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## Early Modern Perspectives on the Long History of Domestic Violence: The Case of Seventeenth-Century France\*

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Few signifiers of the persistence of gender inequality are more potent than the evidence across many centuries of men beating their domestic partners. Yet the historicization of family conflict demands that we interrogate the specific and widely varied dynamics that shaped attitudes toward and experiences of spousal violence. Although a seventeenth-century woman was legally subject to her husband's discipline, wives themselves as well as individuals and institutions in local communities publicly negotiated the parameters of that discipline. A twentieth-century woman living in a community that valorized romantic, companionate, and privatized ideals of marriage was, by contrast, isolated and wary of public acknowledgment of her status as a battered wife.

This essay explores the matrix of early modern urban conjugal battery in seventeenth-century France to examine how and why individuals and communities defined the use of force between spouses as they did. Despite clichés about the early modern period's acceptance of wife beating, attitudes toward domestic violence were complex. Certainly, men's aggression toward their wives was naturalized to a degree, and women's violence against their husbands was demonized.<sup>1</sup> But, in practice, women as well as men, in courts and in communities, negotiated parameters for spousal behavior that defined husbands' prerogatives in using force. What issues defined some men's behavior

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<sup>1</sup> Frances Dolan, *Dangerous Familiars: Representations of Domestic Crime in England, 1550–1700* (Ithaca, NY, 1994); Joy Wiltenburg, *Disorderly Women and Female Power in the Street Literature of Early Modern England and Germany* (Charlottesville, VA, 1992).

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as abusive rather than “corrective”? What catalysts triggered wife beating? What resources were available to battered wives? How did the experiences of working families differ from those of elite families? These issues are crucial both to examining particular manifestations of spousal battery and to identifying markers that delineated the long history of domestic violence.

Early modern domestic violence raises critical questions about, but has so far been peripheral to, two broader historiographical debates. First, the dense literature that now exists on many aspects of gender and family has explored how law, religion, economics, and social rank as well as demographic structures influenced household relations in the early modern period. The intersections between religious, legal, and cultural prescription and daily life have been important foci.<sup>2</sup> Yet this work has had remarkably little to say directly about household battery, a fundamental feature of gender and family life, especially in continental Europe and for the period before 1750. A comparison of regional studies offers only a fragmentary picture, often based on a very few cases with a mixed, if suggestive, set of indicators. Even on basic issues, such as what kinds of help battered wives could seek or expect, patterns are unclear: Were church courts whose jurisdiction was declining more sympathetic than secular courts that were on the rise, or did secular jurisdiction offer new and positive recourses through application of long-standing guild practices or innovations like local police?<sup>3</sup> The extent to which battered wives

<sup>2</sup> Two useful syntheses of this now vast literature that include valuable bibliographies are Merry Wiesner, *Women and Gender in Early Modern Europe*, 2nd ed. (Cambridge, 2000), and Olwyn Hufton, *The Prospect before Her: A History of Women in Western Europe, 1500–1800* (New York, 1996).

<sup>3</sup> For brief synthetic overviews, see Roderick Phillips, *Putting Asunder: A History of Divorce in Western Society* (Cambridge, 1988), esp. 323–44 (dominated by Anglo-America); and Julius Ruff, *Violence in Early Modern Europe* (Cambridge, 2001), 131–40. On the church court versus secular jurisdiction issue, the success of women in Cambrai, the only French region where ecclesiastical courts retained jurisdiction over separations, and in Venice seems to contrast starkly with the very low rates of success in secular court in Rouen. (I note that this low success rate in French secular courts is misleading because women in France used separate property requests as well as suits for separation of person and property as remedies for domestic violence, as this essay explains below.) However, a German study suggests that, in reformed Protestant cities in the sixteenth century, municipal courts built on medieval guild tradition to discipline abusive husbands, while a Parisian study suggests that the emergence of local police in the eighteenth century provided embattled wives with a valuable new recourse. See Alain Lottin, “Vie et mort du couple: Difficultés conjugales et divorces dans le nord de la France aux XVIIe et XVIIIe siècles,” *XVIIe Siècle Revue* 102–3 (1974): 59–78; Roderick Phillips, *Family Breakdown in Late Eighteenth-Century France: Divorces in Rouen, 1792–1803* (Oxford, 1980), 108–24, 185; Joanne M. Ferraro, “The Power to Decide: Battered Wives in Early Modern Venice,” *Renaissance Quarterly* 48, no. 3

could rely on help from extralegal sources remains uncertain. While historians concur that domestic violence was widespread, one prominent synthesis argues that wives could get little help from neighbors, church, or state; another study contends that by the 1790s battered wives could expect female but not male neighbors to provide help.<sup>4</sup> Historians of early modern Britain have identified possible approaches to domestic battery, as they have located it as part of a broader culture of violence, on the one hand, or of contests over household economy and domestic power, on the other.<sup>5</sup> The development of persuasive interpretative frameworks requires, however, an integrated conceptual approach to the historicization of domestic violence that could illuminate key issues across time and space, one that would allow us, for example, to interrogate the often cited but underexamined link between alcohol use and domestic violence.<sup>6</sup>

**Second**, domestic battery took place not only in the context of household

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(1995): 492–512; Lyndal Roper, *The Holy Household: Women and Morals in Reformation Augsburg* (London, 1989), 185–94; Alan Williams, “Patterns of Conflict in Eighteenth-Century Parisian Families,” *Journal of Family History* 18, no. 1 (1993): 39–52.

<sup>4</sup> Ruff, *Violence in Early Modern Europe*, 131–40; and Phillips, *Family Breakdown*, 185.

<sup>5</sup> See Susan Amussen, “Punishment, Discipline, and Power: The Social Meanings of Violence in Early Modern England,” *Journal of British Studies* 34, no. 1 (1995): 1–34, and “‘Being Stirred to Much Unquietness’: Violence and Domestic Violence in Early Modern England,” *Journal of Women’s History* 6, no. 2 (1994): 70–89; Laura Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford, 1996), 206–29; Margaret Hunt, “Wife Beating, Domesticity, and Women’s Independence in Eighteenth-Century London,” *Gender and History* 4, no. 1 (1992): 10–33; Leah Leneman, “‘A Tyrant and Tormentor’: Violence against Wives in Eighteenth- and Early Nineteenth-Century Scotland,” *Continuity and Change* 12, no. 1 (1997): 31–54.

<sup>6</sup> Much more work has been done for the modern period, primarily for Britain, in terms of the genesis of conflicts and the evolution of responses and resources. See esp. Anna Clark, *The Struggle for the Breeches: Gender and the Making of the British Working Class* (Berkeley, 1995), esp. 63–87, 259–63; Linda Gordon, *Heroes of Their Own Lives: The Politics and History of Family Violence, Boston, 1880–1960* (New York, 1988); Ellen Ross, “‘Fierce Questions and Taunts’: Married Life in Working-Class London, 1870–1914,” *Feminist Studies* 8 (1982): 575–602, and *Love and Toil: Motherhood in Outcast London, 1870–1919* (Oxford, 1993), 84–87; Nancy Tomes, “A ‘Torrent of Abuse’: Crimes of Violence between Working-Class Men and Women in London, 1840–1875,” *Journal of Social History* 11 (1978): 328–45. I read Martin J. Wiener, *Men of Blood: Violence, Manliness, and Criminal Justice in Victorian England* (Cambridge, 2004), a stimulating analysis of male homicide (including husbands who killed their wives), after I completed this article. Christine Daniels and Michael V. Kennedy, eds., *Over the Threshold: Intimate Violence in Early America* (New York, 1999), includes examinations of a variety of forms of family violence, mostly after 1750.

dynamics but also within a broader and evolving context in which attitudes toward violence, a popular culture of peacekeeping, and senses of the public and the personal were enmeshed. A rich literature has explored how states and communities regulated various kinds of uses of force, whether shouting matches or physical assaults, by a variety of means. Neighbors and family members, as important arbitrators of acceptable behavior, often observed and intervened. Many historians have argued that the nature of violence and attitudes toward violence changed over the early modern centuries: physical assault may have become less common, perhaps replaced by more use of slander and certainly by more prosecution of property crime.<sup>7</sup> Whether these changes were due to a “civilizing process,” to the disciplining efforts of states and reformed Catholic and Protestant churches, or to campaigns for manners, many forms of violence became increasingly unacceptable, while many aspects of family life became, rhetorically at least, more private. Where and how domestic violence might fit into these paradigms is, again, elusive, and there is no consensus even on fundamental questions, such as whether it increased or decreased over time.<sup>8</sup>

This study explores domestic violence in seventeenth-century French cities to argue that the culture and politics of spousal violence were time-, place-, and rank-specific in ways that were central to the histories of gender and family as well as to those of violence and privacy. Attitudes toward and experiences of violence more broadly, as well as material, cultural, and legal familial issues, shaped husbands’ actions, wives’ choices, and neighborhood responses. These factors helped determine how contemporaries assessed men’s use of force as appropriate or abusive and how wives, their communities, and the state dealt with domestic violence. Moreover, this essay’s exploration of how early mod-

<sup>7</sup> For an overview of the literature on many forms of violence, see Ruff, *Violence in Early Modern Europe*. Ruff explains declines in violence primarily through the concept of a “civilizing society”—an idea pioneered by Norbert Elias—in which early modern people increasingly came to reject violence. Important interpretations of neighborhood management of violence include James R. Farr, *Hands of Honor: Artisans and Their World in Dijon, 1550–1650* (Ithaca, NY, 1986), esp. 150–95; and David Garrioch, *Neighborhood and Community in Paris, 1740–1790* (Cambridge, 1986), esp. 31–55. For perspectives on the emergence of the concept of privacy, see the History of Private Life series, esp. the fourth volume: Roger Chartier, ed., *History of Private Life: Passions of the Renaissance* (Cambridge, MA, 1989).

<sup>8</sup> On the lack of consensus, see, e.g., the opposing conclusions of Ruff (*Violence in Early Modern Europe*), who argues that domestic violence declined from the mid-eighteenth century as violence became more unacceptable and victims and neighbors more willing to complain, and historians like Clark (*Struggle for the Breeches*) or Ross (“Fierce Questions and Taunts”), who argue for increases in domestic violence accompanied by rising reluctance of neighbors or family to intervene.

ern attitudes and practices compare to conditions in more recent centuries amplifies the social topography and chronology of the long history of family violence.

