute Auvergne, 1587–1664* (University Park, PA, 1994); Julie Hardwick, “Early Modern Perspectives on the Long History of Domestic Violence: The Case of Seventeenth-Century France,” *Journal of Modern History* 78 (2006): 1–36; and Robert Muchembled, *La violence au village: Sociabilité et comportements populaires en Artois du XVe au XVIIe siècle* (Turnhout, 1989).

<sup>4</sup> Norbert Elias, *The Civilizing Process*, trans. Edmund Jephcott, 2 vols. (New York, 1978), first published in 1939 as *Über den Prozess der Zivilisation*. For critiques of Elias, see Daniel Gordon, “The Civilizing Process Revisited,” in *Citizens without Sovereignty: Equality and Sociability in French Thought, 1670–1789* (Princeton, NJ, 1994), 86–128; and Jeroen Duindam, *Myths of Power: Norbert Elias and the Early Modern European Court* (Amsterdam, 1994).

<sup>5</sup> Carroll, *Blood and Violence*; François Billacois, *The Duel: Its Rise and Fall in Early Modern France*, ed. and trans. Trista Selous (New Haven, CT, 1990); Muchembled, *Violence au village*.

<sup>6</sup> Farr, *Hands of Honor*, 166, 168–72, 186; Garrioch, *Neighborhood and Community*, 41, 48–55; Hanlon, “Rituels de l’aggression,” 255–56, 262; Farge and Zysberg, “Théâtres de la violence,” 1001–2, 1004. For neighborhood social control more broadly, and in a different context, see Carl Hoffman, “Social Control and the Neighborhood in European Cities,” in *Social Control in Europe, 1500–1800*, ed. Herman Roodenbury and Pieter Spierenburg (Columbus, OH, 2004), 309–27.

<sup>7</sup> The role of women in controlling urban intermale violence is noted by Garrioch, *Neighborhood and Community*, 52.

<sup>8</sup> Cynthia A. Bouton, *The Flour War: Gender, Class, and Community in Late Ancien Régime French Society* (University Park, PA, 1993); Hardwick, “Long History of Domestic Violence”; Roderick Phillips, “Women, Neighborhood, and Family in the Late Eighteenth Century,” *French Historical Studies* 18 (1993): 1–12; Georg’ann Cattelona, “Control and Collaboration: The Role of Women in Regulating Female Sexual Behavior in Early Modern Marseille,” *French Historical Studies* 18 (1993): 13–33; Clare Haru Crowston, *Fabricating Women: The Seamstresses of Old Regime France, 1675–1791* (Durham, NC, 2001). Women married to master artisans and shopkeepers also participated in the

article expands our knowledge of the sphere of workingwomen's influence and of the forces that strengthened it.

Competition from institutions such as royal criminal courts is usually seen as undercutting the sort of community self-regulation in which the women studied here were engaged.<sup>9</sup> Indeed, the transition from local to state forms of social control and governance is characteristic of European societies at least from the early modern period on. A more recent body of research has shown that this process was by no means immediate or straightforward in regard to the early modern definition and control of behavior deemed unacceptable or criminal. In some areas the courts were peripheral to strong local self-regulation and were used only against strangers or in extreme cases.<sup>10</sup> In other areas, practices sometimes referred to as "infrajustice" were significant: people integrated awareness of the courts' procedures and punishments into their own practices of waging disputes and maintaining order.<sup>11</sup> This article continues that line of research by showing how the royal criminal courts strengthened, rather than undercut, the informal community self-regulation examined here.

The relationship worked both ways. The absolutist state can look especially powerful in Paris, with a reinvigorated police force that engaged in several high-profile actions and a new prison system with such potential that it led Michel Foucault to refer to a "Great Confinement."<sup>12</sup> On the ground, however, the state usually proved weak; outside of exceptional cases, royal agents in charge of enforcing law and order could not be called on to come to the scene, and they certainly could not come quickly. In practice, the royal government depended on royal subjects, including workingwomen, to help maintain the peace.

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regulation of multiple aspects of their husband's businesses, although they have been presented here as akin to servants of their husbands (Arlette Farge, *La vie fragile: Violence, pouvoirs et solidarités à Paris au XVIIIe siècle* [Paris, 1986], 134–35).

<sup>9</sup> For a synthesis of earlier work, see Bruce Lenman and Geoffrey Parker, "The State, the Community, and the Criminal Law in Early Modern Europe," in *Crime and the Law: The Social History of Crime in Western Europe since 1500*, ed. V. A. C. Gatrell, Bruce Lenman, and Geoffrey Parker (London, 1980), 11–48.

<sup>10</sup> Nicole Castan, *Justice et répression en Languedoc à l'époque des Lumières* (Paris, 1980).

<sup>11</sup> See esp. Alfred Soman, "L'infrajustice à Paris d'après les archives notariales," *Histoire, économie et société* 1 (1982): 369–75; Daniel L. Smail, *The Consumption of Justice: Emotions, Publicity, and Legal Culture in Marseille, 1264–1423* (Ithaca, NY, 2003); François Billacois and Hugues Neveux, "Porter plainte: Stratégies villageoises et institutions judiciaires en Ile-de-France (XVIIe–XVIIIe siècles)," *Droit et cultures* 19 (1990): 7–148; Benoît Garnot, ed., *L'infrajudiciaire du Moyen Age à l'époque contemporaine* (Dijon, 1996); and Ruff, *Violence in Early Modern Europe*, 73–87. For a critique, see Garnot, "Justice, infrajustice, parajustice et extrajustice dans la France d'Ancien Régime," *Crime, histoire et sociétés* 4 (2000): 103–20. For discussions of both institutional and informal means of social control more broadly, see Roodenbury and Spierenburg, *Social Control in Europe*.

<sup>12</sup> Michel Foucault, "The Great Confinement," in *Madness and Civilization: A History of Insanity in the Age of Reason*, trans. Richard Howard (New York, 1965), 38–64; Jacques Saint-Germain, *La Reynie et la police au Grand Siècle* (Paris, 1962); André Laingui, "Justice pénale, police et répression au grand siècle," *L'état classique: Regards sur la pensée politique de la France dans la seconde moitié du XVIIe siècle*, ed. Henry Méchoulan and Joël Cornette (Paris, 1996), 221–38.

Women intervened to keep the peace in practically every intermale fight accessible to them. Before looking at the statistics, it is important to note that criminal archives likely underreported women's impromptu peacekeeping. Fights in locations not very accessible to women were more likely to lead to injury and prosecution and so may be overrepresented in the court cases used here. In the accessible fights, the number and gender of interveners was not legally salient and so was not systematically specified. Even with such underreporting, women were documented as intervening in two-thirds of the altercations, with an average of two women for each. Specifically, the 217 witness testimonies from the court cases concerning intermale violence in the archival series used here include portrayals of sixty-three women intervening to keep the peace in twenty-nine of forty-five fights.<sup>13</sup> Practically the only fights in which women did not intervene were those occurring in all-male or isolated spaces. The actions of the women were not unique to this exceptionally well-documented neighborhood and period, the faubourg of Saint-Antoine, Paris, between 1664 and 1675. David Garrioch, in a broad-ranging study of Parisian neighborhood life a century later, noted that women "quite often" intervened in fights between men; other research has found a similar phenomenon in the towns of seventeenth-century Aquitaine.<sup>14</sup>

The exceptional level of detail in the cases used for this article permits the first systematic study of this pattern of female intervention in intermale violence. The criminal records on which this article is based are transcriptions of eyewitness testimony and are longer and more detailed than their more abundant, legible, and better-studied late-eighteenth-century counterparts. This means that the gender of those who intervened to stop fights and how they did so is frequently mentioned. The late-seventeenth-century cases also have more eyewitnesses per case and a higher ratio of women who were asked to testify. This is

<sup>13</sup> This article uses all cases transcribed by one of the clerks working for a new commissioner in the 1660s and 1670s that portrayed violence between workingmen in at least five hundred words, excluding the complaint, and spread out over no more than three of a case's testimonies. Most of his cases have a higher word count. Cases that do not meet this minimum word count rarely contain sufficient information for the purposes here; most either were dropped shortly after the complaint or dealt with multiple altercations involving the accused. The complaint is excluded from the word count because, although sometimes lengthy, it rarely goes beyond a cursory mention of bystanders. For useful reflections on using criminal archives, see Arlette Farge, "Les archives du singulier," in *Histoire sociale, histoire globale?* ed. Christophe Charle (Paris, 1993), 183–89.

<sup>14</sup> Garrioch, *Neighborhood and Community*, 52; Hanlon, "Rituels de l'aggression," 265n3. For the early modern period, the area of Paris examined here is usually studied with regard to guild regulation and the royal government. See Steven L. Kaplan, "Guilds, 'False Workers,' and the Faubourg Saint-Antoine," trans. John M. Merriman, in *Edo and Paris: Urban Life and the State in Early Modern France*, ed. James L. McClain et al. (Ithaca, NY, 1994), 355–83; and Alain Thillay, *Le faubourg Saint-Antoine et ses "faux-ouvriers": La liberté du travail à Paris aux XVIIe et XVIIIe siècles* (Seysel, 2002).

important as witnesses tend to be the only ones to speak of their own actions and, when they do speak of other bystanders, the focus is often on members of their own sex. An anonymous clerk working for a new commissioner in the 1660s and 1670s produced what appear to be the lengthiest and most detailed transcriptions of all. The cases used here are drawn from this clerk's work rendered between 1664 and 1675, with many from 1670, the best-documented year.

