THE URBAN CRIMINAL
IN EIGHTEENTH-CENTURY FRANCE

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The title of this lecture may appear a rather inappropriate memorial to a great historian who spent his professional life amongst the sixteenth-century British political élites, the kinds of people who never had to wonder where the next meal was coming from, who could get others to murder for them in the name of political expediency and who might have dipped into public funds, but would never stand trial for theft. Yet there is more contact then immediately meets the eye. I preserve a very strong visual image of the genial presence of Sir John Neale in the Institute of Historical Research in the early 1960s surrounded by a historical group dedicated to the analysis of the English House of Commons. It was the era when historians turned to the structure not the stuff of politics, when history entered what Alfred Cobban termed its sociological phase, when the catch phrase was the question "who were these people"? and groups and standard concepts, court and country parties, politicians, financiers, gentry, protestants, fрондeurs, revolutionaries, sans-culottes, crowds, the poor, bandits, whigs, tories, socialists were subjected to close analysis. Entire historical industries were generated in those halcyon days when governments believed they could be generous and the expansion of the universities seemed unlimited. The History of Parliament was one of these great collective enterprises: the Cambridge Population Group another. Conventional groups and terminology evaporated. Across the Channel entire cities and regions were broken down according to economic criteria as tax lists were committed to card indexes, IBM cards and the more numerate were mastering computer techniques. Sir John Neale has his place amongst the giants of this exciting historiographical era. By then he was reaching the end of his distinguished historical career—I was a graduate student. He was a presidential figure with up-market historical tastes and I was a lower form of historical life preoccupied with who were the poor and how did

they manage to survive in 18th-century France? The common link was the perceived need to define and break down groups and terms and the vocabulary of social and political history. Having said this, I feel easier about professing the clientele of the lower level urban law courts as a memorial lecture for Sir John Neale.

I must also express pleasure at being asked to partipate in an occasion linking two parts of my past, Manchester and London. I was a graduate student at U.C.L. where Sir John Neale taught for many years and I, too, have Manchester associations. My Lancastrian roots run deep. It is the land of my mothers. Moreover Manchester University has a long and distinguished commitment to French Revolutionary History: Goodwin, Hampson, Forrest, and a temporary harbouring of Richard Cobb when writing *Les Armées Révolutionnaires*, which engendered a verbal tribute to "cette grande ville chalheureuse et peuplée". It is certainly both of these things. Like all cities, however, it is a great wen, a coming together of native-born, immigrants and people of passage: its existence sensitive to economic vicissitudes and hence it shares something—though I must take care not to strain the analogy—with other cities and the people composing them with which and whom I shall now be concerned.

I have elected to examine the criminal populace in the pettiest—though most overworked—courts of three great French cities, Paris, Bordeaux and Toulouse, all of which have been the subject of recent studies or important work, which has thrown light on the records of the criminal courts. The work of Nicole Castan, for example, on the criminals of Languedoc, J.P. Poussou's magnificent demographical and economic *chef-d'œuvre* on Bordeaux and Aquitaine, Arlette Farge's work on the commissaire de police at Paris, which so far exists in articles and specialist work though her great study itself is announced, and there are many others. I am going to try to draw this work and some of my

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own together to create, if possible, criminal stereotypes and at the same time I hope to arouse your awareness of popular mentalities and some of the fears and apprehensions of city society.

To proceed, we need a little contextual information. The eighteenth century experienced in France—as elsewhere—a demographic take-off into undramatic but sustained growth (5-7 million more people, 1720-1789). France was the most populous country in Europe (three times as big as Britain). Its economy was expanding, but by fits and starts and not always in the direction that mattered for the bulk of the populace. It fell short, at least after 1760, in producing more food to feed more people and in creating sufficient employment outlets for those for whom agricultural work could no longer be found. The pressure on resources is manifest in rising prices (bringing new wealth to the surplus producer and problems to the purchaser), and a lag in real wages in the labour sector. We are aware of a proliferation of small holdings in some regions of sub-subsistence units—of increasing dependence in some areas upon seasonal immigration—and of an urbanisation of poverty.\(^3\)

By 1789 between five and six million people in France lived in towns of more than 5,000 inhabitants, and a substantial proportion of them were *citadins*, city dwellers living in Paris (600,000 inhabitants) or in the great provincial capitals like Lyons, Marseille, Bordeaux and Rouen (80,000 inhabitants).\(^4\) Though London was almost twice the size of Paris, provincial England had nothing to compare with these French provincial cities whose size, importance and commercial or mercantile wealth reflected the considerable commercial expansion experienced in the eighteenth century. In many respects the growth of Bordeaux was much more striking than the growth of Paris. The cities served as