#### READING EARLY MODERN DOMESTIC VIOLENCE

Early modern domestic violence is interrogated here through the lens of a rich body of source material: discussions of spousal battery in 223 civil cases women brought in local courts in the large commercial cities of Nantes and Lyon between 1598 and 1720. This volume of cases contrasts with the typical narrow source base of the limited work that has been done previously on early modern family battery. In these cases, wives sought separations, either of person and property or of property alone.<sup>9</sup> Separations of person and property allowed women to leave their conjugal households but not to remarry, as divorce was illegal. A key legal criterion in this type of separation was the severity of battery. In separate property cases, wives sought only the right to administer property they had brought to the marriage. The legal standard required wives to show that husbands' poor management endangered the property women had contributed; spousal violence was in principle irrelevant but nonetheless was frequently mentioned.<sup>10</sup>

<sup>9</sup> French jurisdictional geography was complex. Court of first instance jurisdiction over separations (as other affairs) varied from place to place, depending mainly on local histories of jurisdictional conflicts. With the exception of the diocese of Cambrai, secular courts had gained jurisdiction over these kinds of disputes by the seventeenth century. In Lyon a *sénéchausée* heard the cases, while in Nantes a provost's court did so, although the city also had a *sénéchausée*. In Macon, both the provost's court and the *sénéchausée* heard separation cases. I discuss these issues and their impact at length in the larger project from which this essay draws, "Courting Families." The cases in which domestic violence was mentioned involved 223 couples (some in court on more than one occasion), with 144 from Nantes and seventy-nine from Lyon. Sixty-five requests were for separations of property, 126 were for separations of person and property, nine asked the court to determine the appropriate remedy, and the type of separation is unknown in twenty-three cases. I have not been able to find any criminal prosecutions for spousal violence short of murder under any category in sampling criminal records in either Nantes or Lyon, nor any separation cases in seigneurial courts that operated in rural areas around the cities. For figures on criminal prosecutions of familial homicides, see Ruff, *Violence in Early Modern Europe*, 138.

<sup>10</sup> For a broader discussion of the issues involved in separation cases of both kinds, see Julie Hardwick, "Seeking Separations: Gender, Marriages, and Household Economies in Seventeenth-Century France," *French Historical Studies* 21, no. 1 (1998): 157–80. Almost no other work exists on separate property cases, although they were far more common than cases involving separations of person and property. For the latter, see also Lottin, "Vie et mort du couple"; Sarah Hanley, "Social Sites of Political Prac-

These cases frame domestic violence in very particular ways. They foreground spousal battery, which was a matter for judicial remedy, and give little room to other kinds of household violence, in which, short of murder, courts had virtually no interest. Thus they largely elide incidents where women were the aggressors or where other household members (like children) were beaten.<sup>11</sup> Unquestionably, most battered wives did not resort to court, so the lawsuits do not indicate the statistical extent of domestic violence in the society. The abusive behavior recounted in some cases was certainly extraordinary even by early modern standards and went far beyond the casual violence that was so common. Rose Lin, for example, reported that her husband, Jean Aubert, tied her up, often without food, and compelled her to travel with him hundreds of miles.<sup>12</sup>

The cases in these courts attest primarily to the experiences and attitudes of working families, who made up the majority of urban populations. These families ranged widely in terms of finances, job status, and reputation. Wives who litigated separations were generally from households that were squarely among the ranks of skilled artisans and small shopkeepers like bakers and tailors, as

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tice in France: Lawsuits, Civil Rights, and the Separation of Powers in Domestic and State Government, 1500–1800,” *American Historical Review* 102, no. 1 (1997): 27–52.

<sup>11</sup> Occasional references breach the usual silence about the many other permutations of family violence, which are very elusive, although also critical to the development of a comprehensive long history of domestic violence: a wife, who slapped, kicked, and scratched her husband, locked him out and poured a urine-filled chamber pot over him (Archives Départementales de Loire-Atlantique [hereafter ADLA] B5843, July 19, 1691, and July 31, 1691); a surgeon’s dry summary of the bruises, open wounds, and mangled limbs of a toddler (Archives Départementales du Rhone [hereafter ADR] BP4506, May 27, 1633); a man who beat his mother-in-law (ADLA B5819, December 15, 1663); a brawl between daughter-in-law and mother-in-law (ADLA B5839, December 6 and 11, 1687); the exchange of blows between stepmother and stepchildren (ADLA B5833, November 23, 1680); allegations of paternal abuse of children (ADR BP3984, March 30, 1674; ADR BP1643, April 30, 1700; ADR BP1643, July 29, 1705); an allegation of filial abuse of father (ADR BP2845, March 17, 1661). While women were far more likely to be battered by their spouses than men were, wives could also take the lead: almost half of family complaints to the police in eighteenth-century Paris were by wives against husbands, but a fifth were by husbands against wives (with other family conflicts making up the remainder). Williams, “Patterns of Conflict,” 45. For discussions that have highlighted women’s role as agents as well as victims in various kinds of household violence, see Kristen B. Neuschel, “Noblewomen and War in Sixteenth-Century France,” in *Changing Identities in Early Modern France*, ed. Michael Wolfe (Durham, NC, 1996), 124–44; and Frances Dolan, “Household Chastisements: Gender, Authority, and ‘Domestic Violence,’” in *Renaissance Culture and the Everyday*, ed. Patricia Fumerton and Simon Hunt (Philadelphia, 1999), 204–25.

<sup>12</sup> ADR BP4045, folder 1720, April 9, 1720.

the 1,100–1,200 livres median value of their dowries indicated, but their witnesses also included many semiskilled workers or day laborers—that is, men who were manual laborers like porters or boatmen and women who were servants or secondhand vendors.<sup>13</sup>

Despite this range, such families had much in common: their financial security was always more or less precarious, and they shared many aspects of their lives in densely packed neighborhoods. Historians have traditionally focused on guild members and argued that masters and journeymen had distinctive cultures. Yet not only were most workers not members of guilds, but in addition not all masters were equally financially successful or influential, and journeymen's fortunes were increasingly uncertain. By the seventeenth century, many journeymen spent their adult married lives as employees rather than following the classic path where men worked as journeymen during a youthful phase before they become masters of their own shops. They may have had as much in common with their semiskilled or unskilled neighbors as with their masters. Most of the working people whose evidence as witnesses provides the main thick description of domestic violence represented the parts of the urban workforce that did not belong to the guild elite. Whether male or female, whether surgeons, shoemakers, journeymen, small shopkeepers, apprentices or servants, porters, boatmen, secondhand vendors, or stall sellers, they shared many experiences and outlooks with their neighbors. Even when successful skilled men who were guild masters did give testimony about domestic violence, I have found it impossible to distinguish between their views and those of witnesses drawn from other ranks of working men and women.<sup>14</sup>

Although families who enjoyed elite status used these courts very infrequently, the differences in their attitudes and experiences suggest how important considerations of rank were in the subjectivity of domestic violence. The circumstances of groups who might legitimately be called elites in early modern France varied widely depending on whether they were, for instance, part of the urban bourgeoisie, petty nobility, or aristocracy. In this essay, I have

<sup>13</sup> The urban poor and peasants from the urban hinterlands rarely used these courts as litigants, although they did speak as witnesses. Nor did peasants use the rural seigneurial courts in their own communities for these kinds of cases. Such families, whether urban or rural, probably lacked the financial wherewithal to go to court and may have resolved their differences by other means, such as simply abandoning their spouses.

<sup>14</sup> I do not of course mean that no hierarchies or tensions also shaped close-knit neighborhood relations, but common ground was important, too. I explore the demographics of witnesses and a broad-based street model of appropriate family relations in Julie Hardwick, "Between State and Street: Witnesses and the Family Politics of Litigation in Early Modern France," in *Family, State and Law in Early Modern France*, ed. Suzanne Desan and Jeffrey Merrick (forthcoming).



(admittedly with some arbitrariness) regarded families as members of one of these elites if the family's title, the wife's dowry, or the husband's occupation (if the men were professionals like barristers or wealthy merchants) indicated that they were clearly part of a higher social milieu than were working families. The handful of cases from such families does not indicate that domestic violence was more uncommon among them, but it suggests that wives whose families had larger resources and reputations than those in working households may have preferred other options than using local courts of first instance. Many such families had the right to take their cases immediately to the regional *parlements*, although they do not usually appear to have done so. Women of these higher ranks may have been reluctant to publicize their difficulties, as this article will argue, and may have preferred to pursue private remedies.

The compelling and credible evidence of the practice and experience of domestic violence that emerges is undoubtedly filtered through the rhetorical strategizing inherent in court records. The narrative aspects of court testimony are well established. Some wives seeking separations of property and person may have exaggerated violence to demonstrate that their lives were endangered.<sup>15</sup> Yet these qualities shape rather than undermine the insight such material provides into early modern practices of domestic violence about which almost no evidence survives in any other form. Moreover, this essay relies primarily on the testimonies of witnesses who had fewer motives to exaggerate than wives did, as well as on evidence from property separation cases, where neither wives nor witnesses had legal standards to meet in their discussions of battery.

#### CONJUGAL DISCIPLINE OR SPOUSAL BATTERY?

Early modern urban communities in France engaged in lively and ongoing grassroots debates about what constituted appropriate levels of spousal force.<sup>16</sup>

<sup>15</sup> For a rich discussion of how sixteenth-century petitioners, including some women, presented themselves in seeking pardons from death penalty sentences for homicides, see Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France* (Palo Alto, CA, 1987). For narrative tropes in litigation more broadly, see Gowing, *Domestic Dangers*, esp. 232–62.

<sup>16</sup> An extensive print debate about husbands' discretionary use of violence of the kind that took place in England apparently did not occur in France. Nevertheless, most French authors of literary texts in the sixteenth and seventeenth centuries did condemn wife beating: Constance Jordan, *Renaissance Feminism: Literary Texts and Political Models* (Ithaca, NY, 1990), 191. For the print debate in early modern England, see Amussen, "'Being Stirred to Much Unquietness'"; and Hunt, "Wife Beating."

As one Lyonnais royal prosecutor explained, while laws acknowledged the authority of husbands to pursue “light correction,” in no case did this authority extend to “violence.” He thought judgments should be made on the “circumstances of each case.”<sup>17</sup> Participants’ and observers’ discussions of actual incidents of spousal battery unpacked the criteria that differentiated culturally accepted use of conjugal force, often framed as discipline, from abusive treatment. Their markers included men’s conduct in using force as well as women’s behavior and the social rank of the spouses.

Early modern attitudes to violence and gendered authority shaped interpretations of husbands’ use of force against wives. Contemporaries authorized some types of violence as legitimate (like capital punishment) and others (like riots or brawls) as illegitimate.<sup>18</sup> Indubitably, law and custom in France, as in other Western countries, gave men the right to discipline their wives.<sup>19</sup> Yet the legitimacy of this prerogative was tied to what communities defined as appropriate use. In this matter as in others, the legal and cultural privileges husbands enjoyed as heads of households were extensive but not unlimited.<sup>20</sup>

Expectations about married life framed debates about what constituted domestic “violence.” Court officials, lawyers, and spouses contrasted conflict-ridden marriages with prescriptive deferential but complementary marital partnerships. A Lyonnais royal prosecutor noted in 1654, “The woman has not been formed from the foot of the man, but from one of his sides in order to show that she is a companion, not a slave.”<sup>21</sup> Wives rhapsodized about ideal marriages where women dutifully respected their husbands in word and deed and spouses lived in peace and showed one another “courtesy.” Meanwhile, they characterized their actual experiences as those of the “victims” of “tyrants,” like Anne Simon, who said of her bookseller husband that she was “in effect his victim instead of his wife.”<sup>22</sup>

Wives, husbands, and witnesses all conceded that husbands were entitled to

<sup>17</sup> ADR BP5985, folder 1653, January 30, 1653.