Given that early modern legal codes, male guild regulations, political thought, and culture and society broadly were highly patriarchal, it may seem surprising that workingwomen could act with informal authority toward angry, violent men. But a number of factors lent weight to women's verbal and physical interventions.

### **Royal Criminal Courts and Community Self-Regulation**

Seventeenth-century Paris and the work of its present-day historians mirror trends found elsewhere in early modern Europe in regard to state-imposed social control and community self-regulation. Research has shown how Louis XIV's government substantially weakened or replaced institutions and practices of social regulation run by neighborhood and municipal elites; the role of the royal government was only to expand thereafter.<sup>15</sup> A smaller body of work presents a very different perspective by focusing on "infrajustice." In the case of seventeenth-century Paris, this concerns how the early stages or mere threat of prosecution strengthened community self-regulation by encouraging disputants to settle out of court at a notary, sometimes through a mediator or arbiter, with the courts making the notarized agreement enforceable.<sup>16</sup>

An examination of the relationship between the royal criminal courts and women's informal, local methods of keeping intermale violence in check extends this work on infrajustice. It does so by overcoming a contradiction, one that obscures how the courts empowered women's efforts. On the one hand, working people were well aware of the courts and of how to use the threat of prosecution against men engaged in intermale violence. For example, after a number of women broke up a street brawl, several told a butcher beaten in it that "he has

<sup>15</sup> Paolo Piasenze, "Juges, lieutenants de police et bourgeois à Paris aux XVIIe et XVIIIe siècles," *Annales: Economies, sociétés, civilisations* 45 (1990): 1189–1215. The substantial work of Robert Descimon often speaks to this issue. Among other publications, see his "Solidarité communautaire et sociabilité armée: Les compagnies de la milice bourgeoise à Paris (XVIe–XVIIe siècle)," in *Sociabilité, pouvoirs et société* (Rouen, 1987), 599–610. For the second half of the eighteenth century, see David Garrioch, *The Making of Revolutionary Paris* (Berkeley, CA, 2002), 226–31. For Europe more broadly, see Lenman and Parker, "The State, the Community, and the Criminal Law."

<sup>16</sup> Soman, "L'infrajustice à Paris." For early modern France more broadly, see n. 11.

to go to a commissioner's." Likewise, when a man who had been beaten in another altercation was brought to the doctor to have his injuries attended to, a man in the crowd that had gathered outside exclaimed, "Let's go to a commissioner!" Many men did not need such advice. A baker whose windows had just been smashed by stone throwers said as he left his shop that "he was going to submit his complaint." One of the two apprentices who had thrown the stones knew exactly what this meant, for he remarked, "Well, he's going to the commissioner's." In another case, after a man was struck, he was heard saying, "You will pay for that." This might refer to violent revenge, but, given that the victim prosecuted that very day, it may have been meant literally, referring to a court fine.

To prosecute one needed witnesses; a man who had been attacked in the street shouted to some bystanders, "Sirs, I'm taking you as witnesses!" The use of witnesses made legal procedure a publicity machine, for it pulled into the process men and women far beyond the litigants and helped make them aware of the presence of the courts and of how to use them. One man even claimed he knew how to obtain an item from the judicial archives, and that for thirty sols he could get for all to see a copy of a sentence delivered against a neighbor.<sup>17</sup> These examples indicate a widespread awareness of the protection afforded by the courts to working people, especially to skilled journeymen and to master artisans who could pay the fairly reasonable fees for court services.

On the other hand, despite popular awareness of them, the courts remained eerily absent from the parts of the testimonies in which one would most expect them to be invoked. Workingwomen readily intervened in both the preliminaries of altercations and in the fights themselves, in part by shouting at men various reasons why they should halt their aggressive behavior. What is disconcerting is that working people mentioned the courts only after an altercation had ended. Before and during the altercation, as they struggled to convince men to stop, women (and men, for that matter) never mentioned commissioners, prosecution, or fines, one incident excepted. Thus, according to the testimonies, the courts seem irrelevant in actually stopping intermale violence; they appear as something later and separate, as something of relevance only after the end of an altercation. The one exceptional incident, however, is revealing.

When a woman saw a dockworker threatening to strike a work-

<sup>17</sup> Petit, *Millet*, July 10, 1671, AN Y12254, "plusie. femmes ayant dit q'l falloit aller chez vn Co're"; Vauchelles, *Dugué*, July 7, 1670, AN Y12250, "allons chez vn Co're"; Mausion, *Adelaine*, Aug. 16, 1670, AN Y12250, "disant q'l alle alloit Rendre Sa plaint . . . bon il va chez le Co're"; Jacquier, *Laneau*, Mar. 19, 1670, AN Y12249, "tu le payeras"; Lombart, *Grenu*, Aug. 16, 1670, AN Y12250, "M'rs je vous prends a tesmoing"; Jarnir and Thomas, *Quesnel*, May 12, 1682, AN Y12283.

mate, she warned the aggressive man, “Don’t touch him because he’ll make you pay money.”<sup>18</sup> Her warning had the opposite effect: the men immediately escalated their dispute into a full-fledged fight. It was as if the men took her warning of a fine as a challenge, as something implying that they would not dare initiate violence and valued money over honor. These men felt compelled to prove otherwise. The woman talking to the dockworker probably spoke of fines so quickly due to personal experience: in an earlier incident she had reportedly struck the same man who was being targeted and, according to a witness, had been forced to pay the substantial sum of twenty ecus.<sup>19</sup> Other women may have avoided mentioning fines or the commissioner before or during an altercation not because such things were irrelevant but because early mention triggered men’s pride and sense of autonomy, making them feel obliged to initiate violence.

Since people tended to speak of the courts as soon as a fight was over, it is clear that the courts were an unspoken presence during the altercation, too. In a typical intermale fight, the silent awareness of the courts likely made aggressive men more accepting of women’s efforts to stop their brawls because it reduced the risk and size of potential fines. In that sense the royal criminal courts did not undercut local self-regulation. Rather, they strengthened both the hand of women who sought to halt intermale violence and the neighborhood self-regulation that the women represented. This strengthening was likely necessary. In the counterexample of an early modern city in which the criminal law courts were weak, interpersonal violence was especially high, suggesting that the courts influenced the effectiveness of neighborhood self-regulation.<sup>20</sup> Indeed, community self-regulation in the early modern period may not be an independent entity but one in which the increasing power of the state weakened or destroyed some aspects while strengthening or making possible the emergence of others.

### **Testimony and Women’s Status**

Up to now we have seen how the courts empowered women indirectly and almost by accident. The power to testify in a criminal case shows how the courts strengthened women in a more direct manner both in legal proceedings and in the streets. This furthers our understanding of the difference that sometimes existed in the Old Regime between

<sup>18</sup> Largan, *Gaston*, Mar. 23, 1672, AN Y12257, “ne luy touche pas car il te fera couster de l’argent.”

<sup>19</sup> Bourgeois, *Gaston*, Mar. 23, 1672, AN Y12257.

<sup>20</sup> Lars Behrisch, “Social Control and Urban Government: The Case of Goerlitz, Fifteenth and Sixteenth Centuries,” *Urban History* 34 (2007): 39–50.



general, normative texts and specific practices in regard to gender relations.

Much research on normative texts has shown that, for royal jurists and political thinkers, a well-ordered society was one in which men dominated women, a patriarchy enforced through the family and the law. Such gender relations were seen as necessary for social and political stability both by critics of the French monarchy, such as the authors of the Mazarinade pamphlets, and by apologists, such as Jacques-Bénigne Bossuet. Gender relations were used to think about and justify royal absolutism: a well-ordered household was one in which a husband and father ruled over his wife and children; a well-ordered society was one in which a king ruled over his subjects. This argument was supported not only by allusion to Christian texts but also by scientific discourse, in which women and children were portrayed as governed by instinct and the body, thus needing to be placed under the control of reason and the mind, embodied in the king and in men in general, particularly in male heads of household. This idea was expressed in civil law, where women were usually classified as wards of their male guardians—their husbands, or their fathers if they were unmarried. In theory they could not act independently or own property and wealth entirely in their own name, and they were subject to a high level of legal domestic violence.<sup>21</sup>

Such were early modern gender relations in theory; more recent research has uncovered how jurists, magistrates, and municipal authorities included multiple exceptions in the details and practice of the law and also accepted women's circumvention of some of the remaining restrictions.<sup>22</sup> National royal decrees were sometimes tempered by regional and municipal laws, which could in turn be tempered by practice. The situation could be complex. Historians today often see widows as independent and sometimes quite powerful women because they had the legal standing of their late husbands, while early modern law presented them as merely continuing the wishes and legacy of their deceased spouses, and women were often good at manipulating such

<sup>21</sup> Jeffrey Merrick, "The Body Politics of French Absolutism," in *From the Royal to the Republican Body: Incorporating the Political in Seventeenth- and Eighteenth-Century France*, ed. Sara E. Melzer and Kathryn Norberg (Berkeley, CA, 1998), 11–31; Hardwick, "Long History of Domestic Violence."