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4 M. Garden, *Lyon et les Lyonnais au XVIII*\(^e\) *siècle* (Paris, 1970), is the best single study of urban growth in the period, but also F.G. Pariset, ed., *Bordeaux au XVIII*\(^e\) *siècle* (Bordeaux, 1968), pp. 360-8, and J. P. Poussou, *Bordeaux et le Sud-Ouest ....*
poles of attraction to the rural workforce. In some senses the inflow was purely ‘natural’ and needful. The towns were dependent upon the servicing provided by rural immigrants. Traditionally the town drew in the adolescent male and female from the country into apprenticeship and domestic service, at the end of which a proportion might stay in the town or return to the country with a small accumulated sum to lease and stock a farm. Or, it sought to attract workmen and women to provide certain specialist services. The new and beautiful Bordeaux admired by Arthur Young was the product of the labours of building workers from the Limousin and navvies from the Pyrenees. Its demands generated massive waves of migrant labour and the remittances of the immigrants (and what they eventually took home) from working in the city served to purchase or shore up many a small-holding in the mountains. Poussou has left us in no doubt about the integrated economy of the Sud-Ouest. Such immigrants had some degree of integration into urban society, but their arrival in the city was not necessarily unproblematic. They were young, inexperienced and uprooted men living in cramped lodgings in a city which was for them new and a place of passage. Their sociability was tavern based: they came into headlong conflict with the young from other regions. Even in the best times, faction fights and drunken brawls abounded. That said, however, their working capacity was needed. The same was not true after 1770. Bordeaux was caught up in the economic crisis which characterised the closing decades of the old régime. The slump in wine prices affected commercial profits from Bordeaux to the cities of the Mediterranean littoral. That in the silk industry had chronic repercussions on Lyons, Nimes, Tours, etc. The fall of the Languedoc cloth trade was a phenomenon affecting an urban workforce both indigenous and drawn from the country. At the same time, rural demographic pressure sustained, nay accelerated, the drift from country to town but now brought in another type of immigrant, man, woman or child, for whom a work-niche did not necessarily exist and who had perhaps come to the town with no grander ambition than survival by begging municipal handouts. Such a personage was a less than welcome incomer for indigenous society. He multiplied the problems of the unskilled seeking work, ensuring the perpetuation of low wage levels: he placed a strain on already frail welfare provisions: he had time on his hands and his leisure was visible in the streets: he intensified urban overcrowding
in the cheapest and least salubrious quartiers. An appreciation of the growth of the city and the urbanisation of poverty must be the backdrop of this study.⁵

Paris, Bordeaux and Toulouse, to which I shall make most constant references, are three instances of cities which had a specific city court, the Châtelet of Paris, the Jurats of Bordeaux, the Capitouls of Toulouse, whose function it was to serve the town and provide an immediate justice (with appeal to Parlement) and whose compétence (scope) remained unchanged over the eighteenth century. These courts could be reached easily—in contrast to the experience of many small towns and even more villages—where the aggrieved party could have many miles to travel over difficult terrain. Furthermore, whereas in such towns and villages the aggrieved party had to initiate proceedings himself directly to the court, these cities had a police-force to whom an offence could be reported and a legal mechanism set in process. In short, in considering the records of these courts we have, at least, prima facie, something more akin to the experience of our own day.

That said, these courts were not mirror images of each other. It looks as if, for example, the clientele of the Petit Châtelet had been much more rigorously filtered by the commissaire de police and his men and what we have, for example, what Arlette Farge elegantly describes as a police de la violence rather than a justice de la violence wherein certain types of crime—particularly petty violent crime, GBH in tavern or street brawls, wife beating, etc. were weeded out by the police themselves and did not eventuate in court action.⁶ Though other city police forces clearly had some discretionary powers, they had not been subject to the close remodelling which the Parisian force received in the course of the century. This is an important distinction which must be borne in mind, but it is made easier by some indication in the Farge and in David Garriocho’s recent thesis of what was weeded out.⁷


The police force of the capital was the most numerous in Europe and is the subject of recent study by Alan Williams. The active police patrol totalled just over some 1,000 men independently of the archers and the hôpital général and market and service officialdom. These figures (approximately one for every 545 inhabitants) were remarkable by the standard of the eighteenth century and the functions served by the patrol were very much those of a modern force, with a few exceptions. They were intended by their presence in the streets to deter the aspirant criminal and to respond to summonses for help from the victims. They did not have ‘detective’ functions, but there was, in addition to this patrolling force, a nucleus of sub-inspectors and “spies” (340 men) on the payroll of the Paris police whose job it was to pick up information on crimes committed and crimes which were about to be committed to pass on to the patrol. Paris, then, had by eighteenth-century standards, the egregious experience of an unusually sophisticated force. This force, remoulded by Le Noir in the 1760s, was able to intrude, through the patrols and the regular visits to specific streets and hostelries, into the lives of the inhabitants of working-class Paris and to penetrate quartiers into which newly arrived immigrants piled pèle-mêle. The efficiency of the Paris police force had not been subjected to the kind of scrutiny recently applied to the rural force. Their offices were venal, their salaries modest; they were certainly open to the same charges of bribery and corruption, and clearly not all were assiduous. Contemporaries complained that they let criminals slip through their hands and that there was far more petty crime on the streets than the police either could or would handle. Certainly they were not men of audacity. They travelled in groups of two or three. They were splendid when it came to beating up the powerless drunk or harassing the prostitute, but any sign of a street brawl with large numbers saw their prompt disappearance. No one ever envisaged that they could contain a riot. Indeed, because of this the Police Guards were known as the soldiers of the Virgin Mary, probably a reference to the Papal Guard, which never undertook conflict. Nevertheless, they were an accessible

force and provided the Châtelet with a constant stream of business over the years of offenders handed over to them in response to a summons from the menu people.\textsuperscript{10}

Other large cities, Bordeaux, Toulouse, Nimes, Lyons, and Lille, for example, had an urban patrolling police force but (even proportionately) much smaller and apparently lacking the sub-structure of semi-official paid spies and informers. They were not the beneficiaries of the sophisticated lessons on police techniques which were the particular legacy of Le Noir. They were less accessible to summons from the local populace and more prone to pick up a proportion of their business from random swoops, in force, on taverns, lodgings and bawdy houses.\textsuperscript{11}