<sup>18</sup> For a valuable discussion of various forms of early modern violence, see Amussen, “Punishment, Discipline, and Power.”

<sup>19</sup> For a brief overview of the legal history of men’s entitlement to use force against their wives, see Phillips, *Putting Asunder*, 323–32.

<sup>20</sup> Charivaris, e.g., were ritual expressions of community disapproval of wife-beating husbands who were seen to have gone too far. Natalie Zemon Davis, *Society and Culture in Early Modern France: Eight Essays* (Palo Alto, CA, 1975).

<sup>21</sup> ADR BP3985, folder 1654, February 10, 1654.

<sup>22</sup> For the persistence of very similar rhetoric in late eighteenth-century separation suits, see Jeffrey Merrick, “Domestic Politics: Divorce and Despotism in Late Eighteenth-Century France,” in *The Past as Prologue: Essays to Celebrate the Twenty-Fifth Anniversary of ASECS*, ed. Carla H. Hay and Sydney Congers (London, 1995), 373–86.

some measure of discipline over their wives; it was the terms and the degree of that force that were contested. **Husbands who countered allegations** of excessive force represented physical contact as part of the routine disputes of married life and justified their actions as conjugal prerogative.<sup>23</sup> **Jacques Lyon** said that he and Marguerite Barry had argued “as spouses do” and he had given her some “slaps” on those occasions, but her battery claims were “without foundation.” **François Romain** rebuffed Anne Marie Delafont’s allegations of violence, saying that he had never hit her “except for two or three little slaps as a means of correction.” **Andre Maury** described his blows to his wife, Anne Faure, as “some light and moderate correction,” noting that husbands enjoyed “this right and authority by human and divine law.” He asserted that women could complain only when husbands behaved with “atrocious and extraordinary cruelty.” One husband simply asserted that “none could live in peace” with his wife.<sup>24</sup> **Husbands’ assertions framed their use of force as commonplace examples of what historians have identified as the right to “moderate correction.”**<sup>25</sup>

Witnesses and wives distinguished between situations in which the husbands used forms of force that were broadly accepted or had cause from those in which they beat their wives “excessively” or “without apparent legitimate reason.”<sup>26</sup> **Jeanne Chevallier** accepted the “authority and power of the husband” but claimed that her own spouse, Pierre Thiolelar, had “abused” that role and “exercised continual tyranny over her.”<sup>27</sup>

**Wives defended their “innocence,”** noting carefully that they were blameless since neither their words nor their actions called for discipline. In fact, their self-representations highlighted their efforts to endure and even to reform their husbands’ behavior. **Marguerite Cottin** described how she had always done her utmost “to support her household” through her work as a nurse while her scale-maker husband “did hardly anything” and how she had nevertheless given him some of her earnings and “always behaved well and without making any reproach.” **Catherine Puy** complained of her husband’s “entirely wild life” as well as of the blows and venereal diseases he gave her, but she claimed to have endured for years “in the hope that by her patience she would soothe his ferocious temperament and that with age he would pull back from his profli-

<sup>23</sup> Other husbands simply denied their wives’ complaints completely or responded defensively to the legal standard by asserting that their behavior had not imperiled the lives of their wives.

<sup>24</sup> ADR BP3985, folder 1656, August 17, 1656; ADR BP4045, folder 1720, August 31, 1720; ADR BP4045, folder 1691, June 18, 1691.

<sup>25</sup> See, e.g., Phillips, *Family Breakdown*, 120.

<sup>26</sup> ADR BP3985, folder 1649, February 5, 1649.

<sup>27</sup> ADR BP3985, folder 1641, December 21, 1641; ADR BP4045, January 19, 1690.

gacy.”<sup>28</sup> The goal of such rhetoric was to demonstrate that no cause for discipline existed.

Husbands, wives, neighbors, and courts all concurred that women’s inappropriate speech could be cause for conjugal discipline, even if they did not always agree on what was “inappropriate.” As people made differentiations between punishment and violence, they often linked women’s speech and men’s actions. A baker, Jullien Feriant, highlighted the most frequent interpretation in assessing relations between his neighbors, Louis Thebaudeau, a shoemaker, and Marie Monnier. Thebaudeau had beaten her, he confirmed, but Monnier called her husband names like “rogue” and moved to slap and kick him, which “obliged him to hit her and to push her away from him.”<sup>29</sup> Wives were careful to emphasize that their speech had been appropriately deferential. Anne Dufournil described, for instance, how “her forbearance, her entreaties, her groans, and her tears” had all failed to stop her husband’s violence. Charlotte Bonnefoy claimed that she had always given her husband “all the obedience, respect, and duty that an honorable woman owes her husband.”<sup>30</sup>

Husbands meanwhile frequently focused on their wives’ speech as just cause for beatings. Andre Debourg said he had hit Gabrielle Fayet only twice, once when she had “provoked” him during a dispute about money (presumably with what she said) and once when she had insulted him with “outrageous words.”<sup>31</sup> Wives’ verbal challenges to their husbands’ authority included other situations: men asked their wives for money, and the wives turned them down; wives refused to provide guarantees for loans; wives took their husbands to task for habits they did not like; a husband complained that his wife gave him “endless criticism” or that they were “quarrelling because she remonstrated with him about his drinking and gambling.”<sup>32</sup> In men’s narratives, beatings often followed these speech challenges.

Witnesses could be reluctant to characterize beatings as excessive when women were thought to have spoken inappropriately. A shoemaker carefully observed, for example, that he had often seen Marye Thomas and her clock-maker husband Pierre Grebannal quarrel but that he had seen Grebannal hit his wife only once, when she was speaking “injuriously,” which is to say when she insulted him.<sup>33</sup> Even when women’s speech was not posited as justification,

<sup>28</sup> ADR BP4045, folder 1690, June 30, 1690; ADR BP4045, folder 1691, October 2, 1691.

<sup>29</sup> ADLA B5843, August 8, 1691.

<sup>30</sup> ADR BP4045, folder “crim sep corps,” November 3, 1700; ADLA B5815 1647 (no month or day given).

<sup>31</sup> ADR BP4045, folder 1691, April 11, 1691.

<sup>32</sup> ADLA B5815, September 16, 1647; ADLA B5813, May 13, 1645.

<sup>33</sup> ADLA B5830, October 17, 1677.

it could limit husbands' culpability as abusers. A scribe, Jean Letellier, who helped Anne Vallois on several occasions with injuries that included a black eye and bleeding mouth, characterized her husband as "a violent man" but observed too that he heard Vallois call her husband "a bugger and a knave."<sup>34</sup> No challenge to a husband's authority in his household was more widely recognized as fraught with peril than a chastising wife.

This focus on female speech indicates how communities authorized different patterns of men's violence at different moments. Women's verbal challenges were particularly likely to be classified as "provocations" that required punishment in the early modern period because they evoked widely diffused stereotypes about female capacity to undermine social and political order with natural unruliness and loose tongues.<sup>35</sup> Implicitly, at least, claims like these acknowledged that less submissive speech might draw a forceful response to which legitimate objection was difficult in the cultural environment of the day.

Participants and observers who defined conjugal discipline simultaneously parsed what constituted "excessive" spousal battery in terms that assessed not only whether cause existed but also how men chose to exercise force. Men's use of force against their spouses was regarded as inappropriate if their wives' behavior did not justify it or when husbands were drunk or innately violent, when the wives were pregnant, when an implement was used, when women's suffering led them to seek shelter or help from neighbors or kin, or when the violence was repeated and ongoing.

Contemporaries identified some men as "vicious" or naturally violent but did not find that temperament excused battery. François Dyver, a street porter, described his fellow porter Jean Priou as a man who is "susceptible to wine . . . quarrelsome in company and is violent and often quarrels with those he hangs out with and when he is drunk beats those around him." Charlotte Bonnefoy asserted that "all the cruelties, excesses, injuries, and outrages" she had suffered came from "the evil temperament and from the libertine and unregulated life" of her surgeon husband, Jean Delagarde.<sup>36</sup>

Husbands who were drunk when they beat their wives were also judged to have exceeded their authority. A woodworker who was a "close neighbor" of

<sup>34</sup> ADLA B5834, April 13, 1682.

<sup>35</sup> See, e.g., David Underdown, "The Taming of the Scold: The Enforcement of Patriarchal Authority in Early Modern England," in *Order and Disorder in Early Modern England*, ed. Anthony Fletcher and John Stevenson (Cambridge, 1985), 116–36. Evidence from elsewhere also suggests that, for early modern women, inappropriate speech was a catalyst for domestic violence; see, e.g., Roper, *The Holy Household*, 189. For early modern concern to discipline speech broadly, and women's speech in particular, see Gowing, *Domestic Dangers*; and Jane Kamensky, *Governing the Tongue: The Politics of Speech in Early New England* (New York, 1997).

<sup>36</sup> ADLA B5802, May 10, 1617; ADLA B5815, 1647 (no month or day given).

Jean Parizot noted one version of a common sequence: “When he comes home drunk, he beats and mistreats his wife without any reason.”<sup>37</sup> In this equation, an inebriated husband’s use of force was deemed inappropriate because it was irrational, lacking both cause and self-restraint.

Men undermined their right to assert their household authority if they beat their wives frequently or used verbal abuse. Witnesses distinguished carefully between singular, occasional, or routine acts of battery in finely calibrated comments on how often violence occurred. The tailor neighbor of Jan Jagueneau and Anne Vallois recounted that “in the last five or six weeks” he had heard “Jagueneau cursing and his wife crying out on three occasions and he had twice accused Jagueneau of abusing his wife.”<sup>38</sup> Witnesses noted that wives were beaten “daily” or “whenever he comes home drunk,” or that “not more than a week” went by without beatings. Witnesses also commented on men who swore (especially blaspheming) and insulted their wives, either during beatings or on other occasions. For observers, such obvious lack of self-discipline revealed more about men’s own shortcomings than about the wives’ need for discipline.

Husbands were liable to be categorized as disrupting a social order they were supposed to maintain when domestic incidents spilled outside households. Violence often ended when wives ran outside to neighbors or family, or when husbands forcibly put women out, leaving them to spend nights outside or requiring neighbors to shelter them. The locksmith who described Jean Robert, who “came home late and at all hours of the night and on entering his home argued with his wife, beat her, and dragged her into the street kicking her and locking her out so that she was forced to go into her neighbors,” articulated the common sentiment that a defining element of battery was disturbance of surrounding households.<sup>39</sup> Neighbors commented repeatedly not only that they had seen husbands batter wives but also that wives, as a neighbor of the tailor Ollivier Raoul noted, “had to stay with neighbors to avoid more beating.”<sup>40</sup>

Witnesses made little comment about husbands’ slapping or even kicking, but the use of almost any implement drew careful elaboration. Husbands used whatever was available for their battery, from domestic supplies (one husband poured boiling water from a hearth pot onto his wife’s legs) to occupational tools (a wig maker stuffed a wig into his wife’s mouth).<sup>41</sup> Most often, the implements were iron rods (probably hearth tools) or knives. Although many

<sup>37</sup> ADLA B5817, November 29, 1657.