<sup>22</sup> E.g., Zoë A. Schneider, "Women before the Bench: Female Litigants in Early Modern Normandy," *French Historical Studies* 23 (2000): 1–32; Julie Hardwick, "Women 'Working' the Law: Gender, Authority, and Legal Process in Early Modern France," *Journal of Women's History* 9, no. 3 (1997): 28–49; Barbara B. Diefendorf, "Women and Property in Ancien Régime France: Theory and Practice in Dauphiné and Paris," in *Early Modern Conceptions of Property*, ed. John Brewer and Susan Staves (New York, 1996), 170–93; Rene S. Marion, "What's That 'e' at the End of 'Marchande?'" *Proceedings of the Annual Meeting of the Western Society for French History*, no. 22 (1995): 109–17; Julie E. Leonard, "De Jure, de Facto: The Women of the Faubourg Saint-Antoine and the Law in Eighteenth-Century Paris" (PhD diss., Marquette University, in progress).

gendered expectations of the law. This means not that men and women had equal status in practice but that a gender hierarchy was not uniformly imposed.

As Julie Hardwick has noted, serving as a witness (as opposed to a plaintiff or a defendant) in a court case was one of the few formal roles during the Old Regime in which men and women were usually treated as equals.<sup>23</sup> The cases used here permit further exploration of this insight. A late-fourteenth-century law did originally ban women from testifying in most civil and criminal cases, but by the seventeenth century it apparently was no longer applied, and it was not included in seventeenth-century manuals on legal procedure and compilations of relevant laws.<sup>24</sup> Women testified in two-thirds of the cases used here and they made up one-third of the witnesses overall. Gender difference in the numbers can be accounted for by the fights that occurred in male-only spaces. In practice women's testimonies do not appear to have been treated differently from men's. When all the witnesses in a case testified on the same day, the witnesses were arranged in order from least to most valuable in regard to the salient legal issues. The *rapporteur*, or court official in charge of summarizing the essentials of the case for the bench, would gradually move closer to "the truth" as he read through the material. The same criterion was used to order men's and women's testimony, suggesting that the testimony of women carried equal weight.<sup>25</sup> The court was more interested in uncovering the supposed truth by having as large a pool of witnesses as possible than in disbaring women from testifying against men or in treating their testimony as inferior. Here the standing of women in regard to men was not reduced because it would have endangered goals seen as more important.

The royal criminal courts' acceptance of women's testimony had the effect of empowering women in the streets. When women let an assailant know that they did not approve, they were warning him that if his victim initiated legal proceedings, their testimony would not be in his favor. Violent men's awareness of this situation is sometimes evident after an altercation ended, when the violent man himself, or his kin,

<sup>23</sup> Julie Hardwick, "Between State and Street: Witnesses and the Family Politics of Litigation in Early Modern France," in *Family, Gender, and Law in Early Modern France*, ed. Suzanne Desan and Jeffrey Merrick (University Park, PA, 2009), 101–36.

<sup>24</sup> "Ordonnance sur le témoignage des femmes en matière civile et criminelle" (Nov. 1394), rpt. in François-André Isambert et al., eds., *Recueil général des anciennes lois*, 29 vols. (Paris, 1821–33), 6:755–57.

<sup>25</sup> Manuals of procedure do not mention the order in which witness testimonies should be placed, but the criterion used by the *commissaire* studied here—value of the testimony in regard to the salient legal issues when witnesses testified on the same day—is evident from reading the cases themselves.

tried to influence bystanders in his favor. The stonemason in the case with which this article commenced later tried to convince the women around him that his violence against his apprentices was justified. In another case, the family of a defendant tried to scare women from using their power. When two women protested against a murder they had witnessed (“Here’s a knave who just killed a man!”), the murderer’s mother sought to discourage them from testifying by saying that he would not kill again and that he would whip and beat with a baton anyone who spoke of his deed.<sup>26</sup> (The women testified nonetheless.)

The courts empowered women even when the accused was unaware of their presence. When the men who worked at a tax barrier on the outskirts of the city hauled into their office and severely beat a baker who had hit one of them on the nose, an elderly widow discreetly opened the covered window to the office to look in. She testified that “these outrages” made her feel sick and that she soon could look no longer, but she was still the only eyewitness to the beating and provided essential evidence against the accused.<sup>27</sup> When she opened and looked through that window she gave the state eyes. The royal criminal courts could not help her stop the violence, but they did provide a chance for her to have it punished. She and the state shared a roughly similar goal and empowered each other. By receiving the testimony of women and apparently treating it as equal to that of men, the royal criminal courts encouraged fighting men to take women’s judgments of their actions seriously and enabled women to influence the state in regard to men accused of illegal violence. Testifying was also not a passive recounting of what had transpired since cases show that women sometimes shaped their testimonies to sway the courts.<sup>28</sup> For their part, the courts gained a larger pool of witnesses to summon and help enforce royal law.

### Other Factors Empowering Women

The sources used in this article reveal several other factors that empowered women, including the threat of violence by the women themselves and by their close male kin, as well as the location of the fights. Women may have been referred to as “the weaker sex,” but in the

<sup>26</sup> Freton, “voyla vn Coquin quy vient de tuer vn Homme,” and Pellerin and Tanignon, both in *Roze*, Feb. 21, 1670, AN Y12249.

<sup>27</sup> Chambon, *Commis*, Apr. 19, 1682, AN Y12283.

<sup>28</sup> For a well-documented example, cf. the severity of the accused’s violence in the portrayals of Jeanne Boudran and of the plaintiff and the other witnesses in *Michaut*, Oct. 30, 1670, AN Y12251. For a broader discussion of these issues, see Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France* (Stanford, CA, 1987); and Martin J. Wiener, “Treating ‘Historical’ Sources as Literary Texts: Literary Historicism and Modern British History,” *Journal of Modern History* 70 (1998): 619–38.

streets they often constituted a threat.<sup>29</sup> In one case, a woman saw some young men beat another man and later testified that she had warned them that “if her husband had been treated like that she’d know what she’d have to do.”<sup>30</sup> When a woman used violent force against a man, she was usually described as “throwing” herself at him, often flooring him. This was especially successful when multiple women acted in concert.<sup>31</sup> In another situation, a wet nurse testified to the commissioner that if she had known that a young man who had been under her care as a boy was going to grow up to be so violent she would have “strangled him when he was small.”<sup>32</sup> This suggests that women’s confidence in policing older males derived in part from their roles in the care and discipline of younger males.

Most of the women who intervened in fights were not married to or a close relative of either of the fighters; they can be referred to as “neutral women.” They could intercede with impunity, which seems surprising, given the acceptability and legality of much violence against women in the domestic sphere. One factor protecting neutral women was that they formed part of the web of relations among men.

Few things enraged men more than their wives or mothers being struck by other men; it was one of the rare acts that could catapult a man into the blind fury that might lead him to break the norm of avoiding lethal violence. Two such cases appeared in the documents studied here: in one, a husband cracked the assailant’s head with a staff; in the other, a son ran a sword through the assailant’s stomach.<sup>33</sup> An awareness of the potential response of close male kin is glimpsed when a woman slapped a man in a beer shop. The man raised his hand to slap her back, telling her that “he was not afraid of her husband,” but he nevertheless allowed another woman to intervene and stop him, and both women left the shop unharmed.<sup>34</sup>

The above factors combined proved so powerful that women even felt confident enough to approach sword-wielding men, although a

<sup>29</sup> Arlette Farge and Cécile Dauphin, eds., *De la violence et des femmes* (Paris, 1997); Julius R. Ruff, *Crime, Justice, and Public Order in Old Regime France: The Sénéchaussées of Libourne and Bazas, 1696–1789* (London, 1984), 88. By contrast, Malcolm Greenshields found women’s violence to be minimal (“Women, Violence, and Criminal Justice Records in Early Modern Haute Auvergne, 1587–1664,” *Canadian Journal of History* 22 [1987]: 175–94). Martin J. Wiener’s arguments for the underreporting of women’s violence are helpful in thinking about the early modern period (“The Victorian Criminalization of Men,” in *Men and Violence: Gender, Honor, and Rituals in Modern Europe and America*, ed. Pieter Spierenburg [Columbus, OH, 1998], 197–212).

<sup>30</sup> Roch, *De Vaux*, May 31, 1675, AN Y12266, “sy on auoit équipé son mary de la sorte elle verroit ce qu’elle auroit a faire.”

<sup>31</sup> E.g., Desay, *Dumouches*, May 27, 1664, AN Y12238; Doré and Carré, *Polique*, Feb. 28, 1668, AN Y12244.

<sup>32</sup> Pussière, *Mauparby*, Jan. 11, 1670, AN Y12249, “Estouffé lors q’il estoit petit.”

<sup>33</sup> Moreau, July 16–17, 1678, AN Y12273; Roze, Feb. 21, 1670, AN Y12249.

<sup>34</sup> Aumière, *De Vaux*, May 30, 1675, AN Y12266.

single woman intervening in such a situation could do only so much. While an off-duty soldier was wiping the blood from his sword after killing a man in the street, a neighboring woman, the wife of a second-hand clothes seller, came up to him, seized his arm “to stop him” from fleeing, and told him, “Ah, executioner! You have killed a man.” (He responded, “Back off, else I’ll do the same to you.”)<sup>35</sup> In another case, multiple women intervened just before the violence occurred. A man had stormed into a tavern with drawn sword, intent on attacking several charcoal workers, but a male witness said simply that the man had been “prevented by some women” from carrying out his design. Two women witnesses went into more detail: one testified that the wife of the man’s friend shouted, “My God, leave off, don’t strike!” and “threw herself upon the said [sword-wielding] man,” knocking him to the ground. The tavern keeper’s wife then testified that she herself “stood on the said sword . . . and with the help of the neighbors” threw the man out.<sup>36</sup>

Two cases in which neutral women were struck while intervening prove revealing. In one, the woman testified that the assailant quickly apologized—one of the few apologies found in the testimonies. In the other case, the man was one of the most violent in the corpus. Having just used an ax to murder a man, he pushed a woman who tried to seize him “so rudely that he made her fall to the floor.”<sup>37</sup> In a typical intermale fight, however, a neutral woman intervening was left unharmed.