We are accustomed to think of the city as the nursery of vice and crime in contrast to a simpler rural society which gave restricted scope to such activities. The records of Languedoc, the Paris Parlement and Flanders point to urban crime exceeding that of rural crime by something like 58 per cent to 42 per cent of all crime.\textsuperscript{12} We do not, and cannot, know how far this is a representation of the real situation, given the weakness of the rural police, court availability and the well-established traditions laid down in the country for settlement out of court. It is clear that the proportion of crimes of aggression and crimes against property figure very differently in a country/town context. In the country, violent crime, interpreted as murder, grievous bodily harm and insults, continued to be an important, and in some areas dominant, element in recorded rural criminality, but this was no longer so in most towns, at least after 1750. In some city courts we need to be aware that what we are looking at is less a shrinkage in violent crime than an increase in theft or that petty violent crime is being filtered out by police decision. This certainly served to depress the level of violent crime coming before the courts in Paris, but, even if we study reported violent crime in the capital, it is still receding over the century as a proportion of all crime. In the case of Bordeaux, violent crime (insults and grievous bodily harm) continued (just about) to dominate the court and we perceive this burgeoning city with its ghettos of immigrant workmen as one in

\textsuperscript{10} Farge and Zysberg, “Les théâtres de la violence ...”, p. 994; Louis-Sébastien Mercier, Tableau de Paris (Amsterdam, 1783), vii. 138-144.


\textsuperscript{12} N. Castan, Les criminels de Languedoc ..., pp. 18-26.
which rural values and practices persisted right until the end of the ancien régime (perhaps because long-distance rural immigration continued to accelerate into the Revolution). The macho cults of the villagers (faction fights between youth groups composed of apprentices or of adolescent males from differing regions, e.g. Périgourdins versus Bearnais), the sociability of the tavern enjoyed by an immigrant work-force of porters and building workers who lived in cramped lodgings, as many as a dozen to a room, brought its problems. Cheap wine loosened tongues and heightened irritability and irrationality and resulted in fights in which the prime targets were the lower stomach and the testicles. The sensitivity to insult of every kind, sexual, physical or psychological, so much a part of the meridional village, was imported into the streets of Bordeaux and manifested itself before the court because the offended individuals themselves took to litigation.\(^\text{13}\)

Even so, and this was yet more true in Paris and other provincial cities, the annals of recorded crime confirm the testimony of contemporaries that murder was infrequent in the city. No one need fear for his life in the streets. The solid citizen might do well to keep out of certain areas to protect his property, but his person was not at risk. The theatre of violence, as it had recently been described in Paris, can be plotted from the archives of the commissaires de police. Its location was the popular quartiers stretching from the rue Montmartre to the rue Veille du Temple, taking in the rue Saint Denis and the area of Les Halles and along the banks of the Seine where markets were held and those without fixed abode dossed down for the night. Most acts of violence, in fact, were perpetrated around markets (over 40 per cent) in or outside taverns, in the home—extended to include the tenement in which one lived and to comprehend conflicts between lodging-house keepers and their tenants who had fallen behind with the rent or had sought to intimidate owner or concierge—or in the work-place, and included disagreements between master and employee, often violent behaviour over remuneration for a piece of work or failure to carry out a job properly.\(^\text{14}\) The commissaire de police in de la Mare's Traité de la Police was intended to be a pacificateur, a pacifier. The people who came before him accused of violent behaviour were as to 80 per cent and upwards immi-

\(^{13}\) Laveau, “La Criminalité à Bordeaux ...”, pp. 87-90.

grants to the city and under 35. Those who accused them were natives, of more solid economic status and often older. At least this applies to the men. A small percentage of women called on the commissaire de police to try to call a halt to the drunken violence of their husbands or their persistence in drinking out of the money the women needed to feed their families. The last thing such women wanted was for the family breadwinner to pay a fine or be imprisoned. They wanted to deliver a warning of what could be done. Other women established in the community, used the commissaire to sort out insults, defamation of character which had sometimes provoked a fight (at least hair pulling), which, if unchecked, could lead to loss of status in the community—whether it applied to sexual behaviour or business dealings. Many of the women were involved in commerce and were marchandes de la Halle. The woman most sensitive to defamation in the past was without doubt the fishwife, and she was less concerned about aspersions on her honour than those on the freshness of her fish. Again, such women wanted, above all, a public apology and a loss of face for the one who had delivered the insult. The poor and the modest citizen alike had strong notions of honour.