<sup>38</sup> ADLA B5834, April 13, 1682.

<sup>39</sup> ADLA B5834, September 10, 1682.

<sup>40</sup> ADLA B5814, May 13, 1626.

<sup>41</sup> ADLA B5841, June 17, 1689; ADLA B5825, May 22, 1670.

early modern households might have owned firearms, domestic violence very rarely involved guns.

Onlookers used the visual evidence of women's physical appearance to assess husbands' actions. Bodies, especially women's bodies, were rich symbolic signifiers for inscriptions of order or disorder.<sup>42</sup> Husbands, wives, and witnesses were all careful observers and practitioners of body language of all kinds. While witnesses, not surprisingly, interpreted bleeding wounds, black eyes, or body bruises as telltale signs of battery, disruptions of pregnancy, clothes, and hair were also judged as mistreatment rather than discipline. A married woman's honor and reputation could hardly be more seriously impugned than by the uncovering of her hair.<sup>43</sup> Thus witnesses commented critically if a wife "seemed disheveled and her headdress was torn."<sup>44</sup> A mundane use of force was likely to be redefined as extraordinary if the victim was pregnant. Battered wives and their neighbors clearly condemned a husband who beat his wife "even though she was pregnant" or "without considering that she was pregnant."<sup>45</sup> Although early modern communities were committed to the punitive supervision of disorderly women of all sorts, married mothers were valued and protected.

Women and men recognized the significance of body language, and both could seek to use it. Nicolas Guischard, for example, began to argue with his wife, Marguerite Cousturier, outside their candle-making shop after she complained about her mother-in-law. As a crowd gathered to watch, Guischard started to slap Cousturier, who was spinning on the steps, and took her inside. When Cousturier cried out, one bystander went in and saw Guischard and his mother "pull her cap off" and slap her face. Cousturier then came out "all capless and disheveled" but apparently without other marks of mistreatment. Cousturier recovered her distaff from the gutter where her husband had thrown it and resumed her spinning.<sup>46</sup> To onlookers, Cousturier's self-discipline, commitment to a quintessentially valuable and honorable wifely labor, and appar-

<sup>42</sup> See, e.g., James R. Farr, "The Pure and Disciplined Body: Hierarchy, Morality, and Symbolism in France during the Catholic Reformation," *Journal of Interdisciplinary History* 215, no. 3 (1991): 391–414; and Peter Stallybrass, "Patriarchal Territories: The Body Enclosed," in *Rewriting the Renaissance: The Discourses of Sexual Difference in Early Modern Europe*, ed. Margaret W. Ferguson, Maureen Quilligan, and Nancy J. Vickers (Chicago, 1986), 123–42.

<sup>43</sup> For early modern associations between free-flowing hair and prostitution, see, e.g., Farr, "Pure and Disciplined Body."

<sup>44</sup> ADLA B5834, April 13, 1682.

<sup>45</sup> See, e.g., ADR BP3985, folder 1665, September 7, 1665; ADR BP 3985, folder 1673, September 20, 1673.

<sup>46</sup> ADLA B5839, December 6 and 9, 1687.

ent silence after the initial dispute contrasted starkly with Guischard's resort to a gesture that was widely identified with scurrilous sexual implications. Her appearance and actions identified him as the source of disorder and rendered his use of force illegitimate.

The attitudes that men and women like tailors, porters, servants, and secondhand sellers expressed about husbands' use of force indicate that while the use of force in the form of casual slaps or kicks in response to particular shortcomings was a mundane element of many early modern marriages, men's privileges with regard to the use of violence were strictly defined. They were contingent on men's ability to order their own behavior in how and when they used force as well as on judgments about whether the actions of the wives (as well as presumably children, servants, or apprentices, although little of their treatment found its way into court records) merited correction. When husbands failed to respect conventions about when or how the use of force was appropriate, they found they were no longer regarded as household heads exercising their right to discipline but, like Mathieu Tarze, who "beat his wife to the scandal of his neighbors," as saboteurs of household life.<sup>47</sup> In these ways, urban communities defined quite specifically what the conjugal right to correction meant and continuously reiterated expectations about masculinity.

#### CATALYSTS FOR VIOLENCE

Contemporary studies of family violence have emphasized the need to go beyond broad cultural patterns to identify specific risk factors.<sup>48</sup> Unlike present-day abusive marriages, where violence usually starts very quickly, no chronological pattern is apparent in early modern families where the use of force in a way that might be categorized as abusive began at many different points in marriages.<sup>49</sup> Women's speech was a common early modern spark for

<sup>47</sup> ADLA B5834, April 20, 1682.

<sup>48</sup> See, e.g., Jane Jasinski and Linda Williams, eds., *Partner Violence: A Comprehensive Review of 20 Years of Research* (Thousand Oaks, CA, 1998), 21, who list "risk markers" as substance abuse (esp. alcohol), socioeconomic factors (esp. unemployment or part-time work only), income (esp. poverty), and status incompatibilities (as when a wife works or works more than her partner).

<sup>49</sup> The early modern time frame for the use of violence varied widely. Some wives claimed that battery started within days, others that they had been married for long periods before abuse began. A baker's wife, e.g., described how her husband had beaten her "on many occasions so outrageously" since their marriage only three months earlier. In contrast, Marguerite Barry, the wife of a builder, said of her husband of fourteen years that "for some years they lived on good terms," so much so that "they had nine children of whom four remain." Yet about four years earlier "and without anyone



conflict, as we have seen. Alcohol, money, and sex, common factors in domestic violence in many cultural and chronological contexts, were at the forefront of many incidents of early modern spousal violence too, but place-, time-, and rank-specific qualities coded their place in household battery.

In working families, over and over again, incidents of domestic violence were linked to men's drinking. Witnesses often attested to a perilous pattern, as did the boatyard worker who said his neighbor Sebastien Jarnigan "gets drunk easily and when he is drunk beats and abuses his wife and children," or the witness who neatly summed up the routine of Anne Perrichon's husband, explaining that "when he drinks, which is usually every day, he beats her."<sup>50</sup> Yet this succinct equation compressed a gendered political economy, always potentially explosive, in which household needs were often at odds with broader cultural, legal, and economic imperatives. In particular, husbands and wives often had different senses of the costs and benefits of male sociability, and the legal concept of lineage property often contributed to high spousal tension over the management of household economies, especially with regard to the securing of credit.

For working men in early modern French cities, rituals of drinking, gambling, and money lending in bars were essential components of the sociability and economics of gender identity. Men (but very rarely women) gathered in bars, where they ate, shared rounds of drinks, borrowed and lent money, and exchanged news and perhaps job contacts. Whereas husbands tended to see bar life as essential, for wives it was always expensive and sometimes ruinous. Violence often started when husbands wanted bar money and wives sought to resist on the grounds that they needed that money for daily necessities or had no money to give. Françoise Gorgette, the wife of the notary Jean Cassard, complained that her husband constantly took money and merchandise that was in the house "for the support of his household and family" to spend in bars where he drank, gambled, and lent money to strangers without getting guar-

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knowing why," he developed "such an animosity" for her that he beat her "perpetually" and often chased her from their home so that she had to sleep elsewhere. ADR BP3985, folder 1661, April 19, 1661; ADR BP3985, folder 1656, August 17, 1656. Modern studies suggest that a quick commencement of marital violence is tied not only to general cultural patterns but also to the fact that some men may have had a psychological proclivity to act aggressively, as well as to the generational cycle of children witnessing abuse (or worse, being beaten) and then becoming abusers. It seems that similar preconditions must have existed in early modern marriages, but distinctive factors (such as the willingness to accept the use of force in some circumstances) may shape both the use of violence and wives' perceptions of it.

<sup>50</sup> ADLA B5806, February 7, 1624; ADR BP3985, folder 1671, April 7, 1672.

antees. When “she wanted to remonstrate with him about his wasting money, he abused her with words and blows.”<sup>51</sup>

Tensions over legal access to household property fueled the potential for domestic violence along with a bar-centered male sociability. Working families used credit in many forms as essential life tools. Husbands were legally entitled to manage all household property, but they could alienate lineage property only with their wives’ explicit permission. Although in these families dowries would usually be all cash (except for trousseau items like a bed, household utensils, and linen), one-half to two-thirds was designated as lineage property (*propres*).<sup>52</sup> Men who wanted to borrow money often needed their wives’ co-signatures to use the lineage property as security, and men who borrowed or lent money indiscriminately imperiled their wives’ lineage property.

Wives complained over and over again that their husbands had beaten them to force them to cosign loans. Husbands often responded with frustration and battery to the limits on their control over the allocation of the household’s resources. Women’s powerful if indirect role in determining the use of lineage property combined with the daily realities of working families to cause tensions that often ended in domestic violence.<sup>53</sup>

The publicly articulated construction of spousal grievances did vary with rank: while access to credit and bar culture framed narratives of domestic violence in working families, female sexuality dominated narratives about spousal battery in the few cases brought by women of high status. Spouses in these families cited wifely sexuality as a core topic of contention, but they inevitably disagreed about whether any actual wrongdoing had taken place and whether husbands’ actions constituted discipline or battery. Elite men, whether

<sup>51</sup> ADLA B6150, January 17, 1675.

<sup>52</sup> See Farr, *Hands of Honor*, 144–46; and Julie Hardwick, *The Practice of Patriarchy: Gender and the Politics of Household Authority in Early Modern France* (University Park, PA, 1998), 62–63.

<sup>53</sup> Such tensions may have been particularly acute in the households of widows who remarried, especially if they remarried younger men. The widow Anne Marie Delafont said her new husband, François Romain, a journeyman hatmaker who she claimed had “deceived her” by claiming to be his own master when in fact “he was only a simple worker,” beat her daily, and, although “he had not brought any property to her house,” he had spent four hundred of her livres in the months of their marriage. She claimed Romain threatened every day to beat her if she did not give him her money. ADR BP4045, folder 1720, August 31, 1720. Anecdotal evidence at least suggests that in these marriages where issues about gender and power with regard to control over money were most blatant, domestic violence was especially likely. Other examples include: ADR BP3984, folder 1679, November 18, 1679; ADR BP4045, folder 1691, June 16, 1691; ADR BP4045, November 3, 1700.

wealthy merchants or nobles, fixed on specifics of their wives' alleged sexual behavior, whereas working men's references to wives' sexuality rarely went beyond their favorite spousal insult, whore—a gendered but generic slander that had gained broad connotations about failures of all kinds.<sup>54</sup> One nobleman, for example, demeaned his wife as “a bitch in heat” who wanted to have sex with their gardeners or servants, while another assailed his wife as a “brothel madam” and alleged her friendship with a young man was adulterous. Marie Renaud, wife of a wealthy merchant, complained that his jealousy made him suspicious even if she visited her parents or attended mass; he refused to let her go to mass at all when they were in the country, as he alleged that she looked at the priest “with lascivious eyes.”<sup>55</sup>

A matrix of interwoven concerns about lineage and legitimacy provided at least a rhetorical authorization for elite battery. Although inheritance issues were pressing for wealthy and working households alike, the imperatives of their domestic economies differed. Elite husbands usually had significant property of their own that they could mortgage as security for loans, as well as resources that kept the household viable and insulated from the costs of their socializing. Financial irresponsibility seemed less threatening than ungirded female sexuality.