In the violent, patriarchal culture of this period, women often faced men who did not hesitate to use violence against them, as the criminal and civil archives attest. The very forces that protected a woman in one type of intermale fight could endanger her in another. In seven of the altercations the wife of one disputant intervened alone, usually before others did the same. Wives played a special role: they were often the first to intervene, for they were close at hand and willing to act when the altercation was still at the stage of a verbal dispute. Unlike neutral women, a wife who intervened alone was nearly always struck by her husband’s opponent no matter how innocent her intervention, as if striking her was a way to attack her husband or to goad a reluctant man into fighting, goals which apparently outweighed the consequences of striking a man’s wife.<sup>38</sup> In effect, wives drew to themselves the violence

<sup>35</sup> Pellerin, *Roze*, 21 Feb. 1670, AN Y12249, “~~p-larrester~~ ah boureau tu as tué Rvn ho’e. . . . Retire toy que je ne ten fasse autant.” See also Guillebert, *Ferret*, Mar. 7, 1671, AN Y12253.

<sup>36</sup> *Dumouches*, May 27, 1664, AN Y12238: Desay, “se seroit Jettée apres led. ho’e criant mon dieu laissez ne frappez pas”; Loré, “il seroit tombé, et auvoit lad. depposant mis les pieds sur lad. espée . . . et a l’assistance des voisins.”

<sup>37</sup> Valle, *Boucher*, July 20, 1670, AN Y12250; Quainsy, *Saulnier*, Nov. 20, 1671, AN Y12254, “sy rudement q’l lauroit fait tomber sur le plancher.”

<sup>38</sup> For an analysis of why journeymen may have struck their *maîtresse* when in a dispute with their *maître*, see Farge, *Vie fragile*, 134–37.

aimed at their husbands, although usually the violence they received was less than what their husbands would have confronted. The fact that they were struck also encouraged other bystanders to intervene.

A typical case involved a heavy-goods wagon driver in an argument over pay with a master locksmith who had hired him. When the locksmith verbally threatened to beat him with a baton, the driver promptly returned the challenge. At this critical moment the locksmith's apprentice and his journeyman merely watched, but his wife intervened. She took the wagon driver by the arm or hand and said that they should go outside. He acquiesced and let her take him away from her husband and into the alleyway at the side of the workshop. There the driver slapped her, which prompted the locksmith's apprentice (who was also the wife's nephew) and the journeyman to dash out of the workshop and throw the wagon driver into the street.<sup>39</sup> Thanks to his wife's intervention, the locksmith remained unscathed, although she had paid the price for his violent masculinity.

An exception occurred when a man—who was eventually prosecuted for multiple acts of violence, including murder—stabbed a husband in the hand with a sword. The wife “took the said [sword wielder] by the arm to stop him fleeing,” but the sword wielder “threw himself on his knees asking her forgiveness.” She let him go.<sup>40</sup> In nearly all other cases, however, the few women who found themselves intervening alone to stop fights involving their husbands were struck by their husband's opponent, which underlines that in certain circumstances men used violence against women with little hesitation. Yet the majority of women who intervened to stop intermale fights were either not married to any of the fighters or not acting alone, and they nearly always emerged unscathed.

The final factors that made it easier for women to intervene were the locations and times of intermale altercations. Practically all took place in public spaces, with those that began to heat up indoors usually moving outside, because, as Garrioch has noted, publicly harming one's opponent's reputation and strengthening one's own were major goals, and inviting intervention may well have been another.<sup>41</sup> Two-thirds of the violent altercations took place in spaces in which, and at times when, women were present or nearby; at least one woman intervened in practically all of these cases. The street near the lodgings of one or both of the disputants was the typical location of fights. Women who lived or worked by the windows or in the rooms, shops, workshops,

<sup>39</sup> *Remy*, Apr. 26, 1670, AN Y12249.

<sup>40</sup> Guillebert, *Ferret*, Mar. 7, 1671, “pris led. Ferret par le bras p'r l'arrester . . . sestant Jetté a Genoux luy demandant pardon.”

<sup>41</sup> Garrioch, *Neighborhood and Community*, 42, 54.

or doors at the front of the tenements were particularly likely to intervene; indeed, this location was closer to women's everyday space than to men's.<sup>42</sup> Women were also near disputes that started on the landing or in the courtyard of the lodgings themselves or in the shops or workshops in which a *maîtresse* (the woman who owned the business or whose husband did) was present. Virtually the only fights in which no woman intervened were those that occurred in male-only environments such as a lumberyard or during the night when there were usually few bystanders and visibility was low. Such fights are likely overrepresented in the archives because they were more likely to result in injuries that led to prosecution.

In sum, the location where most men fought, and the state, through the royal criminal courts, strengthened the hand of the women who intervened against fighting men. It is likely that the stonemason whose violence was presented at the start of this article allowed the women to calm his anger in part because he knew that the apprentices' father could prosecute and that the women, who clearly opposed his violence, would testify against him. Allowing the women to talk him out of his violence and lead him back to his workshop was a face-saving way to reduce the probability, or at least the size, of a court-imposed fine. He was probably also aware that if he violently repulsed the women he risked the unbridled wrath of their close male kin, as well as the anger of the women themselves.

Yet as the court cases make clear, the threat of a substantial fine was insufficient to stop men like the stonemason from initiating violence or continuing with their deed once they had begun. This was partly due to the uncertainties of prosecution and the distance of the courts from the heat of the moment, a distance increased by bystanders wisely refraining from mentioning the courts until the altercation was over. All this meant that if a woman wished to stop a violent man she had to create additional force to tip the balance in her favor.

### Women's Use of Shaming

The learned author of a twelve-page, seventeenth-century news pamphlet about the devil, the divine, and a violent man in a poor area of Paris felt that a man used violence in his everyday life to "make himself feared and respected," an assessment with which modern criminal psychology agrees.<sup>43</sup> The desire to be feared and respected could be a vio-

<sup>42</sup> A helpful discussion of gender and space in working-class neighborhoods can be found in Alain Faure, "Local Life in Working-Class Paris at the End of the Nineteenth Century," *Journal of Urban History* 32 (2006): 761–72.

<sup>43</sup> *Histoire horrible et espouvantable [sic] de ce qui s'est fait et passé au faux-bourg S. Marcel* (ca. 1640;

lent man's Achilles' heel, a weakness women exploited through a deft use of language, particularly shaming.

Speakers in the seventeenth century often prefaced a weighty pronouncement by stating the general identity of the person or entity whom they were addressing: "My child," "Madame," "Ah! My neighbors!" "Ah, my God!" and so on.<sup>44</sup> In response to intermale fights women who intervened changed this prefatory address into a shaming label designed to weaken the confidence and reputation of the man they confronted. Typical shaming labels included "Scoundrel!" "Ah, wretch!" and "You drunk!"<sup>45</sup> The neighbor of the stonemason who allegedly beat his apprentices blasted into his ears, "Ah, *misérable!*" According to a Parisian lexicographer of the time, whose house overlooked an outdoor market of workingwomen, a *misérable* was "one in pain, in poverty" or "a nasty person . . . a sinner."<sup>46</sup> Such an epithet told the stonemason that by using violence he was making himself not a man to be feared and respected but an object of revulsion and perhaps even pity.

The most common shaming label used by women was actually a key word they had appropriated and subverted from the male language of honor. In instances in which an aggressive man wanted to fight but his opponent refused to participate in the escalating ritual of insult, challenge, slaps, and blows, the male aggressor would invariably label his reluctant opponent a *coquin*.<sup>47</sup> For lexicographers, *coquin* in this situation designated a man who did not violently defend his honor but "let himself be beaten without drawing his sword."<sup>48</sup> The term embodied that central tenet of combative masculine honor that it was worse to refuse to fight than to lose a fight. Losing weakened one's reputation but

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rpt. Paris, 1975), "se fait craindre & estimer"; Lonnie Athens, *The Creation of Dangerous Violent Criminals* (New York, 1989).

<sup>44</sup> E.g., Moreau, *Remy*, Apr. 26, 1670, AN Y12249, "mon enfan"; Pichard, *Roze*, Feb. 21, 1670, AN Y12249, "Mad'e"; Lefebvre, *Michaut*, Oct. 30, 1670, AN Y12251, "ah mes voisins"; Matin, *Le Normand*, Oct. 1, 1675, AN Y12266, "Ah mon dieu."

<sup>45</sup> E.g., Rollin, *André*, Sept. 4, 1670, AN Y12251; Freton, *Roze*, Feb. 21, 1670, AN Y12249, "Coquin"; Boudran, *Michaut*, Oct. 30, 1670, AN Y12251, "ah miserab[le]"; Valle, *Boucher*, July 20, 1670, AN Y12250, "Yrongue."

<sup>46</sup> Boudran, *Michaut*, Oct. 30 1670, AN Y12251, "ah miserab."; Furetière, *Dictionnaire [sic]*, new ed. (1694), "Qui est dans la douleur, dans la pauvreté . . . méchant, pecheur." Furetière lived on the Place Maubert. For visual representations of the market of workingwomen there, see *The Place Maubert*, engraving, Bibliothèque Nationale de France (hereafter BNF), rpt. in Jeffrey Kaplow, *Names of Kings* (New York, 1972), 66; and Samuel Bernard, *La Parnasse ridicule de la place Maubert* (n.d.), BNF, EST Da.31 p.21 (Roger-Armand Weigert, ed., *Fonds français XVIIe siècle*, 14 vols. [Paris, 1939–88], 1:370, no. 22), cited by Martha K. Smith, "Georges De La Tour's *Old Man and Old Woman*," *Burlington Magazine* (San Francisco), no. 121 (1979): 289. In the latter, market women represent the liberal arts, with a tough-talking fishwife representing rhetoric.