The records of the city courts point us emphatically in the direction of identifying theft (and most of it petty theft) as the predominant city crime and one swelling in significance as the century advanced. In Paris, Petrovich’s soundings show 86.9 per cent of Châtelet business dedicated to the petty thief and a further 8.5 per cent of offences to be concerned with property. In the cities of Languedoc, Toulouse, Montpellier, Nîmes, Albi, etc. cases of theft account for 68 per cent of all court business between 1780-9 (a mere 4 per cent rise on the two previous decades. In Flemish towns, Lille, Valenciennes, etc. while larceny accounts for

15 Nicolas de la Mare, Traité de la Police (Paris, 1713-38), chapt. i passim.
17 I am indebted to Janet Grant, currently engaged on a doctoral thesis at the University of Reading on crime in Béziers and its region in the eighteenth century, for passing on to me her information on the content of insults. See also N. Castan, Les Criminels de Languedoc ..., p. 159.
about 50 per cent of recorded crime in the 1750s, it accounts for 65 per cent by the 1780s.\(^{20}\) (Bordeaux is an exception in that theft only accounts for about 36 per cent of all crime by 1789).\(^{21}\)

At the same time, in the provincial city and small town alike we can detect a marked change in the social categories coming before the courts and the virtual disappearance of what we might call "bourgeois" types (their crimes in any case tended to be violent crime rather than larceny) and the rapid growth in the number of thieves from the labouring sector. For Paris we have a socio-professional breakdown of those accused of theft in 1775 which allocates 55 per cent of them to the category journeymen and shop employees, 8 per cent servants, 15 per cent master artisans and lodgings-house keepers.\(^{22}\)

In Languedoc and Gascony the main categories are day labourers 26-42 per cent: journeymen 21-30 per cent: servants 8-11 per cent: porters, dockers, pedlars, seasonal workers like migrants, about 18 per cent.\(^{23}\) In Flanders the urban scene is complicated by a substantial military presence but even so 60 per cent plus of prosecuted urban theft was committed by artisans and textile workers.\(^{24}\)

We can proffer further information on the background of our urban thieves since they were obliged to state their place of birth and in some cases how long they had been in the town or city. They were as to 85 per cent male and they were overwhelmingly rural in origin. 98 per cent of all the thieves who came before the Jurats at Bordeaux were rural in origin, and of these 70 per cent were long-distance migrants whose native villages were more than 150 kilometres from Bordeaux and who had walked to the city in search of work.\(^{25}\) 85 per cent plus of those charged with theft at

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\(^{20}\) P. Dautricourt, *La criminalité et la répression au Parlement de Flandres au XVIII\(^{\text{e}}\) siècle (1721-90)* (Lille, 1912). Q.T. Blampain-Varlez and Monique Bourbon Young, "Recherches sur la délinquance en Flandres", *Microfiche Audir* 1971, Fiche I. The quantitative material appears to be heavily based on Dautricourt's earlier work.

\(^{21}\) N. Laveau, "La criminalité à Bordeaux ...", pp. 87-8.


\(^{25}\) N. Laveau, "La criminalité à Bordeaux ...", p. 129.
Toulouse were outsiders: 79 per cent at Nîmes.26 One could continue in this fashion but demonstrate little more than the basic point that as far as the urban community was concerned Mr. Average Thief was an outsider. We also know his age, or thereabouts. Castan used three broad bands, under 25, 25-40, 40+, to get a broad idea of where the age-range lay and emerged with the following: about 28 per cent of those appearing before the courts throughout France were under 25: about 45 per cent were aged between 25 and 40, and 27 per cent over 40.27 Other historians consider such bands over-broadly drawn: by concentrating on the second band one can show that the criminal age par excellence was 25-30 and we can add to our portrait of Mr. Average Thief that he was in his mid-twenties, and that he was single; yet he was just the age when the demographers tell us he should have been settling down, hiring and stocking a farm or setting up a business and becoming a father. What had gone wrong?

The significance of the age-structure of our theft-prone sector and the increasing dominance of our mid-twenties man in the evidence must be related to the urban community’s notions of desirable and undesirable immigrants. A young man normally left home in his early teens to serve an apprenticeship, to be a valet de ferme or a servant or an industrial employee. As such, he was kept by his employer and a small sum (his wages) put on one side, which, when accumulated during ten or twelve year’s service would either purchase a mastership in a craft guild or would help him to hire and stock a farm. The years 12-26 were therefore years of capital accumulation, and by the age of twenty, if one was even to succeed in the job stakes (and the word succeed is relative) one should be well advanced in one’s training with a few gold coins in one’s employer’s safe care. Yet, where we have the available supporting information we see that in Bordeaux over 40 per cent of those accused of theft in this age-band committed their crime within a month of arrival in the city and 16 per cent within a week.28 These late-commers to the city, unlike potential Dick Whittingtons, were looking for a livelihood, but they did not conform to the notion of the rural immigrant falling into a

27 Ibid., pp. 36-7.
structured urban environnement of an employer's home. Indeed, from other evidence we can obtain from court records it can be assumed with a fair degree of certainty that our new immigrant who appeared before the court had already failed in the job-stakes. The very fact that he was a new arrival looking for a place in his mid-twenties meant that something had gone wrong in his adolescent endeavours. We must also acknowledge a number of other factors. The first is the obvious disorientation of the male immigrant when he first arrived in the town and was confronted with new temptations: the second is his lack of expertise in disposing of his booty, given his inferior knowledge of the city: the third is the realisation that urban society had identified the rural immigrant as a crime-prone sector and was poised for action against him in self-defence. We must remember that the Picard or the Beaucaeron or the Auvergnat, the Béarnais or the Commingeois in Bordeaux, the Rouergat or the expatriot from the Causses in the cities of Languedoc, were all recognizable types with distinctive dress, physical features and patois. They could be readily described to the police and in a street chase the words Auvergnat or Rouergat screamed by the victim would aid in the thief's apprehension.