For families of higher status, allegations of unrestrained female sexuality may have provided a prism through which conflicts over other matters played out. Wives' worth was inscribed in their bodies, which conveyed heirs and assets that were both vital to patrimonial success. Wifely chastity safeguarded family fortunes as well as reputations. For men who were barristers, successful merchants, or nobles, actual or imagined wifely promiscuity threatened to undermine economic, social, and political prospects.

These patterns suggest that, in early modern households, perceived threats to the political economy of families provided the critical catalysts for domestic violence. Not surprisingly, the risk of violence was heightened when the economies of masculinity seemed imperiled. Yet patriarchal imperatives seem to have been invoked selectively because these economies were configured differently depending on status. While all husbands were concerned about marital fidelity, the authority of men of high status was inextricably tied to their ability to control women's sexuality.<sup>56</sup> For working men, the ability to fund their participation in a particular culture of sociability that was an essential element

<sup>54</sup> For the various meanings of whore in early modern England, e.g., see Gowing, *Domestic Dangers*, esp. 79–105.

<sup>55</sup> ADLA B5842, May 31, 1690; ADLA B5840, December 2, 1688; ADR BP4045, folder 1692, October 21, 1685.

<sup>56</sup> James R. Farr, *Authority and Sexuality in Early Modern Burgundy* (Oxford, 1994).

of their identity was inexorably linked to access to their wives' labor and lineage property. In either case, factors specific to early modern household economies, to French law, and to urban life emerged as primary catalysts for violence.

### RESOURCES AND RESPONSES

The specificity in the context and content of "domestic violence" was echoed in the resources available to battered women. In the seventeenth century, spousal violence was a public rather than a personal matter for wives, neighbors, and officials of the state. The material circumstances of urban working families and a culture of violence and peacefulness that regulated many kinds of neighborhood conflicts shaped both wives' resources and neighborhood responses. The state through its court system also offered the possibility of specific and limited, but nonetheless valuable, help.

In a striking contrast to modern patterns, early modern working women employed a repertoire of publicizing actions as a central part of their strategy to secure help. They spoke freely of their injuries and of their husbands' culpability in a variety of forums. Many accounts echoed that of a baker's daughter who recalled how she had heard on "seven or eight occasions" her neighbor Marie Bellier call, "Come, my husband's beating me."<sup>57</sup> Battered women were quick to display physical evidence to verify their verbal accounts. Louise Ferraud showed "bruises in different places on her body that she said her husband had given her" to the wife of a bargeman in an often repeated interaction between battered wives and their peers in the community.<sup>58</sup> Women who went to court moved the level of publicity beyond the neighborhood. They not only gave a public account but also initiated a series of repeated tellings of the stories of their abuse as witnesses provided depositions that reiterated various aspects of the incidents.

Moreover, cultural practice and practical logistics meant that early modern urban people were inevitably close observers of each other's lives. The contingent meanings of domestic violence in early modern communities may have allowed women to look to their peers for support more quickly than do modern women, whose highly privatized and romanticized conceptions of marriage often make them slow to publicize abuse. It may have been easier for a woman to challenge the treatment she received when men's use of force on their spouses was mundane and the debate was about the extent rather than the mere fact of violence.

<sup>57</sup> ADLA B5838, March 8, 1686.

<sup>58</sup> ADLA B6154, December 2, 1684.

Most families lived in multifamily buildings with shared stairways, balconies, latrines, wells, and yards, and women must have known that simply calling out would quickly attract attention and help. Many neighbors recalled that they had heard screams from wives living nearby and went with other neighbors to see what was going on. Marie Brossard's account of the violence between Louis Brellet and his wife, Jacqueline Yvon, highlights the porous nature of household boundaries. Brossard, a widow, said she and her mother were eating supper when they heard screams. The noise "obliged her to look through a little staircase window which opened into the kitchen of Brellet and his wife"; she saw him hitting his wife "excessively like you would hit a cow." While Yvon begged her husband to stop, Brossard shouted at him that he was wrong to beat his wife like that. Meanwhile, Brossard's mother ran downstairs to the courtyard where several neighbors had gathered. A servant who worked for Brellet and Yvon opened their door, shouted for help, and allowed Yvon to run to find refuge at a neighbor's.<sup>59</sup> In these circumstances, domestic violence could not possibly be shrouded in the secrecy and isolation that characterized much of twentieth-century battery.

These material realities facilitated an awareness of battery and forged a critical link between publicity and accountability that working women were quick to exploit. Husbands acknowledged as much when they locked their doors, leaving worried neighbors or family outside demanding to see what was going on. Other husbands tried to inoculate themselves from oversight by choosing their moments. Magdelaine Ganiet claimed that her husband "always tried to abuse her when they were alone."<sup>60</sup> Another woman said of her husband that, "to remove her means of complaint," he took her to a ramshackle, isolated hovel on their rural smallholding, where "far from her whole neighborhood he could without fear, without respect, and without consideration" treat her cruelly.<sup>61</sup>

In cities, women could turn to many people for help—kin, servants, neighbors, or even casual acquaintances or passersby. Louise Desvignes's experiences show how several levels of community oversight, aid, and intervention operated for battered women. In fifteen years or so of recurring domestic violence, neighbors, family members, a doctor, a marquise, "several ladies of high rank," and her parish priest all offered various kinds of help and mediation.<sup>62</sup>

Close neighbors, both male and female, provided aid of all kinds: they

<sup>59</sup> ADLA B5833, July 31, 1680.

<sup>60</sup> ADR BP4045, June 2, 1720.

<sup>61</sup> ADR BP3985, folder 1641, December 21, 1641.

<sup>62</sup> ADR BP3984, folder 1682, September 22, 1682, and January 9, 1683.

responded to cries for help, took in women who were fleeing abuse or the threat of it, provided medical treatment for injuries, and sought to ameliorate fallout from domestic conflicts in large and small ways. A barkeeper, Jacques Robereau, described a common scenario: he had heard and seen the wig maker Jacques Leschallier beat his wife, Anne Bourguillon, “since their marriage . . . in such a manner that men and women neighbors many times were obliged to run to help Bourguillon and to reprimand Leschallier for mistreating his wife.”<sup>63</sup> Jeanne Renaud often heard disturbances in the home of the candle maker François Renaud (no relation) and his wife, Anne Goussaud. She said that once the clamor was so loud that she and another neighbor went to “make peace.” Jeanne recalled too how she had watched the candle maker push his wife out of their door and then push out a child, who started to cry and call for his mother. When the child fell down in the road “in a dirty place,” Jeanne picked him up and took him to his grandmother’s.<sup>64</sup>

Help came from fathers and brothers as well as from mothers and sisters, from in-laws as well as from birth families, even from children. **Children could summon aid, even if their mothers’ cries did not.** Anne Vallois’s son from her first marriage ran upstairs to tell a neighbor that his stepfather “was beating his mother” and to beg the neighbor “to go down to their rooms to try to make peace.”<sup>65</sup> When the father of Françoise Bridon arrived in her silk-merchant husband’s boutique as his son-in-law hit her in the stomach, he quickly stopped the abuse and shouted, “You are very disreputable to beat my daughter like this in my presence and in front of everyone.” Bridon left with her father. During an earlier incident, her brothers had similarly intervened.<sup>66</sup> A woman’s in-laws as well as her own kin could come to her help, as when a neighbor called the father of the butcher Claude Gaillard to come to the aid of his daughter-in-law during a domestic violence incident; it was Gaillard’s father who “made his son open the door and took his daughter-in-law away to safety.”<sup>67</sup>

Kin provided refuge, mediation, and direct intervention. Many abused women returned to their parents, sometimes staying for days or even weeks, to avoid or recover from beatings. Moreover, the few women who successfully secured separations of person and property that allowed them to live separately from their husbands sometimes went back to live with their parents. Family members also served as go-betweens, seeking to help wives by ex-

<sup>63</sup> ADLA B5825, May 22, 1670.

<sup>64</sup> ADLA B5837, December 20, 1685.

<sup>65</sup> ADLA B5834, April 13, 1682.

<sup>66</sup> ADLA B5849, June 20, 1707.

<sup>67</sup> ADR BP4045, folder 1691, May 23, 1699.

tracting commitments to better behavior from husbands. Jeanne Terrasse recalled how the “persuasion of both their kin,” along with her husband’s promise to treat her better in the future, had led her to withdraw an earlier court complaint.<sup>68</sup>

Some parents tried to mobilize a kind of community watch over husbands. The mother of Philippe Chauveau, for instance, not only called for help when her son beat his spouse, Françoise Gaultier, but on another occasion visited the couple’s neighbor and asked her, “in case there was any disturbance,” to go to their residence and “make peace.” The neighbor noted that when she later heard such a disturbance, she duly intervened and “remonstrated” with Chauveau.<sup>69</sup> Just as kin cosigned loans, gave advice as to who should be guardians for minor children, or provided a thousand other material and emotional supports for each other, they supervised the relations between spouses.<sup>70</sup>

The single female servants who were ubiquitous in early modern households could be crucial allies for wives. They often intervened during the conflict itself. A female servant remembered how she had stopped Jean Mellet hitting Jeanne Richard with an iron rod. Another recalled how she had saved her employer from drowning after her husband put her into a water-filled barrel.<sup>71</sup> Equally importantly, they often provided eyewitness testimony for wives’ court cases.

In all such cases, observers of domestic violence seem to have shown little reluctance to intervene and had low tolerance for wife battery when they identified the behavior as beyond the mundane. They quickly assessed incidents in terms of possible cause and manner of force. Whether as kin or as neighbors, men and women seem to have been equally likely to lend aid. Although men might have been expected to be more sympathetic to husbands than wives in cases of domestic violence, it is impossible to discern any such difference in their actions.<sup>72</sup> For men and women, male privileges seem to have rested on the appropriate handling of them.

In fact, many aspects of wives’ strategies and neighbors’ responses were part of a much broader set of practices by which communities customarily sought to maintain civil relations and curb violent conflict. Participants in many disputes took their complaints to the public theater of the street, not only

<sup>68</sup> ADR BP3985, folder 1671, May 26, 1671.

<sup>69</sup> ADLA B5831, February 5, 1678.

<sup>70</sup> For the myriad interactions between kin in seventeenth-century urban communities, see Hardwick, *The Practice of Patriarchy*.

<sup>71</sup> ADLA B5814, April 22, 1651; ADLA B5815, January 21, 1647.