<sup>47</sup> E.g., plaintiff, *Laneau*, Mar. 29, 1670, AN Y12249; Bonne, *Noizet*, Mar. 30, 1670, AN Y12249; plaintiff and Lefebvre, *Michaut*, Oct. 30, 1670, AN Y12251. For the "rituals" of violence, see Hanlon, "Rituels de l'aggression"; and Farge and Zysberg, "Théâtres de la violence."

<sup>48</sup> Furetière, *Dictionnaire*, "s'estre laissé battre sans avoir tirée l'épée."



not one's honor; refusing meant one was without honor.<sup>49</sup> Combative men used *coquin* in such contexts to say "Fight, or you're a coward!"

Women turned fighting men's definition of *coquin* and its powerful shaming effects to their own purposes. In conflicts that ranged from an unarmed man merely speaking aggressively to another to a man committing murder, a woman among the bystanders yelled "Coquin!" at the assailant. She then proceeded to shame him further, hinder him from fighting, or demand his arrest.<sup>50</sup> The women attempted to short-circuit combative masculine honor through asserting that, by using violence, an aggressive man was turning himself into the very thing he thought he was avoiding. Women attempted to modify the boundaries of acceptable male behavior by taking an insult that had powerful shaming connotations for aggressive men and using it with an alternate definition that promoted the idea that what was in fact shameful was initiating intermale violence.

*Coquin, misérable*: such shaming labels were often a preface to carefully worded objections to the fight at hand. The threat of punishment by the courts could be a source of strength backing up those objections, but it was not the only source. Also important were an assailant's sense of honor and self-esteem, both of which were influenced by neighbors' assessments of his reputation and their ability to withhold respect. Fundamental principles that most fighting men appeared to adhere to roughly divided acceptable and unacceptable violence. The principles concerned the level, target, and justification of the violence, as well as the location of the fight. The next two sections consider how women made creative use of these principles to quell disturbances.

### Homicide Rates and Women's Invocation of Murder

Statistical evidence has been used to argue that, despite exceptions, interpersonal violence in western Europe declined dramatically between around 1400 and 1800.<sup>51</sup> The statistical evidence is for the homi-

<sup>49</sup> Key works on male honor in early modern France include Greenshields, *Economy of Violence*; Yves Castan, *Honnêteté et relations sociales en Languedoc, 1715–1780* (Paris, 1974); David Garrioch, "Verbal Insults in Eighteenth-Century Paris," in *The Social History of Language*, ed. Peter Burke and Roy Porter (Cambridge, 1987), 104–20; and Hugues Lecharney, "L'injure à Paris au XVIIIe siècle: Un aspect de la violence au quotidien," *Revue d'histoire moderne et contemporaine* 36 (1989): 559–85. More generally, see William H. Reddy, *The Invisible Code: Honor and Sentiment in Postrevolutionary France, 1814–1848* (Berkeley, CA, 1997); Robert A. Nye, *Masculinity and Male Codes of Honor in Modern France* (Oxford, 1993); and Thelma Fenster and Daniel L. Smail, eds., *Fama: The Politics of Talk and Reputation in Medieval Europe* (Ithaca, NY, 2003).

<sup>50</sup> E.g., Rollin, *André*, Sept. 4, 1670, AN Y12251; Freton, *Roze*, Feb. 21, 1670, AN Y12249.

<sup>51</sup> An influential early analysis was Ted Robert Gurr, "Historical Trends in Violent Crime: A Critical Review of the Evidence," *Crime and Justice: An Annual Review of Research* 3 (1981): 295–353. A more recent overview is Manuel Eisner, "Modernization, Self-Control, and Lethal Violence: The

cide rate, which, where numbers are available, does show a precipitous decline. Although the gender aspect usually remains unstated, the majority of homicides were perpetrated by men against other men. The argument is that homicide numbers reflected (intermale) violence more broadly, because practically any fight could be fatal. Weapons were readily available as men usually carried knives for eating, and even minor injuries could lead to death due to infection. The explanations proposed for the decline in homicides during the early modern period involve a variety of factors, especially an increasing state monopoly over violence, but they do not include the role of women.<sup>52</sup>

Women and, increasingly, the state set homicide apart from other violence. For instance, the stonemason with whom this article commenced may well have been using his legally and popularly recognized right as a superior to chastise those under his supervision with some violence.<sup>53</sup> His neighbor sought to verbally convince him to stop not by denying that right but by creatively focusing on the level of his violence. After declaiming “Ah, *misérable!*” the stonemason’s anonymous neighbor exploited a principle commonly used by women seeking to stop men from fighting: that, with few exceptions, one must not kill. It was a principle of which workingmen themselves spoke.<sup>54</sup>

Although the apprentices emerged from their ordeal without even a bruise, indicating that the stonemason’s violence was actually quite light, the stonemason’s neighbor summoned forth the specter of murder by loudly warning that, through his violence, he was “going to kill” them.<sup>55</sup> This pronouncement did not simply focus on the worst-case scenario but defined the options available to him in terms of a dualism: either kill or desist. Several variants existed on the stonemason’s neighbor’s invocation of murder. In one case, when a man hit another in the arm with a bundle of wood, the man’s sister pleaded, “My brother, don’t kill him!”<sup>56</sup> When a disputant passed out or was knocked unconscious, or pretended to be so, at least one bystander invariably exclaimed, “Ah,

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Long-Term Dynamics of European Homicide Rates in Theoretical Perspective,” *British Journal of Criminology* 41 (2001): 618–38. Exceptions may include domestic violence, some Mediterranean countries, and relatively brief periods of increase in homicide, as in England in the early 1800s.

<sup>52</sup> Eisner, “Modernization, Self-Control, and Lethal Violence”; Pieter Spierenburg, “Long-Term Trends in Homicide: Theoretical Reflections and Dutch Evidence, Fifteenth to Twentieth Centuries,” in Johnson and Monkkenon, *Civilization of Crime*, 63–108; Ruff, *Violence in Early Modern Europe*, 2–9, 118–31.

<sup>53</sup> Claude Le Brun de la Rochette, *Les procez civil et criminel* (Rouen, 1661), 2.1.54. For a master artisan’s moral responsibilities toward his journeymen, see Audiger, *La maison réglée* (Paris, 1692), cited by Alfred Franklin, ed., *La vie privée d’autrefois: Arts et métiers, modes, moeurs, usages des Parisiens du XIIIe au XVIIIe siècle d’après des documents originaux ou inédits*, 27 vols. (Paris, 1889), 5:289–90. Although Audiger’s work is subtitled *L’art de diriger la maison d’un grand seigneur*, he includes advice for artisanal households.

<sup>54</sup> Papillon, *Millet*, July 10, 1671, AN Y12254.

<sup>55</sup> Boudran, *Michaut*, Oct. 30, 1670, AN Y12251, “vous allez tuer.”

<sup>56</sup> Petit, *Millet*, July 10, 1671, AN Y12254, “mon frere ne le tue pas.”

my God! He's dead!"<sup>57</sup> This exploited the ambiguity of the limp body and reduced it to a dualism between the fully conscious and the dead. Proclaiming the victim dead brought the assailant's violence to a halt, for it told him that there was no point in continuing and that he may have vastly exceeded his goal.

The introductory exclamation "Ah!" had many uses, as lexicographers and theatergoers of the time were well aware, but in witness testimony concerning violence it was used only as an optional preface to an assertion of injury or fatality. It set apart from standard discourse the words that were to follow, announcing their grave nature to assailants and bystanders, and later to a commissioner and his rapidly scribbling clerk.

The hard facts of early modern life made such invocations of killing credible enough to calm a disputant. Before the thorough disinfecting of wounds became common toward the end of the nineteenth century, practically any use of violence could prove fatal.<sup>58</sup> In the disputes studied here, however, death occurred only in some of the few instances in which swords were used.

It is noteworthy that a man drew a knife only once in the corpus. The man, who was being held down and pulled by the hair, used his knife to stab his opponent's hand and thereby free himself and end his intense pain.<sup>59</sup> If men usually carried knives for eating, they seldom drew them in anger.

By invoking the specter of death, women tried to scare men with the worst possible outcome of their actions; they used the rare but real possibility of death to weaken a man's desire for violence. Men typically appeared to want to keep their violence nonlethal; women sought to undercut violent masculinity by forcefully denying that nonlethal violence was possible.

Evoking murder or manslaughter was effective not only because of men's sense of appropriate violence but also because of the position of the royal government. The illegal taking of life was one of the few crimes against a private person for which the state footed the bill, took charge of the case, and ensured a serious investigation. This protection extended through the social spectrum, even to a mere wood carrier in a local lumberyard murdered one night in an altercation in the street.<sup>60</sup> When the authorities heard of his unnatural death, perhaps

<sup>57</sup> François, *La mouche*, Feb. 18–19, 1670, AN Y12249; Fatier, *Jonat*, Mar. 3, 1672, AN Y12257; Coulaut, Laudry, and Noel, *Capet*, Oct. 29, 1670, AN Y12251.