Looked at from the point of view of the immigrant, it is easy to perceive him as a man exposed to temptation. He had made a long journey on foot, perhaps cadging his bread en route. He came from a dirty village whose only public buildings were the church, the priest's house and perhaps the seigneur's residence, suitably isolated from the rest. He did not know he had a job to come to. He might have an address of a tavern or a lodging-house in his head where others of his compatriots might help him in his search for work and his need for a bed. The city was unfamiliar. The affluence of its public buildings, the spectacle of goods left lying around on quays or shop-stalls were unaccustomed temptations to someone living on his nerves whilst he looked for work. Whatever reserves he had when he began his journey were fast disappearing. The commonest place for hiring casual labour for the docks or building sites was the cabaret, which also offered lodgings, and sometimes drink, on credit if one had someone to vouch for one. The man who gave in to temptation and was perceived in the act was recognizable by garb, patois and lack of dexterity. He failed to know the right alleys into which to disappear. He was chased by the shopkeeper or pinned down by the crowd or his description
was given to the police who periodically searched *cabarets* and lodging-houses. Sometimes he was caught with the goods on his person, concealed in the straw on which he slept, or in process of turning them over to a second-hand dealer.

Or, he was a compromised person by having no fixed address to give to his captors. Anyone who in the conditions of the ancien régime declared himself S.D.F. was already a marked man when he came before the court. In Paris 9 per cent of arrests made were of people sleeping under bridges or in doorways and between 50 and 60 per cent of those appearing before the courts were hiring a bed by the night or alleged they were sharing a room.²⁹ Let us cite the case of François Boucher, who said he was a journey-man mason up for theft of food after, he claimed, four weeks out of a job. He could give no address. He insisted he had spent three weeks in various lodging-houses but could not say where. In the last week he had dossed under a bridge. He was caught in the process of stealing meat.³⁰

Studies of specific types of theft in Paris also reveal how the first few months after arrival were the most difficult period for the immigrant who, until he actually found employment, was little more than a tramp. They also reveal the problems of finding regular work. Let us take the case of Pierre Denizet in the Châtelet on 6 February 1765. He had come merely from a village in the Ile de France, having hit the capital, he claimed, in October, hoping to find work as a carpenter but prepared to settle for anything in the way of a job. By December he was despairing of Paris and heard that there was a demand for carpenters at Le Havre. He decided to try and got a lift part of the way in a barge. But too many others had heard the tale, and by January he was back in Paris, where he found a cleaning job in the courtyards of the Bicêtre prison (that could be confirmed) but it was only temporary, and finding himself penniless and without fixed abode, he had stolen food.³¹

It was, of course, impossible to verify a story like this and the accused obviously strove to present his life in the most positive light because the charge of vagrancy would compound the felony. Still, the one job Pierre Denizet had had was verifiable enough. In

³⁰ Archives Nationales Y 10252. François Boucher 1763.
³¹ Archives Nationales Y 10268. Pierre Denizet.
purely impressionistic fashion one can state that not finding any work at all over several months was unusual. What was more to be feared was discontinuity. A few weeks’ work would be followed by an interval of unemployment during which one depended on one’s wits, one’s friends and relatives in work and anything there was in the way of charitable hand-outs, which were very slim for those lacking a claim to permanent residence. For building workers, particularly during spells of bad weather, unemployment could mean selling one’s tools. This was amongst the worst things that could happen, for it jeopardised the prospects of future employment. An employer did not expect to furnish a workman with the tools of his trade. There was a fairly active traffic in such commodities in the tavern where hiring occurred, but one must find the means to re-acquire them and in both Paris and Bordeaux such a need could be the incentive to theft. For seasonal migrants wintering in the town, Spring and late Summer meant the departure for agricultural work. At this time, a spate of thefts occurred in the capital as navvies and casual workers set off for agricultural work at Passy or Montmartre and, lacking the requisite tools, either filched them or other objects to secure their purchase. Everything that we know about the working lives of migrant labourers accentuates the discontinuity of periods of employment and demonstrates that the search for work could be a dominant pre-occupation. During such intervals the temptation to steal could prove irresistible.

But the attribute which told most against the immigrant in the city, unemployed or under-employed, was that he was an outsider to the community, one who was unknown, unverifiable and, most significantly, a threat to the property of the inhabitants of the city. Analyses firstly of what was stolen and then from whom tell a great deal about which sectors of society felt themselves most threatened by the thief. A sample of 520 cases taken from the Châtelet of Paris over a short period permits the following breakdown:

33 Based on a sample from Archives nationales Y 10229-10492. Relative to this theme see Petrovitch, “La criminalité à Paris ...”, pp. 251-5.
The theft of effects of a miscellaneous nature constitutes the largest category and also the most diffuse. Shoes or clogs were important for people who spent so much time walking the streets and the climate of Paris (if not Toulouse) told against the barefooted for most of the year. The shoemaker, himself one of the most disadvantaged of craftsmen, was peculiarly at risk when he took his wares to market or exposed them on a stall or in a shop. The shoes were usually stolen by a couple, one of whom tried on a pair, his colleague seeking to escape while the shoemaker's attention was diverted. Similarly, the toolmaker's wares were clearly coveted. The term "furniture" is somewhat grandiose, but a cold season and an active demand for firewood could see the disappearance of all manner of wood whether in the form of bedstead or chest, and the chief victim here was the lodging-house keeper. We move on to the next most common object of theft, handkerchieves. These had a triple provenance. They could be stolen from a broad economic grouping in churches, markets and crowded places in course of picking a pocket. But one should remember that the handkerchief snatched from a housewife buying bread at market might be more profitable loot than the gentleman's silk and initialled handkerchief traded to a hard-bargaining revendeuse. Hence market-women tended to be a prime target for the handkerchief-thief. The third source of handkerchieves was obviously the wash-place where they were stolen from housewife or laundress labouring on someone else's account and who had to account for their loss to a dissatisfied employer. Or they were stolen from washing lines. Sheets also disappeared from the washplace or from lodgings-houses (admittedly a step-up from the usual garnis) or from the Hôtel Dieu at visiting times. Watches and silver (together accounting for 13 per cent of Châtelet business) were obviously pilfered from substantial society in the course of pickpocketing or by breaking and entry. Clothing again
disappeared from the washplace or was taken from one's companions in the garnis or at work. Tablelinen disappeared from cook-shop and cabaret, as did knives, forks and mugs.