<sup>72</sup> In contrast, based on a study of Rouen in the 1780s, Phillips, *Putting Asunder*, 337–38, suggested that gender differences existed in response patterns, with men being more reluctant than women.



because of the material limitations of their homes but also voluntarily as they shouted for help or ran outside, where observers watched, judged, and intervened. When onlookers passed unfavorable judgment on those seen to be in the wrong, they enhanced their own standing as well by upholding standards for appropriate behavior that were widely held.<sup>73</sup>

Wives in working families were very savvy about mobilizing the customary culture of conflict management as well as markers of battery rather than discipline to seek help with their difficulties. When they shouted out or ran outside, ensuring the disturbance of neighbors, or when they lifted up their clothes to show bruises, they made their treatment a matter for public assessment and intervention. Not only could they expect help in the immediate crisis, but in addition the men and women whose interventions were sought could endorse or downgrade the reputations of the spouses and affirm their own standing as arbitrators. Both wives and witnesses engaged the expectations about peaceful coexistence when they spoke of how spouses had desired to “live in peace” or were “always quarreling.” The work of reputation was critical in early modern communities because it was valuable not only as a matter of honor but in many other ways as well, such as in securing access to credit or being given entry into occupations.

Battered wives could also turn to local clergy and convents for help. Parish clergy provided mediation between spouses and saw intervention in domestic conflict as a pastoral responsibility. Pierre Barat noted that his wife had “several times” tried to get him to go see their parish priest to discuss his treatment of her. When Jeanne Greillat’s husband began to beat her almost every day within days of their marriage, she “had the priest of her parish talk to him” to get him to treat her better. The priest of a Nantais parish was walking past the home of a couple for whom he had “done what he could” to get them to live together in peace when he heard a disturbance. He went in, and the wife claimed she had been beaten in an argument about money. The priest “remonstrated” with both of them—but they would not listen, so he left! The authority of the church could be mobilized even more overtly, as when a husband was persuaded to “reiterate his promises” not to beat his wife anymore in his parish church in front of a priest.<sup>74</sup>

Convents often functioned as early modern versions of safe houses for battered women.<sup>75</sup> Sometimes they provided the security that neighbors could not,

<sup>73</sup> For these patterns of neighborhood management of conflict, see, e.g., Farr, *Hands of Honor*, 150–95; and Garrioch, *Neighborhood and Community in Paris*, 31–55.

<sup>74</sup> ADR BP3984, folder 1682, May 13, 1682; ADR BP4045, June 21, 1700; ADR BP4045, folder 1709–1710, October 23, 1710; ADR BP3984, folder 1682, January 9, 1683.

<sup>75</sup> This function of convents complicates our notion of the roles they played for



as in the case of Anne Simon, a bookseller's wife. After one incident of battery she went to stay with another bookseller and his wife, but, as her husband came there seeking to beat her again, she "was constrained to go to a Religious house to find security."<sup>76</sup> Wives, especially those who had petitioned for separation of person, sometimes went to convents instead of relatives to escape irate husbands while court cases were in progress. Finally, women who had secured separations of person sometimes chose to retire to local convents.<sup>77</sup>

Sometimes, high-status neighborhood women seem to have become community specialists in domestic violence. A "marquise" visited a battered wife she "heard about" and then sent porters with a sedan chair to take the victim to recuperate in her house. Jeanne Greillat, a haberdasher's wife, visited a doctor's wife "as the person in whom she had the most confidence" and asked her "to offer reprimands" to her husband for his beatings. Marie Thomas complained to "Ladame Leduc," who lived nearby, "of the blows and mistreatment her husband gave her" and "showed her body," which seemed "very much abused with black and bloody blows." This same woman had a year earlier sheltered Thereze Massoneau, who "withdrew to la femme Leduc's because of the battery her husband was giving her."<sup>78</sup>

Nevertheless, neither neighbors, family, nor clergy were necessarily infinitely sympathetic to battered wives. Broad expectations that women had to endure their situations accompanied limited tolerance for conjugal violence and the willingness to help abused women. When Marguerite Delavergne asked her brother-in-law to help her secure a separation, he reminded her that she had chosen to marry and so had to put up with whatever her husband

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women: they might also be used as places where families could detain errant wives or daughters or as sites where women could pursue alternatives to marriage. See Sarah Hanley, "Engendering the State: Family Formation and State Building in Early Modern France," *French Historical Studies* 16, no. 1 (1989): 4–27, and "Family and State in Early Modern France: The Marital Law Compact," in *Connecting Spheres: Women in the Western World, 1500 to the Present*, ed. Marilyn J. Boxer and Jean H. Quataert (Oxford, 2000), 61–72; Elizabeth Rapley, *Les Dévotes: Women and Church in Seventeenth-Century France* (Montreal, 1993).

<sup>76</sup> ADR BP4045, January 19, 1690.

<sup>77</sup> Marianne Bernard, e.g., the wife of a scale maker, asked to go to a convent outside of town "because it will be cheaper and he is only a worker." Claude-Joseph Ferrière, *Dictionnaire de droit et de pratique*, 2nd ed., 2 vols. (Paris, 1740), 2:862; ADR BP3985, folder 1673, September 25, 1673; ADR BP4045, folder 1709–1710, July 2, 1710. Other examples of women using convents as safe houses during various moments in domestic violence cases include: ADR BP3984, October 18, 1674; ADR BP4045, folder 1691, May 23, 1699.

<sup>78</sup> ADR BP3984, folder 1682, January 9, 1683; ADR BP3984, folder 1680, August 20, 1680; ADLA B5829, March 19, 1676; ADLA B5830, October 17, 1677.

handed her.<sup>79</sup> Battered wives were expected to try “prayers” as well as “caresses and gentleness” to ameliorate their situations.<sup>80</sup> Suzanne Fauchet, the wife of a card maker, recalled that she had “devoted all her efforts, all her prayers, and even had recourse to those of the church” to try to change her husband’s behavior.<sup>81</sup>

Neighbors, however ready to aid battered wives, might also grow impatient when a household’s domestic violence frequently spilled over into their own lives. Neighbors repeatedly stopped Philippe Chauveau beating his wife Françoise Gaultier, for example, and sheltered her in the safety of their homes. Yet, after several such incidents, they “threatened to make them move because of the disturbances they were causing.” A group complained to a judge that a case of battery in their neighborhood was causing “extreme inconvenience and public scandal” because the wife repeatedly sought refuge with them.<sup>82</sup>

Charlotte Bachot’s efforts to get help illustrate both the kinds of aid battered women could seek and the impact of assessments about the validity of the use of force. She visited a lawyer, telling him “there was trouble” between her and her husband and stepchildren, and the lawyer said he would go to their home. He told her husband, Albert Nicollon, that he had come “to see if there was not any way of reestablishing peace between them.” The spouses said they had talked to a friar, whom the lawyer went to see. The latter told him that “he had learnt from their neighborhood that Bachot had indeed taken some clothes and personal property from their household.” Her husband and stepchildren repeated this complaint, and, for lawyer and friar, her actions may have endorsed Bachot’s beatings as legitimate. Finally, Bachot initiated a court complaint.<sup>83</sup>

Women who chose to take their complaints to court were probably playing several hands in a complex legal strategy: courts provided some prospects of legal remedy, but they also offered additional means of publicity and valuable negotiating levers. French law in practice rarely acknowledged spousal violence short of homicide as serious enough for criminal prosecution, but the civil remedy of separation did recognize spousal violence as a focus of official concern and an appropriate subject for judicial attention. Nevertheless, wives were at least four times as likely to request separate property alone as to petition for separation of person and property, for which domestic violence

<sup>79</sup> ADLA B5806, January 16, 1626.

<sup>80</sup> ADR BP4045, folder 1709–10, December 21, 1710.

<sup>81</sup> ADR BP3984, folder 1676, April 12, 1674.

<sup>82</sup> ADLA B5831, February 5, 1678; ADR BP3985, folder 1649, January 11, 1649.

<sup>83</sup> ADLA B5833, September 23, 1680. The outcome of her court case is unknown, as only the *enquête* survives.

was the primary criterion. Moreover, in this type of litigation, as in all civil cases, many suits were dropped before they came to judgments. When suits did go to sentencing, women won about two-thirds of decisions for separations of person and property and virtually all separate property suits.<sup>84</sup>

This pattern suggests that, for wives and judges, the provision of separate property was the likeliest legal remedy for domestic violence—and, indeed, for a wide range of domestic disorders—and was used as a far broader remedy than the legal mandate of an endangered dowry seemed to provide for. Battery seems to have been a powerful justification of separate property, especially when (as was often the case) it appeared that violence was linked to tensions about money or to drunkenness. Claire Pelin's lawyer pointed out, in response to her husband's denials that his treatment of her provided grounds for a separation of person as well as property, that he "beats her not only when he is drunk but even in cold blood."<sup>85</sup> Judges who denied requests for separations of property and person sometimes gave property separations rather than simply refusing to act at all.<sup>86</sup>

Judges' preferences for separations of property rather than separations of person and property as responses to the grievances of battered wives indicate that, while they acknowledged the need to curb excessive violence, they sought to do so in a context in which there was a strong preference to keep households together, for both economic and ideological reasons. Women who headed separate households might easily find themselves in precarious economic circumstances, potentially creating a public burden. Moreover, as a Lyon royal prosecutor explained when he recommended that a claim for separation of person and property be denied and separate property alone granted, a favorable decision would have the "pernicious consequence" of indirectly introducing divorce, "which Christianity forbids." He went on to recommend, however, that the husband be "enjoined to treat his wife maritally on threat of separation of person or even of exemplary punishment."<sup>87</sup> Judges often included such warnings, even in separate property proceedings.

<sup>84</sup> For the patterns of petitioning in the seventeenth century, see Hardwick, "Seeking Separations." For the pre-Revolutionary decade, see Phillips, *Family Breakdown*, 6–9, and *Putting Asunder*, 162. The use of petitions of separation of property and person declined from the later seventeenth century, perhaps in part because of the emergence of new alternatives such as policing and the use of royal orders. For these new means in the eighteenth century, see Williams, "Patterns of Conflict"; Arlette Farge and Michel Foucault, *Le désordre des familles: Lettres de cachet des archives de la Bastille* (Paris, 1982).

<sup>85</sup> ADR BP4045, folder 1691, August 31, 1691.

<sup>86</sup> For uses of separation petitions, see Hardwick, "Seeking Separations."

<sup>87</sup> ADR BP3985, folder 1653, July 7, 1652.

Women who went to court often may not have wanted separate households, but they did want to pressure their husbands to stop the battery. Going to court offered a means of achieving that besides the legal remedy, including yet another level of publicity and a useful negotiating lever. Wives and their witnesses mobilized the court of public opinion as they recounted tales of battery for the judiciary. Some battered women were in and out of courts with repeated complaints, indicating that they used petitions as useful negotiating strategies as well as or rather than as a path to a legal remedy. Jeanne Chevallier noted how she had withdrawn a petition for separation of property and person when her husband promised to treat her “maritally”; when he recommenced his abuse, she reminded him “that she would be constrained to take up her court complaint again” if he did not stop. Magdelaine Leotard recalled that her husband’s beating had led her “with the advice of her family” to make a complaint to the court “that she had left unexecuted in the hope that her husband would correct his ways over time.”<sup>88</sup> Many women mentioned having withdrawn one or more earlier petitions because spouses had made similar promises.