<sup>58</sup> Lawrence Stone, "Interpersonal Violence in English Society, 1300–1980," *Past and Present*, no. 101 (1983): 24.

<sup>59</sup> *Goix*, Feb. 28, 1668, AN Y12244.

<sup>60</sup> *Roze*, Feb. 21, 1670, AN Y12249.

through the doctor to whom the corpse was taken, the royal prosecutor instructed the local commissioner to investigate. A seventeen-page court case was produced that included lengthy testimonies from six witnesses. The murderer had fled on the spot, abandoning family, home, work, and the neighborhood in which he held stability and respect, for he risked execution. The government, through the systematic use of royal pardons, accepted some types of killing, but overall the royal courts made murder a terrifying thought for most people, and women drew on that when attempting to move men away from violence.

Women magnified the state's work against most killing. In the streets in the heat of a violent altercation, women used the fear of homicide to oppose intermale violence by presenting it as lethal. In doing so, they portrayed homicide as radically beyond the pale of acceptable conduct. It was not the state alone that brought about the decline of homicide rates; the decline would probably have been less pronounced if not for workingwomen.

### Other Ways Women Talked Down Violent Men

Women also deftly used other principles, and indeed other verbal methods, to help stop an intermale fight. For instance, it was generally considered unacceptable for a man to use anything but a moderate level of violence against a child not his own; several testimonies indicate that men themselves held this principle.<sup>61</sup> The stonemason's neighbor used both this and the "beware of murder" principles when she cried, "Ah, *misérable!* You're going to kill those children there!"<sup>62</sup> The child principle seemed fairly easy to apply to the stonemason case, because, although one of the apprentices was nineteen years old "or thereabouts," his brother was described as younger.<sup>63</sup>

Women could stretch *child* beyond its usual meaning. A lengthy but revealing example concerned a journeyman cabinetmaker stopped by a group of immigrant Flemish furniture makers. One asked him at gunpoint, "Aren't you one of those who want to attack the Flemish? Are you not French?"<sup>64</sup> Several of the Flemish men's wives were present.

<sup>61</sup> E.g., Vattier, Tisserand, and Mauge, *Thierret*, July 20 1670, AN Y12250; Deroncourt, *Gen-dre*, July 20 1670, AN Y12250.

<sup>62</sup> Boudran, *Michaut*, Oct. 30, 1670, AN Y12251, "ah miserab. vous allez tuer ces enfans là."

<sup>63</sup> The age of Philbert Barbier is given in his testimony in *La fontaine*, July 18, 1673, AN Y12263. That case also reveals that in 1673 he was married.

<sup>64</sup> Vauchelles, *Quatre*, Aug. 18, 1670, AN Y12250, "nest tu pas de Ceux quy veullent attaquer les flamens, nest tu pas francois?" Vauchelles's status of *compagnon* appears in his deposition in *Dugué*, July 7, 1670, AN Y12250. More generally, see Alain Thillay, "Les artisans étrangers au faubourg Saint-Antoine à Paris (1650–1793)," in *Les étrangers dans la ville: Minorités et espace urbain du bas Moyen Age à l'époque moderne*, ed. Jacques Bottin and Donatella Calabi (Paris, 1999), 261–70.

One proclaimed, "Let him go, he's a *morveux* [snotty-nosed child]." <sup>65</sup> The man himself may not have even been unkempt, for one lexicographer noted that the term could be used figuratively: "One even says of a man who has been treated with humiliating scorn, he was treated like a *morveux*." <sup>66</sup> By gender (male) and age (early twenties) the journeyman was an honorable target, yet with her words the wife transformed the Flemish man's perception of what stood before him; she turned a man into a child. More precisely, she depicted the journeyman as no better than a child and so not an equal who could be honorably challenged. Furnished with a face-saving reason not to blow the man's brains out, the Flemish husband let the man go. Indeed, the entire exercise may have been simply to scare "the French," with impromptu peacekeeping being expected and welcomed. Nevertheless, the situation was serious, and the men were capable of killing. Within an hour a Frenchman "who wanted to fight" approached, wielding a sword and backed up by a second armed man. This time the Flemish men's wives did not intervene. Shortly thereafter, the second man's corpse was brought to his home. The *morveux* journeyman cabinetmaker went to see it.

Another principle women could work with was that one should not use violence against someone in their own home or work area. The underlying idea was that attacks were for public space; a person should be left undisturbed when in their own space, in part because they had removed themselves from the public arena of conflict and were minding their own business, disturbing no one. That suggests a distinction between public and private space. After a master toolmaker named François had entered the store of a locksmith and attacked him, a woman testified, "She, the deponent, said 'Master François, get out, you have no reason to attack a man in his shop' and that the said Master François withdrew." <sup>67</sup> By adding the "in his shop," the woman implied that one could, indeed, have reason to attack the locksmith but that no reason made it acceptable to do so in his own shop.

The most difficult principle on which to base an objection to a fight was that one should not use violence without cause, a situation that stood a good chance of being prosecuted successfully. The wife of a market gardener who saw her husband start a fight with another man on the road by their plot of land near the outskirts of the city drew on

<sup>65</sup> Vauchelles, *Quatre*, Aug. 18, 1670, AN Y12250, "laissez-le passer c'est vn morueux."

<sup>66</sup> Académie Française, *Dictionnaire* (1798), "On dit de même d'Un homme qu'on a traité avec un mépris humiliant, On l'a traité comme un morveux."

<sup>67</sup> Pauche, *François*, June 3, 1669, AN Y12247, "Et luy ayant Elle deposante dit M're francois retirez vous vous n'avez point de raison d'attaquer vn ho'e dans sa boutique, led. M're francois se seroit retirez." See also Philippet Marchand, *Musnière*, July 15, 1670, AN Y12250; Moussin, *Michaut*, Oct. 30, 1670, AN Y12251; Mauge, *Thierret*, July 20, 1670, AN Y12250. On the possible motivations of aggressors to attack victims in their "home," see Hanlon, "Rituels de l'aggression," 255.

several of the above principles. Although her husband had initiated the fight and she herself had not been attacked at the time she spoke, she said to the man, "My poor man, go away! You come attack us in our home and we weren't even concerning ourselves with you!"<sup>68</sup> Her repeated use of the first-person plural inserted herself into what had taken place by drawing on the marriage relation: to attack her husband was to attack her as well. She diluted her husband's fitness to be fought with by fusing him with her own innocence. That strengthened her claim that it was the stranger who had initiated the attack and without cause, while she (and, by extension, her husband) had been in their own "home." Her use of *home* instead of *field* suggests that the home was an even less acceptable place for an attack. Legal texts of the time, when discussing how the location of a crime could serve as an aggravating factor, usually focused their attention on secular versus sacred space, but they did occasionally mention the home, too.<sup>69</sup> The woman's words, spoken loudly enough for other bystanders to hear, also told her husband that he should have played the role of the innocent bystander and not sought a fight. Like most wives who intervened alone in fights involving their husbands, however, she was unable to dissuade either man, and her husband's opponent struck her. Yet she may have influenced other men among the bystanders, for they then intervened and stopped the fight.

A different way of verbally intervening, and one that appears in testimonies only rarely, was to propose a nonviolent solution to the tension at hand. Another witness in the stonemason incident made the stonemason's actions understandable by guessing their cause. She told him that "if [his apprentices] had failed in their work, it would have been better to have complained to their father, instead of mistreating them." That created the possibility of resolving the conflict, for the stonemason consented to speak with their father, who was sent for and who offered to make up for whatever his sons might have done.<sup>70</sup>

The simplest form of verbal intervention came through questioning. When the wife of an unskilled laborer heard a neighborhood man in the street argue with and loudly insult someone else, she went out and asked him, "Who are you after?" Usually the "who" was readily apparent, so questioners went straight to the heart of the issue. When

<sup>68</sup> Mauge, *Thierret*, July 20, 1670, AN Y12250, "Mon pauvre ho'e allez vous-en, vous nous venez attaquer en nostre maison & nous ne songeons pas a vous."

<sup>69</sup> Rochette, *Procez civil et criminel*, 2.1.54; Jean-Marie Carbasse, *Introduction historique au droit pénal* (Paris, 1990), 192.

<sup>70</sup> Lefebvre, *Michaut*, Oct. 30, 1670, AN Y12251, "q'l eut mieux vullu f'e plainte a le. pere sils auoient manqué que de les maltraïtes." The stonemason, however, then revealed that the cause of his anger was more profound, namely, that "he didn't want [the] said children any longer, that when they had learned their profession, they would leave him then and there."

a woman employed by a baker saw one of the baker's apprentices, along with an apprentice from another bakery, throwing stones at the bakery windows, she asked, "Why do you want to hit your master?" Her question emphasized the gravity of their violence by presenting it as stronger than it was; she portrayed them as aiming at the baker rather than at his property. Questioning also let an assailant know that his actions were observed by others. When successful, questioning redirected an assailant's energies away from the victim and toward trying to win over the questioner and other bystanders with an explanation and justification.<sup>71</sup>

In the typical intermale dispute, women led the most aggressive disputant away from the target of his anger. After rebuking the stonemason, several women led him away from the apprentices and back into his shop. In that incident, the actual words the women spoke to him were recorded, but that was not always the case. When a drunken head tenant started a fight with one of his subtenants in the street, the documents simply indicate that the head tenant was led back into the tenement's courtyard "through the persuasion of" his wife and another woman who also lived in the building.<sup>72</sup> In sum, women often employed verbal techniques—particularly shaming and a skilled use of objections that resonated with men—to calm a disputant.