One is rather surprised at the low incidence of prosecuted thefts of food. Nothing can have been easier to steal than fruit and vegetables, fish or cakes from market stalls by the truly hungry, and the stall-owner obviously accepted such theft as his lot. Those brought to court tended to have gone for something bigger, a chicken or rabbit, bigger loaves or quantities of vegetables. These were not used to satisfy immediate hunger, though there is nothing to suggest they were not intended for personal use. The low prosecution rate for theft of bread may emanate from popular reluctance to report such activity. In Languedoc, anyone who took such an action became the target of community opprobrium, and even before the Châtelet of Paris this crime is conspicuously absent from the records. Implicit or written into all French law was the basic principle that theft to ward off death from starvation was not theft, but legal discourses could pivot on complexities such as whether an individual was starving at that point in time when the theft occurred. Whatever the letter of the law, however, popular interpretation of it served to preclude the bread-thief who stole to assuage immediate needs.

Wherever goods were left lying around unattended in ports, quays and warehouses, the temptation was obviously particularly great, and in Bordeaux as much as 15 per cent of all theft was of this anonymous variety (theft of articles exposés à la foi publique earned particularly steep penalties).

Where analysis has been made of the victims of theft (as they have for those of sheets and clothing in Paris and in Toulouse and Bordeaux) they fall as to 50 per cent of the time into the categories of lodging-house keepers, keepers of taverns and cookshops, work associates (8 per cent master accusing workmen), laundry-women and personnel representing the hospitals (in the case of linen). A further 10 per cent of the victims were 'comrades' sharing the same

35 This is not to say that thefts were forgotten, and repeated thefts of food by a known person could eventually lead to prosecution, E. Claverie and Pierre Lamaison, L'Impossible Mariage, Violence et Parenté en Gévardan 17e, 18e et 19e siècles (Paris, 1982), pp. 181-188.
lodgings. As little as 15-20 per cent of all prosecuted crime was committed against what we would define as affluent society, and the rest was random theft at markets and fairs and included pick-pocketing. What the available evidence points to is to identify the victims of theft as drawn from social levels only marginally above those who were actually doing the stealing. The shoemaker, the laundress, the stallkeeper at the market scarcely conform to any notion we might have of social "haves" and the lodging-house keeper from whom bedcovers, candles, beds and floorboards disappeared might be a lessee of the property from which she could only hope to make the most tenuous livelihood when her clientele were so irregular in their payments. City crime records reveal more than anything else the exasperation of lowly people, struggling to make ends meet who reported to the police the thieves they recognized and against whom they could provide witnesses. The heavy preponderance of cabaretiers and revendeuses amongst witnesses and informers perhaps reveals more than anything else the need of this kind of person to keep on the right side of the police by informing on a proportion of their clientele. Le Noir's men were specifically instructed to keep a watchful eye on the second-hand clothes trade. All dealers (95 per cent women) had to be registered and, if they wished to escape police harassment, had to make some show of solidarity with the police. Similarly, the cabaretier, always open to harassment over non-observance of the licensing laws, if he failed to co-operate with the police from time to time, knew where his true interests lay. To this historically-interesting personage, transacting business in the midst of the unemployed, the petty thief and trickster, an occasional example was perhaps needful to remind his clients where their true interests lay, and informers, obviously indebted to


37. In 1767 an edict from the Châtelet pronounced obligatory registration for "tous marchands vendans par poids et mesures et tous autres faisant profession de quelque trafic de marchandises, arts ou métiers, soit en boutique ouvertes, magasins, chambres, ateliers ou autrement, ou excercans profession qui intéressent le commerce ou qui concernent la nourriture, logis, vêtement et santé des habitants ..." This revealed 823 women (out of a total registration of 1,263) and 240 (out of a total registration of 486) dealing in old clothes who were thus available for inspection. P. Petrovitch, "Recherches sur la criminalité à Paris ...", p. 194 sees the revendeuse as the most frequent of informers.
him, were not in short supply. Le Noir, again, was quick to urge his men to know their tavernkeepers and to keep their spies posted in the taverns.

We have, as well, noted that 10 per cent of victims who summoned the police to gain restitution of their petty property, particularly coats and shoes and tools, were 'comrades' or living companions of the accused with nothing prima facie to distinguish them from the accused except their claims to what they considered their rightful property. What made them go to the police? In asking that question one is entering very speculative territory. In a village a local thief might be dealt with by all manner of extra-legal mechanisms, pressure from kin-group, youth-group, priest, etc. and only if he became a recidivist of whom the community had despairs would legal action be taken. Clearly these mechanisms were less readily imported into the towns, even into the immigrant ghettos. The appeal to an external law enforcement agency may then have been perceived as the only alternative. These victims were not forced to give details of their personal lives. One cannot know whether they had been in a city longer and learned city ways but, where their property was in question, certainly a proportion showed little hesitation in taking action.