Yet all battered wives faced a similar reality: the community shared the courts’ reluctance to see women leave their husbands permanently because of battery. Over and over again, neighbors like Thereze Massoneau’s told how they had helped a battered woman and then sought to get husband and wife together again. When Jeanne Terrasse made her fifth complaint to the court in 1673, she observed that she had withdrawn each earlier petition when her husband “had used people of high rank to persuade her to return to him on the basis of the promises he made to treat her better in the future.”<sup>89</sup> When judges denied requests for separations of person and property, they frequently enjoined husbands to treat their wives “maritally and humanely” in the future. Domestic violence often included many repetitions of a predictable sequence: battery, short-term informal separations after a woman fled, efforts by family, friends, or others to ameliorate the conflict and return the wife to her husband, one or more appeals to the courts or at least threats to do so, and reconciliation of some kind.

#### DOMESTIC VIOLENCE AND SOCIAL RANK

Elite wives appeared in only a small number of court cases of this kind, but their experiences provide a basis for speculation at least about the impact of

<sup>88</sup> ADR BP3985, folder 1641, December 21, 1641; ADR BP4045, folder 1720, January 18, 1720.

<sup>89</sup> ADLA B5829, January 4, 1676; ADR BP3985, folder 1673, June 20, 1673.

rank and of emerging rhetorics of privacy on the long history of domestic violence. Such women may have found themselves with fewer resources because socially specific factors affected women's ability to mobilize help and men's willingness to use force. Although jurists repeatedly suggested that legally a lower standard of husbandly force was sufficient to be defined as abuse in high-status families, wives in such circumstances were in practice liable to be subject to intense violence to which they often responded in ways different from those of their peers in working families. The few women of high status who brought cases had varied circumstances, but the contrasting patterns of these wives' experiences are suggestive about the impact of rank in shaping domestic violence.

Jurists openly acknowledged that social status provided a variable marker in differentiating between discipline and abuse, suggesting that they at least categorized urban working families' behavior by measures different from those they applied to elites. The prominent legal commentator Claude-Joseph Ferrière noted that for women to seek a separation of person and property for "cruelty and mistreatment," such abuse "must be considerable and repeated. . . . Thus the threats made by the husband to his wife are not sufficient cause." He went on, however, to make an important distinction in which rank was critical: "Serious threats accompanied by atrocious public slanders directed to a person of high status can touch the Judges and provide grounds for a separation; because between persons of quality public slanders are as wounding as cruelty and mistreatment between common people."<sup>90</sup>

Local court officials demonstrated a similar sensitivity to rank when they assessed what was conjugal authority and what was abuse. In domestic disputes, social standing could in principle determine whether the case would proceed as a civil action. Husbands sometimes made requests to clarify the civil rather than criminal status of the suits, and, as a royal prosecutor explained in one case, they were "civilized because of the status of the parties."<sup>91</sup> Assumptions about rank and marital behavior shaped prosecutors' judgments. A prosecutor who reviewed a case between an artisan and his spouse, for example, argued that, even when "people of quality" were involved, a woman's

<sup>90</sup> Ferrière, *Dictionnaire de droit et de pratique*, 2:863. Jurists often made these kinds of distinctions—e.g., that a slap or punch was sufficient evidence for separation in high-status families whereas it was not, at least unless often repeated, among ordinary people or that insults, which ordinary people were accustomed to since childhood and to which they were hardened, were a grave matter among elites accustomed to high standards of civility. See Lottin, "Vie et mort du couple," 76.

<sup>91</sup> ADR BP4046, June 12, 1640. Other requests from husbands to clarify the civil nature of the suits include: ADR BP3984, folder 1682, September 22, 1682; ADR BP4045, folder 1691, February 22, 1691; ADR BP4045, folder 1691, June 16, 1691.

life had to be in evident danger for a separation to be granted. Incidents of domestic violence in working households rarely met that standard, he thought, as they were usually only “superficial disputes . . . often the result of the husband’s debauchery and the wife’s impudence in insulting him when he is drunk and incapable of reason.”<sup>92</sup>

Although such reasoning might suggest that elite wives could seek separations on the basis of lower levels of force or even simply of threatening speech, in practice the few elite wives who went to court alleged that their husbands had used violence that was brutal by any standards. Anne Raoul, for instance, claimed that her husband’s abuse included an instance when he beat her “with all his might for more than a quarter of an hour until he couldn’t anymore, leaving her all bloody . . . and all the while shouting names like bitch and whore.” Marie Renaud, the wife and daughter of wealthy merchants, claimed that her husband beat her, tried to strangle her, and knelt on her stomach even though she was pregnant. Izabelle Coquet’s husband was a judge and royal prosecutor in a neighboring jurisdiction to Lyon. In her account, he kicked her in a street until she ran into a house, where he beat her around the head and shoulders with a stick so severely that, as she put it, “she has not and will not ever fully recover.” Subsequently, she said, he tried to choke her on her sickbed and refused to let either doctors or priests visit her.<sup>93</sup>

Wives of high status seemed very reluctant to publicize their conjugal difficulties, so perhaps they in fact went to court only in the most extreme of circumstances rather than being able to make good on the promise of a lower legal standard. Generally, they may have preferred to pursue personal rather than judicial remedies, probably for a variety of reasons tied to different household dynamics as well as greater sensitivity to the significance of familial as well as personal reputation.

The households of the heterogeneous groups who constituted French elites varied enormously, from the urban townhouses of professionals like barristers to the chateaus of the French nobility, but all were much more spatially expansive than working households. Yet women of high status were not physically isolated in the ways that, for example, twentieth-century suburban wives were, because kin, visitors, and household staff constantly surrounded them. Any of these people might provide help. When Françoise Martel, for instance, arrived home one day with a niece, her noble (*écuyer*) husband greeted them with “Ah, here are our whores,” pushed her against the wall, and, according

<sup>92</sup> ADR BP3985, folder 1654, February 10, 1654. See also Lottin, “Vie et mort du couple,” 75–77.

<sup>93</sup> ADLA B5842, May 31, 1690; ADR BP4045, October 21, 1685; ADR BP3985, November 5, 1668.

to her, tried to strangle her; her niece and a servant “threw themselves” at him to end the assault.<sup>94</sup>

Nevertheless, the public of wives of high status differed from the public to whom working wives appealed, and it did not always provide the same responses. Elite wives may neither have sought nor received the support that urban working women requested and secured. The numerous servants who worked in wealthy households may have been less reliable sources of help than those in working families. Hierarchies were more rigid and loyalties more complex in households with many servants of both sexes than when wives worked alongside lone female servants. Elite husbands as well as wives found servants willing to give evidence in their favor.<sup>95</sup> Even where servants were sympathetic to wives’ plights when they testified, they sometimes seemed slower to intervene during battery than their peers in working households. Dame Anne Raoul’s husband, Louis Delaroche, for example, repeatedly assaulted her in full view of their staff. Two former servants testified that they had seen him slap and kick her, lock her in a small room with only bread and water for weeks, and rape her in a vineyard in front of “fifteen or sixteen” peasants. Yet the servants not only did not help her as the abuse happened, but one even tied her to bedposts on his employer’s orders and held her skirts up during the subsequent beating.<sup>96</sup> No doubt, Raoul’s husband’s quasi-theatrical displays of household disciplining reiterated his authority over servants as well as spouse in ways that may well have coerced them into being bystanders through fear that he would be quick to beat them too. For whatever reasons, servants do not seem to have been as constant allies for wives of high status as for working women.

Women of high rank, whether wives or observers, seemed reluctant to publicize domestic violence, perhaps because they were more sensitive than working women to the damage that allegations of spousal violence might do to a family’s reputation. Magdelaine Leotard began her petition by claiming that it was only with “great regret that she was forced to have recourse to justice.” Anne Raoul told a friend who saw her husband slap her that he had “mistreated” her several times but that “she had not wanted to complain for fear of scandal.” Catherine Arthaud said she had been reluctant to “complain to

<sup>94</sup> ADLA B5840, October 2, 1688.

<sup>95</sup> For servants giving conflicting testimonies that supported claims of both spouses, see, e.g., ADR BP3984, August 1683 (no day given); ADLA B5837, June 28, 1685.

<sup>96</sup> ADLA B5842, May 31, 1690. Servants’ accounts of these episodes were graphic. In the vineyard, e.g., a servant recalled that Delaroche asked his wife “if she wanted to get fucked by these country buggers and said he wanted to fuck her in front them”; she declined, citing “modesty”; they argued, and, “calling her names, he pushed her to the ground,” and, “in the presence of the witness and fifteen or sixteen peasants had sex with her.”



Justice” about being beaten by her husband, a *chevallier* and *tresorier de France*, out of “the consideration that she had always had for his family.”<sup>97</sup>

Female observers of high rank seemed equally tentative about publicizing husbands’ violence, or sometimes even about acknowledging it. When Françoise Martel accused her noble husband of battery, for instance, two of her female peers gave very cautious testimony. One said simply that she did not know anything except that she had once seen Martel with a black eye that Martel attributed to her husband. Another said only that, when Martel cried out for help one night, she had gone twice to investigate but did not see anything amiss. She admitted that the next day she saw Martel’s face all bruised but maintained that she had no other relevant knowledge. Anne Therese Sebouez saw Louis Delaroche slap Anne Raoul’s face while they were all in his carriage on their way to visit a friend who was about to leave town: she commented to him only that “if he did that in fun, it was too hard and if he meant to hurt her he had succeeded.”<sup>98</sup> These restrained responses contrasted with the quickness to intervene, judge, and reprimand that characterized witness accounts of the disputes of working families.

While working women depended on publicity to counter their batterers and showed little concern for the costs to their husband’s or family’s reputation, elite women may have been more keenly invested in the maintenance of the honor and reputation of spouses and family, even at significant personal cost. They may have preferred to pursue private remedies, such as agreements mediated by kin and signed in personal papers rather than legal records, or to take refuge in convents. Elite wives may also have been influenced earlier by broader changes, such as an increasing distaste for the use of violence and emerging concepts of privacy, both of which may have made women more concerned about acknowledging their husbands’ abuse to the outside world.

Battered wives of wealthy merchants and nobles may have had different responses and resources than their contemporaries in urban working families, although we need to know much more about the attitudes toward and patterns of domestic violence among early modern elites to draw firm conclusions. Their experiences suggest, however, the imperative to recognize the varied dynamics of domestic violence.

#### TOWARD A LONG HISTORY OF DOMESTIC VIOLENCE

Whether spousal battery was more or less widespread in early modern French cities than at other times in other places is difficult to gauge, and any useful

<sup>97</sup> ADR BP4045, January 18, 1720; ADLA B5842, May 31, 1690; ADR BP3984, folder 1683, June 11, 1683.

<sup>98</sup> ADLA B5840, December 2, 1688; ADLA B5842, May 31, 1690.



quantifiable measure is probably impossible.<sup>99</sup> The historical resilience of wife beating is stunning, and this requires historians to acknowledge that continuities matter—in the histories of violence, of household battery, of women, and of gender dynamics in families.<sup>100</sup> Yet early modern discussions of conjugal battery not only illustrate the specific conditions of domestic violence in particular circumstances but also point to the changes in men's authorizations and justifications as well as in wives' experiences of battery and their responses and resources. In early modern urban communities, men's violence, women's agency, and community responses were interwoven with the fabric of daily life, with law, with family economies, and with rank. The politics and culture of family violence have been embedded in material, legal, economic, sexual, and cultural factors, creating variations within and across national boundaries and historical time frames. These too are critical to a long history of domestic violence.