### Why Women Opposed Most Male Violence

One-on-one intermale violence in the early modern period is often studied in relation to revolt and revolution, the idea being that small, personal acts of violence made it easier for men to engage in collective violence.<sup>73</sup> In their daily lives workingwomen saw intermale violence differently, and they opposed most of it for several reasons.

Witness testimony accorded little space for women to explain why they intervened in altercations. The two clearest explanations were given in situations in which women had been prevented from intervening, as if the enforced passivity encouraged the witnesses to talk about how they felt. In each case, an organized gang severely beat a lone man while making it clear to bystanders that no intervention would be accepted. In one case a male bystander reported a woman saying to him, "It's pitiful to leave a man to be struck down without rescuing him." In the other case, a woman testified that the beating "made her,

<sup>71</sup> Aubert, *Boucher*, July 20, 1670, "a quy il en auoit"; Monstier, *Adelaine*, Aug. 16, 1670, AN Y12250, "pourquoy voulez vous frapper v're maistre." See also Papillon, *Millet*, July 10, 1671, AN Y12254; Prudhomme, *La roche*, Aug. 3, 1673, AN Y12263.

<sup>72</sup> Valle, *Boucher*, July 20, 1670, AN Y12250, "a la persuasion de."

<sup>73</sup> Farge and Zysberg, "Théâtres de la violence"; William H. Beik, *Urban Protest in Seventeenth-Century France: The Culture of Retribution* (New York, 1997).

the deponent, feel pity” for the victim.<sup>74</sup> Although they used it in different ways, both women employed the same word, *pitié*; they focused not on the violence itself but on the victim. This suggests that women’s interventions meant to protect the victimized party.

More information about why women sought to stop intermale violence can be surmised from situations in which they could have acted but chose not to. The one intermale fight in which no woman intervened even though several clearly could have is revealing. It was the only altercation in which both victim and assailant were unknown to all the bystanders, suggesting that women sought to stop intermale violence only when it involved a man they knew.<sup>75</sup>

Even when the men involved were known, a woman would take on the role of impromptu peacekeeper only if she did not have more pressing concerns. In cases in which a woman did intervene, there were often others who could have joined her but chose not to. They are underrepresented in the court cases because they were less likely to be mentioned by another witness or to be called on to testify. In the stonemason incident, one or two women who were close to the dispute and whose reactions were documented did not try to shame or hinder him in any way, even though they, like the women who did intervene, were close neighbors who knew him and his apprentices. Explanations are discernible in only two instances, both occurring in another altercation: one woman explained that she was close to giving birth and so withdrew, while the other woman accompanied her.<sup>76</sup>

Women did not oppose violence *per se*. Some women used violence themselves, particularly against other women, although they usually chose to fight in ways that risked less serious injury than men’s violence.<sup>77</sup> Intermale violence against men whom women knew was also not a problem in itself, for some women joined with their husbands to attack men or couples among their close neighbors.<sup>78</sup> This suggests that a woman who sought to stop intermale violence did so not because she opposed violence in principle but because she disapproved of the specific instance of violence at hand, in part due to her ties with the men involved.

Julie Hardwick and Roderick Phillips have uncovered and analyzed workingwomen’s actions, both as neighbors and as wives, against much

<sup>74</sup> Huistre, *Dumouches*, May 16, 1664, AN Y12238, “quel. pitié de laisse assomme un homme sans le secourir”; Chambon, *Commis*, Apr. 19, 1682, AN Y12283, “faisant du pitie a elle deposant.”

<sup>75</sup> *Deux*, Aug. 3 1670, AN Y12249.

<sup>76</sup> *Buffet*, June 18 1675, AN Y12266.

<sup>77</sup> See n. 29.

<sup>78</sup> This is present in other cases from the series drawn on here. The phenomenon has been analyzed by Jessica Warner, Janine Riviere, and Kathryn Graham, “Men and Women Fighting Side by Side: Examples from an English Town, 1653–1781,” *Journal of Family History* 33 (2008): 156–72.



domestic violence.<sup>79</sup> This article suggests that, whether by coincidence or by design, women's work against domestic violence formed part of their broader attempt to create an environment that curtailed violence as an option for men in interpersonal relations in general. If women had allowed men to freely use violence in response to disagreements with other men, it may have made them more likely to act likewise in disagreements with their wives. Violence, and the threat of it, was a key source of power men used to sustain the gender hierarchy both in the household and in society more broadly.<sup>80</sup> Attempting to limit men's use of that power ultimately strengthened the position of women.

Finally, the sight of men using violence provided a glimpse of what society and social relations could become if violent emotions were created and left unchecked. Clifford Geertz has proposed the idea of such a glimpse in his famous analysis of the Balinese cockfight.<sup>81</sup> Unlike the equally illegal cockfight, the intermale violence Parisian workingwomen sometimes witnessed did not occur at a safe remove from human relations. By moving quickly to criticize and stop it, the women reduced the extent to which violent masculinity could define social relations and the nature of society.

### Gender and Verbal Persuasion

A person's decision whether or not to use verbal persuasion was shaped by gender in some types of situations; in others, it was shaped by the balance of forces in the particular situation at hand, a balance in which other factors might neutralize gender.

A man was occasionally portrayed in the same situation that women often found themselves in: trying to influence another person when the use of physical force was not going to be effective or needed to be supplemented. A deft use of words was the best option available and, in situations beyond trying to stop intermale violence, men spoke in much the same way as women did. For example, a "good quarter hour" after the incident had ended, the stonemason came out into the street and apparently tried to win over the women who had intervened against him, perhaps in recognition of their power both as neighbors who assessed reputation and as potential witnesses who could sway magistrates. He loudly exclaimed, "Ah, my neighbors! I am injured!" and displayed a cut on his shoulder. He then blamed one of his appren-

<sup>79</sup> Hardwick, "Long History of Domestic Violence"; Phillips, "Women, Neighborhood, and Family."

<sup>80</sup> Arlette Farge, "Proximités pensables et inégalités flagrantes," in Farge and Dauphin, *De la violence*, 84.

<sup>81</sup> Clifford Geertz, "Deep Play: Notes on the Balinese Cockfight," in *The Interpretation of Cultures* (New York, 1973), 412–53.

tices for it and invoked the specter of murder and the principle of not attacking someone in their own space, saying that the apprentice had “wanted to kill [him] in his home.”

By contrast, men seemed reluctant to use verbal persuasion to try to calm fighting men, and their reluctance seems to be a function of gender. The seven instances of men who did use verbal persuasion suggest why. In five, the men were attacked because of their words, even when they were “neutral” in regard to the disputants.<sup>82</sup> Men in these situations used fewer rhetorical techniques than women generally did, as if they felt the threat of their physical force meant that their position did not need much verbal reinforcement. In an altercation similar to that involving the stonemason and his young apprentices, a male bystander approached the assailant and said not “Ah, *misérable!* You’re going to kill those children there!” but gave a more straightforward statement, reported by witnesses as either “Mister, why are you amusing yourself by beating children?” or “It’s not reasonable to turn on children!”<sup>83</sup> His words, like those of most male bystanders who dared to speak, even if what they said was quite benign, were taken as a challenge or an insult, and he found himself the target of the assailant’s anger. It is perhaps for this reason that most men kept their mouths shut. By contrast, the worst that could usually happen to a woman not married to a fighter was that she would be ignored. A male bystander who spoke against a man’s violence, even if indirectly, was apparently seen as a challenger who deserved attack; a woman was not seen as a challenger due to her gender. Fighting men, except when they were in an altercation with her husband, saw a woman’s words as outside the hypersensitive world of intermale contestation.

Women found themselves in a very different situation when confronted with a fight between two other women. They had a wider range of options available. Sometimes they are presented as diving straight in and using strong physical force to pull apart the fighting women, sometimes forcefully holding the most aggressive disputant until the victim of her anger was no longer nearby.<sup>84</sup> A deft use of words is almost entirely absent. Likewise, in the few cases in which several women intervened simultaneously against a man, no mention is made of any

<sup>82</sup> The men who were attacked were plaintiff, *Thierret*, July 20, 1670, AN Y12250; plaintiff and Laisné in Papillon, *Millet*, July 10, 1671, AN Y12254; Blaize and Matissart in Jacques, *Fleutrie*, May 7, 1672, AN Y12258 (there are two copies of *Fleutrie*, but only one is complete).

<sup>83</sup> Vattier, “M<sup>r</sup> + [inserted in margin: + Dou viens q. vous vous amusez a battre des Enfans] a quoy vous amusez a Vous a battre des Enfans”; Mauge, “il nestoit pas raisonab. de sarrester a des enfans”; *Thierret*, July 20, 1670, AN Y12250.

<sup>84</sup> Girard, *Soleil*, June 26, 1664, AN Y12238; La Maure, *Remerolles*, Feb. 1, 1668, AN Y12244; Marchand (fille), *Musnière*, July 15, 1670, AN Y12250; Laiguillon, *Grenu*, Aug. 16, 1670, AN Y12250; *The Place Maubert*, engraving, BNF, rpt. in Kaplow, *Names of Kings*, 66.

verbal persuasion, perhaps because the women had sufficient strength in numbers to impose their will by physical force alone. In one case a man testified that “many people” held back a fighting man. A woman went into more detail and testified that the man’s wife and “several other women threw themselves at him” to stop him from attacking.<sup>85</sup> In another incident, in which a fight erupted among five men, a witness testified that “many women arrived on the scene and separated them all.”<sup>86</sup> The choice of how to act was influenced by gender and the balance of forces in the situation. In intermale altercations, women used verbal techniques when the physical force at their disposal was insufficient and because their gender increased the chances that their words would be effective.