The crime statistics of eighteenth-century France confirm a generalisation applicable to all societies, as far as I know, at all times, namely, the imbalance between male and female prosecuted crime. Without lingering on regionally differentiated statistics we can take as a working notion that women are outnumbered by men in our city records on something like a 6 to 1 basis.38 Crime is a male problem. Historians, and to some extent criminologists, have sought to explain the imbalance by reference to the greater protection given to women in primitive and traditional societies. According to such an interpretation we see women as precluded from criminal behaviour by the presence of a strong male figure, father, brother, employer, or husband, and by a consistently passive role imposed upon them by traditional society.

I am not going to deny the persuasiveness of such an approach but to stress that it perhaps undervalues a number of important points of a practical, psychological and physiological nature. Amongst the practical considerations we must place what Nicole

38 N. Castan, Les criminels de Languedoc ..., pp. 27-8, and Justice et repression ..., p. 235.
Castan has termed the "sexual emancipation produced by poverty". In the societies we are dealing with, 60 per cent and upwards of young girls left home at the age of twelve or so to labour on their own account for employers who readily showed them the door in times of slump or poor harvest or when personal difficulties arose, leaving the girl to fend for herself as best she could. Moreover, as the déclarations de grossesse attest, the employer's behaviour could fall well short of protective. Most textile towns had groups of female workers living in lodging-houses and working on their own account with a patronal overseer impossible to locate. The married woman was in the market place and on the city street with far greater frequency than her husband. Given this context, the notion of a protected female populace begins rapidly to disintegrate.

Obviously purely physical considerations counted against women being responsible for much in the way of violent crime (5 per cent of women committed such crimes. 20 per cent of the victims were women). They were not part of the youth groups and hence had no part in what we might call the violence of the macho cults. (They were perhaps lacking that chemical element which at all times seems to make the adolescent male prone to deviance and daring with a view to impressing his peers). Unless they majored in prostitution, they were not part of tavern society where much violence occurred. These are factors which explain why women figure rarely in the figures of violent crime and when they did their activity can be readily categorised. They delivered verbal insults or provoked a fight. Secondly, they had some role to play in intra-familial violence. They might serve as accomplices in the murder of someone, husband or father or, most likely, brother, within the family unit and seek to cover up the crime. They had a quasi-monopoly of murder by poisoning (but there were never more than a couple of instances of this in any jurisdiction within a short run of years). Infanticide was their arena but, again, we find very few instances of this—less than half-a-dozen cases in a city court

39 Ibid., pp. 29-32.
per year. It was a virtually impossible crime to detect when carried out by a married woman who had, after all, the option of simply neglecting to feed the baby or claiming it had suffocated in her bed. It tended to be the crime of the unmarried servant-girl whose activities had aroused the suspicions of her employer and who had delivered the baby herself, had strangled it or let it bleed to death through failure to tie the umbilical cord. Since, if prosecuted, for much of the century it entailed the death penalty, many may have neglected to report it. Significantly, when the Revolutionary tribunals adopted a very lenient attitude towards the offence, numbers soared.

The records of five cities point to theft as accounting for 65-70 per cent of female criminality. Their role in serving as accomplices, particularly in disposing of stolen property to dealers in second-hand goods, is striking. (Amongst those whom the revendeuse turned in, women figure prominently). Women, however much they were in the streets or in the market, were either defective in daring, quicker to perceive the possible consequences of a felony, or more successful at committing their crime. We cannot know. What the annals of recorded crime tell us is that their loot was even more petty than that of the men. Indeed, the trifling nature of many of their thefts may have counted against reporting to the police. Mercier in his Tableaux de Paris tells us that the thieving servant (who was much more likely to be a woman than a man) was an eighteenth-century commonplace, but that, rather than take the individual before the courts where vol domestique entailed the death penalty, an employer's recourse was to docket the servant's wages and hold over his or her head the threat of court action if the incident was repeated. It is striking that amongst categories of theft, vol domestique was the only category of recorded crime which was declining in number. Common sense must question this apparent decline and Mercier's explanation is very seductive.42

We have also noted the reluctance to prosecute for small thefts of food, particularly bread, and it may well be that such actions committed by a woman, specially one with young children, accorded most readily with popular notions of condonable action.

42 A. Williams, The Police of Paris ..., p. 192, n. 6, also questions the reliability of recorded crime statistics as giving a clear indication of servant theft.
Again, we are in the realms of inference and intriguing questions of popular morality.