Although early modern law broadly legitimized men's use of force for household discipline and provided a means of social discipline for women in a variety of ways, the particularities of legal systems could channel conflict and shape battered wives' resources. French women's legal rights to property fueled conflicts in forms different from those found in other regimes. Husbands who needed wives' consent to the alienation of resources that were designated as their lineage property faced obstacles to their management of households that were not present where no such restrictions encumbered men's right to manage household property, as in England or colonial British America. Consequently, loans were a volatile matter in domestic relations and in family violence in France, whereas other issues took center stage elsewhere.<sup>101</sup> In

<sup>99</sup> It seems impossible to establish any usable quantitative sense of the pervasiveness of battery at any historical moment. The debate over whether domestic violence increased or decreased over the long term is filled with pitfalls. While we may tend to assume that domestic violence has become less common (at least in the casual use of mundane force that early modern communities broadly tolerated), contemporary experts in intimate violence note that, even with zero tolerance legislation, wives and neighbors in many communities in practice remain reluctant to define a wide range of abusive behavior as "violence," and force often has to be repeated and extensive before intervention is sought. I thank Jeana Lungwitz for this point.

<sup>100</sup> For a forceful statement about the power of continuity in gendered patterns in another realm, women's work, see Judith Bennett, *Ale, Beer, and Brewsters in England: Women's Work in a Changing World, 1300–1600* (Oxford, 1996), esp. 6–8, 152–57.

<sup>101</sup> Studies of battery in Britain for the early modern era and the nineteenth century, e.g., all show a variety of financial issues to have been at stake in domestic violence, but none of these focused specifically on loans as so often in the French case. See Amussen, "'Being Stirred to Much Unquietness'"; Clark, *Struggle for the Breeches*; Hunt, "Wife Beating"; Leneman, "'A Tyrant and Tormentor'"; Ross, "'Fierce Questions and Taunts'"; and Tomes, "A 'Torrent of Abuse.'"

France itself, the Revolutionary abolition of lineage property left nineteenth-century husbands without any such difficulty. Although divorce was illegal in early modern France, wives and judges used the possibility of separations of either kind as a means to reprimand husbands whose behavior was abusive. The publicity, process, and potential outcomes probably offered more valuable resources than did other legal regimes where the potential for divorce existed in principle but was rarely accessible in practice, as in England, or was available for causes like adultery or desertion but not for battery, as in early New England colonies. Regional differences in early modern legal regimes may have had little impact on the incidence of battery, but they powerfully shaped wives' resources.<sup>102</sup>

Expectations about male sociability, female speech, and household economies shaped practices of domestic violence in early modern and modern families. In most early modern families, both spouses worked, and both contributed to building resources. Husbands and wives negotiated, argued, and came to blows over the allocation of resources in terms of cash, credit, and consumption. Later, men became designated as breadwinners who assigned their wives specific sums for housekeeping and retained spending money for their own use, and women (although they often in practice continued to contribute to the family economy in many ways) found their roles as wives and mothers given highest ideological priority. This change may explain why early modern men articulated their actions as responses to their wives' failure to speak respectfully, whereas men in subsequent centuries identified women's failures to perform domestic tasks as primary catalysts for their anger.<sup>103</sup>

Early modern women in working families were strikingly quick to publicize their battery, to blame their husbands, and to seek the intervention of neighbors and family, who were in turn ready and willing to provide help and judgment. Although we think of early modern Europe as a violent place, early modern urban communities problematized the use of force and were quick to designate appropriate and inappropriate resorts to violence. Peers carefully coded men's violence against women, and the reputations of men considered to be batterers

<sup>102</sup> For example, early modern Venetian women could apparently use cases for separations of person and property (still heard in church courts in Italy) to protect themselves against battery, while women in colonial Connecticut could not get divorces on the ground of cruelty, however serious, until the mid-eighteenth century. Ferraro, "The Power to Decide"; Cornelia Hughes Dayton, *Women before the Bar: Gender, Law, and Society in Connecticut, 1639–1789* (Chapel Hill, NC, 1995), 105–56.

<sup>103</sup> For the development of breadwinning and housekeeping identities in working families as key structures in conflicts between spouses, and the centrality of failure to perform domestic tasks as the major rhetorical focus, see Clark, *Struggle for the Breeches*; Ross, "'Fierce Questions and Taunts'"; and Tomes, "A 'Torrent of Abuse.'"

rather than discipliners were damaged. Battered women did not blame themselves in the manner characteristic of later periods, and they were able to utilize the cultural and logistical imperatives that drove public oversight of marriages and of conflict to mobilize warnings, intervention, aid, reprimand, and mediation. A woman who was unjustly beaten merited relief, and her spouse needed discipline. The strategies of women and communities in managing domestic battery were in all these ways also part of a broader culture of violence management rooted in neighborhoods.

This article primarily explores the phenomenon of domestic violence in urban working families, but wives of higher status brought a small number of cases that suggest, at least, that rank was vitally important. Although elite women faced a lower prescriptive legal standard for their husbands' actions to be classified as "abuse" than did working women, some were still battered, and they may have had fewer resources in practice.<sup>104</sup> Their concern for the preservation of family reputation may have trumped their willingness to use the strategies of publicity. Moreover, while all early modern women faced the stereotype of female wantonness, they were not all regarded as equally likely to be promiscuous, and their sexuality was not equally charged. If widows and single women were well-known likely targets for allegations of sexual misconduct, elite men's preoccupation with wifely sexuality might suggest that their spouses had to meet narrower definitions of chaste living and appropriate interactions with men than did other married women. Moreover, elite women's particular forms of vulnerability may have persisted into the twentieth century; laws introduced to protect wives from men's violence in England from 1870, for instance, framed domestic battery as a working-class phenomenon.<sup>105</sup>

Families of high status in the seventeenth and early eighteenth centuries may have been at the leading edge of changing attitudes toward violence and domestic life. As the use of violence became increasingly unacceptable and even embarrassing, and expectations about the privacy of family life became sharper, domestic battery became something to be hidden or ignored. Elite wives who were beaten were reluctant to let anyone know because violent behavior was increasingly frowned upon. Domestic violence shifted from a matter for public debate and regulation to the periphery of public life. The

<sup>104</sup> Susan Amussen suggests that, in early modern England, "women most vulnerable to domestic violence were those cut off from the community—usually women of gentry status." Amussen, "‘Being Stirred to Much Unquietness,’" 81. Elite women were not cut off, but their distinctive circumstances do suggest, as I argue here, that the experiences and resources of elite wives who were battered differed from those of women of lower status.

<sup>105</sup> For the class bias of legislation to police domestic violence, see Ross, *Love and Toil*, 86.

plaintiffs and witnesses in the cases in Nantes and Lyons examined here did not begin to speak in discernibly different ways about spousal battery by the early eighteenth century than they had earlier, perhaps because key changes in attitude among this demographic had not yet occurred.

Nevertheless, by the second half of the eighteenth century, as more people began to adopt a logic of privatization, discomfort with public discussion of spousal battery may have become more common.<sup>106</sup> Residents of working neighborhoods in French cities were still ready to intervene in many kinds of violent conflict, but they made distinctions that their ancestors did not: they saw violence between spouses as a special category. They looked the other way when they saw a man assault a woman if they thought he was her husband, or they waited for family to intervene rather than offering personal help.<sup>107</sup>

Domestic violence survived many powerful social, material, cultural, and legal shifts to persist in every region and among every socioeconomic group. Some husbands continued to beat their wives even as people disavowed and states policed many expressions of violence. As the divide between public and private became more firmly constructed, spousal battery was increasingly defined as a personal rather than a public matter, an attitude that has been eroded only in the last thirty or forty years.

The specifics of these transitions as well as the resources open to women and the responses of communities may have varied from region to region. Most modern historiography, dominated by work on Britain, suggests that, as material and cultural changes reshaped domestic violence in the nineteenth and early twentieth centuries, women probably came to have fewer resources and to feel less able to articulate their difficulties than their ancestors did. By the nineteenth century, the modern material and ideological framings of privatized family life had increasingly left battered wives trapped in silence and self-recrimination. Spousal battery certainly became less visible for many reasons. Various forms of material and rhetorical privacy became more common. Wives', families', and neighbors' disdain for the use of violence and acceptance of idealizations of marriage as private and companionate led them to overlook men's battery. Wives often blamed themselves when they identified their own behavior as the cause of their husbands' actions. Even city neighbors

<sup>106</sup> Margaret Hunt has argued that key changes in attitudes in working families happened as early as the 1690s in England, but I find no indications of such a shift in France by that point. Hunt's sample includes only about ten cases. Hunt, "Wife Beating."

<sup>107</sup> See Garrioch, *Neighborhood and Community in Paris*, esp. 5 (for refusal to help if a husband was presumed to be the batterer) and 80 (for neighbors deferring to kin in regulating domestic disputes). Phillips, *Putting Asunder*, 337–38, argued that male neighbors were unwilling to intervene in Rouen in the 1790s.

who lived in tenements and were well aware of domestic disputes were reluctant to intervene, while middling families aspired to independent residences where family life was literally out of view. Police were usually loathe to intrude into “domestic disputes.”<sup>108</sup>

As more work is done on other regions, different pathways may become apparent. The attitudes and actions that Eliza Ferguson argues prevailed among working families in fin de siècle Parisian apartment houses, for instance, indicate strong parallels with early modern domestic violence.<sup>109</sup> The pervasiveness of this pattern and the reasons why wives and neighbors in France’s capital were less reticent about addressing wife beating than their peers in British communities remain to be explored. The transitions were surely affected by local legal imperatives as well as by economic and ideological ones.

Recent major changes in expectations about appropriate remedies reinforce the significance of the politics and culture of family violence. Almost regardless of the severity of the battery, interveners in early modern family violence usually shared domestic reconciliation as their goal. This, too, was a distinctive, historically specific practice. Contemporary efforts to address domestic violence as a major public health and equity issue have seen the criminal prosecution of husbands for battery and the establishment of battered women in separate households as desirable outcomes. In contrast, for early modern communities, and perhaps even for wives themselves, the imperatives of family economies, the sacramental status of marriage, and the centrality of conjugal households in civil society meant that reconciliation was preferable to separation for most victims of domestic violence.

<sup>108</sup> For arguments based on Britain that neighbors were slow to help in the nineteenth century and that wives identified themselves as the cause of their husbands’ abuse by the mid-nineteenth century, see, e.g., Clark, *Struggle for the Breeches*, 260–63; Phillips, *Putting Asunder*; Ross, “‘Fierce Questions and Taunts’”; Tomes, “A ‘Torrent of Abuse.’”

<sup>109</sup> Eliza E. Ferguson, “Vengeance! Gender and Intimate Violence in Fin-de-Siècle Paris” (PhD diss., Duke University, 2000).