### Women and Nondomestic Gender Relations

Marriage and the family dominate our knowledge of personal relations between the sexes in early modern Europe. Historians are uncovering how these were structured by domestic violence and how women responded to it.<sup>87</sup> By contrast, workingwomen’s face-to-face relations with men outside the domestic sphere have hardly been explored. Those examined in this article may be the best-documented tip of a range of nondomestic gender relations in which women’s status was more varied than that associated with the domestic arena. In the archives used here, there are several examples of nondomestic gender relations beyond women’s intervention in intermale violence. They consist of women dealing with men who were not their kin and whose anger was directed primarily at them.

At one end of the spectrum, a woman trying to deal with an angry man could be in a situation of such strength that frank words sufficed. When a woman, the married owner of a small textile workshop, was confronted by an angry and recalcitrant male customer, she threatened him by saying that “she’d send a sergeant over to him before the day was over” if he did not pay the money he owed her.<sup>88</sup> Her husband was also nearby. The wife of another stonemason was in a slightly different situation and had to convince a man that his anger was without cause.

<sup>85</sup> Doré and Carré, *Goix*, Feb. 28, 1668, AN Y12244, “ce q’l eut f’it sy plus’r personnes ne l’auoient retenu . . . ce q’l eut fait sy la femme d’iceluy aufray & plusie. aut. f’e ne sestoient jettent a luy.”

<sup>86</sup> Papillon, *Millet*, July 10, 1671, AN Y12254, “survenu plusie. femmes quy les separerent tous.”

<sup>87</sup> Hardwick, “Long History of Domestic Violence”; Phillips, “Women, Neighborhood, and Family.”

<sup>88</sup> Langnetion, *Canille*, Jan. 27, 1682, AN Y12283, “luy Enuoyoit vn Sergent auant que la jour fut passé.”

When one of her husband's skilled journeymen aggressively asked her for his pay while her husband was away, she verbally went through the accounts and demonstrated that it was actually he who owed them money. She concluded by stating that she then "chastised him, saying that his demands were very blameworthy, which obliged him to withdraw."<sup>89</sup> The women spoke not so much as women but as workshop owners or the representative of one. They had both the courts and their husbands strongly behind them; their gender was almost superseded by the class and power relations at hand.

In the middle of the spectrum, a woman lacked sufficient backing. Rather, she had to conjure their presence and draw on men's own sense of appropriate violence with a deft use of words, much like women trying to break up an intermale fight. When a widow who sold salt and cooked pigs' feet and tails was knocked down by a man in the street on a dark winter evening, the snow cushioned her fall, and she could be seen the next day "in her shop, moving around as she usually does." At the moment she was knocked down, though, things felt very different. The task before her was to prevent the man from assaulting her further and to goad her adult son and neighbors into coming out into the foreboding dark and cold to find her, help her up, and, if necessary, defend her. She accomplished this by crying out, "Ah, my God, I am dead! I have been killed!"<sup>90</sup> The widow's cries resembled the warnings of homicide that women often hurled at violently angry men to scare them into allowing a fight to end.

When people genuinely felt that their own or someone else's hold on life was slipping, they invariably called for a confessor, even if the plea for last rites was their last words.<sup>91</sup> In the case of the widow, no one mentioned a confessor, indicating that both the widow and her neighbors knew that she was using exaggeration. She was nevertheless successful; the man who knocked her down did not disturb her further, and, although one neighbor ignored the widow's cries, her son and two other neighbors responded rapidly and were soon joined by two more neighbors who had been farther away.

At the other end of the spectrum, a woman did not have the courts behind her. She had to rely on her own verbal skills even more. A female subtenant was confronted by a neighboring male head tenant, that is, a man who rented an entire tenement from the owner and then let the rooms out to subtenants like her and her husband. The head tenant

<sup>89</sup> Dupré, *Perrot*, Dec. 30, 1670, AN Y12250, "luy auroit remonstré que son procedé estoit tres blasmab., Ce quy lauroit obligé de se retirer."

<sup>90</sup> *Roze*, Feb. 21, 1670, AN Y12249: St. Paul, "dans sa boutique agissant co'e a son ord'e"; Pichotte, "ah mon Dieu Je suis morte, Je Suis Tüee."

<sup>91</sup> E.g., Maillard, *Quatre*, Aug. 18 1670, AN Y12250.

was angry over where she was moving the mud that was in front of her tenement's door. He proclaimed loudly, "My God, I do not want that there!"<sup>92</sup> By social status and gender he was her superior, yet she did not feel the need to grant him special respect. With a few well-chosen words she undercut his anger and authority by telling him that he was angry without cause and by proposing a peaceful way to resolve the tension. She also portrayed his anger as making him look ridiculous. She accomplished this by telling him "that he shouldn't make such a fuss, and that if he didn't like [the mud] there he had only to remove it." Confronted with this the head tenant admitted defeat by exiting the scene with the face-saving "I am not your servant!"<sup>93</sup> The principal source of the woman's power was her skilled use of words, probably strengthened by her relations with other men, particularly her husband and maybe her own head tenant.

In public exchanges with a man, a workingwoman was seldom isolated and defined simply by her gender. She was often a wife, and she and her interlocutor were nearly always within the jurisdiction of the courts, in which case she sometimes had the power of her spouse or adult son and the authorities behind her. She also had her own ability to wield language against her opponent. This means that workingwomen's power to stop intermale fights may be the best-documented facet of a broader phenomenon: in a violently patriarchal culture, women could often relate to men outside their immediate family from positions of strength in a wide range of situations.

## Conclusions

In practice, the royal government depended on royal subjects, including workingwomen, to act as informal peacekeepers in the streets. In terms of controlling intermale violence, the goals of the state and of many women vastly coincided, and women and the state reinforced each other.

Workingwomen used violence themselves, and they frankly approved of some intermale violence. That should not blind us to the fact that in most instances they contributed to keeping violence between men in check and attempted to render the aggression undesirable in the eyes of the fighting men themselves. Women could do this in part because the state, through the royal criminal courts, was working toward much the same goal. Through fines the courts made it potentially costly for men to initiate intermale violence by having witnesses,

<sup>92</sup> Riquet, *Rivière*, May 25, 1670, AN Y12250, "Mon di., Je ne veut pas que cela Soit la."

<sup>93</sup> Lemoyne, *Rivière*, May 25, 1670, AN Y12250, "q'l ne falloit pas tant f'e de bruit & que sil ne les y trouuoit pas bien il nauoit que les oster. Et ayant respondu q'l n'estoit pas son vallet."

including women, who might testify against them. The courts thereby provided an incentive to men to acquiesce in women's attempts to stop their fights. This suggests that, in regard to community self-regulation, the increasing power of the early modern state strengthened informal practices and attitudes even as it weakened or replaced the more institutionalized forms.

The threat of state fines was insufficient for women's impromptu peacekeeping. Women also had to use verbal techniques. They tried to short-circuit violent masculinity by applying shaming labels, including a key term of male scorn, *coquin*, against fighting men who wanted to prove that they were just the opposite. They also deftly tailored to the situation at hand objections that exploited limits that fighting men themselves placed on their use of violence, often to avoid or reduce legal penalties. These limits included the general avoidance of lethal violence, and of that initiated without cause, directed against nonkin children, or taking place in the victim's home or work space. Women most commonly invoked the risk of killing—a rare but genuine possibility due to infection and rudimentary medical treatment—to scare men into stopping all types of violence. The state strengthened their words in most cases, and did so strongly in regard to homicide, for which it funded the prosecution and applied severe penalties.

Women were also strengthened by their own ability to wield physical force and even violence against men, and they were protected by the threat of violent revenge by their close male kin, especially husbands and sons. Other examples suggest that all these forces enabled workingwomen, even though they lived in a violently patriarchal culture, to command a surprising level of informal authority in a wide range of nondomestic interactions with men.

The courts in the late seventeenth century did not succeed in eliminating unacceptable intermale violence, and neither did women. The courts and women did succeed in encouraging, or at least in making it easier for, men to perform violent masculinity in a particular way. Men could perform it in at least two ways. One was to continue a fight until its natural finish. Indeed, that was all a man in a fight could do, as the few fights in which no one intervened attest to. The other was to publicly display a *willingness* to use violence, rather than fully carrying it out. Historians of intermale violence have noted that the latter was the norm.<sup>94</sup> Men could achieve this goal only if bystanders intervened to stop them. Women's interventions provided men with a face-saving means to quickly end a violent altercation and to reduce the risk of injury and fines. Women thereby enabled violent masculinity to func-

<sup>94</sup> Hanlon, "Rituels de l'aggression"; Garrioch, *Neighborhood and Community*, 42, 54.

tion more smoothly. Ironically, that may have made men less hesitant to engage in it, although what they did engage in was less violent than what it would have been otherwise.

In effect, the desire of the royal government to curb most intermale violence was magnified and projected into the streets by workingwomen. Women performed a task that the state did not have the resources to accomplish; for their own reasons, they used language and muscle to help provide rapid enforcement of order on the ground. By contributing to keeping intermale violence in check, workingwomen participated in defining the boundaries of publicly acceptable behavior for men. Workingwomen were part of the forces behind the apparent decline in the homicide rate and the likely decline in intermale violence more broadly, and thus part of the advance of a key aspect of the “civilizing process.”