City crime records point us in the direction of identifying two areas of theft where women predominate. In the textile-producing cities (Lyons, Lille, Valenciennes, Rouen, etc.) we find them monopolising textile embezzlement. The *picqueurs d'once* (those who stole a bit of raw silk out of a consignment) were, at the initial stage of the process, likely to be *déviseuses* (emptiers of cocoons) who often extracted some of the ends of the silk skeins as they unravelled the cocoons. They were, at the initial stage of the process, likely to be *divideuses* (emptiers of cocoons) who often extracted some of the ends of the silk skeins as they unravelled the cocoons. Spinners of cotton and wool also held back some of the commodity and dampened their work to increase its bulk. The second area of female theft (and here we can bring in Paris, Bordeaux and Toulouse) is that of linen and clothing. Again, this was a branch of theft where women had unrivalled opportunities. They were more often at the wash-place, where most linen and clothing was stolen, or, as laundresses, they simply disappeared with their client's belongings. They were more likely to hang around shops where clothing was sold. Their own dress made the concealment of cloth relatively easy. Indeed, the Hôtel Dieu in Paris established guards at the gate charged to examine the persons of visitors to the sick when they left the premises and found that the commonest thieves were women who draped a sheet under their skirts.

A socio-professional breakdown of female thieves reveals that the bulk were drawn from the ranks of casual labourers (laundry-women, waitresses, etc.) followed either by servants or textile workers (depending upon the local economy) and those belonging to the garment trades. As far as age is concerned, the distribution is much the same as that for men, with perhaps 5 per cent more in the lowest age band. In the first half of the eighteenth century about 60 per cent were unmarried, but we note some striking changes in this situation in the closing decades of the old régime.

I have been very sparing in using evidence of the upward

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44 A.M. Pugibet "Contribution à l'étude de la criminalité à Paris ... le vol de linge 1710-1735", has a majoritatively feminine criminal group.
45 AN Y 10464. Interrogatoire Malecheq.
movement of prosecuted crime because more than anything else such figures are open to the imputation of improved levels of police availability and reporting and so on. Crime statistics were soaring and female criminality was increasing as a proportion of all crime. We can set that on one side, but it is less easy to dismiss the increased role of married women and widows who came before all kinds of jurisdictions. In Languedoc, for example, in the 1760s the group married women and the group widows accounted for 32.6 per cent and 9.3 per cent respectively of female criminals: in the 1780s, the figures were 46.4 per cent married women and 14.8 per cent widows. The trend is not restricted to Languedoc; indeed it appears clearly in the northern textile cities. Historians of crime explain this trend in terms of the slump in textile production and soaring grain prices in the closing decades of the old régime which increased the fragility of the family economy and multiplied the number of unions fractured by the disappearance of the male partner. In the case of the widows, it also demonstrates that they were unable to look to their families or their husband’s families for protection. The figures also demonstrate that necessity pushed into the criminal bracket social categories which previously had the means to stay on the right side of the law. The bulk of the increase in prosecutions of married women and widows related to petty theft.

We are left with two areas of female criminality, prostitution and bread riot. In the second instance so little information is given about background that a ‘type’ is hard to identify; prostitutes can be more easily portrayed. In cities teeming with immigrant girls in the most tenuous of work situations, where they could readily be exploited by employer, fellow servants or apprentices, and where the single girl with an unwanted pregnancy to contend with was promptly dismissed, one might expect prostitution to flourish. (It is, as Hobsbawn reminded us, the perfect Friedmannite enterprise, demanding no capital input and catering to a never diminishing demand).

The records of the city courts, police-force and certain specialist institutions leave us in no doubt about our stereotypical prostitute. She is the fallen domestic servant, less frequently a textile worker, or a casual labourer. She is pregnant or has had an

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unwanted pregnancy. She is a country girl from a village where notions of female chastity pertained. She cannot go back home.48

Whatever the letter of the law, there was amongst judges and establishment society a certain tolerance of prostitution. The military authorities, while acknowledging the need for sexual outlets for the young man to whom they paid so little that he could not have maintained a regular household, were more concerned to weed out those contaminated with syphilis, who might pass it on to the military. They were prepared to pay the maréchaussée for periodic round-ups based on raids on known taverns where all the girls, with or without male escorts, were arrested and inspected. If they showed signs of the disorder they were then, at the army’s expense, promptly processed before the court and clapped in a dépôt de mendicité (there to pose an irresolvable problem for what were intended to be short-term correctional training centres, for what would happen when the girls were released?) The offence of prostitution might also come before the courts if coupled with theft, receiving stolen goods or serving as an accomplice to a robber or murderer.49 Under such circumstances to be a prostitute certainly made for harsher penalties than being a concubine, who in turn was more harshly treated than a wife who was regarded as having no option on her participation.

Even though prostitution was only attacked in this limited, sporadic and eclectic fashion, it accounted in criminality tables for anything between 7 and 20 per cent of female criminality with Paris, ironically, towards the bottom of this league table.50 One is amazed at the low representation of prostitution in the crime annals of the capital. How do we explain it? Again, Le Noir’s instructions to the police come to our assistance. Le Noir urged the force to divide prostitutes into three categories: the first and most dangerous was the street walker: the second, the girl in the bawdy house: the third, the maintained mistress. Their punitive activity should be directed towards the first.51 Hence, our stereotype of the prostitute is emphatically of the amateur, free-lance operator at the beginning of her métier, forced by unemployment to solicit for a living or, at the end, when disease-ridden she had

49 N. Castan, Justice et Repression ..., pp. 35-6.
50 Ibid., pp. 234-5.
little apparent alternative. No bawdy house wanted her and she could be harassed by the police. There was no chance of being a maintained mistress. We cannot find much evidence of the pimp or the Madame—though the bawdy houses were registered. The criminal records are silent on the issue of organised vice though the lists make us only too aware of its presence. No mention is made either of child prostitution and information is insufficient as well to provide us with a stereotype of the homosexual offender.

Every night Le Noir's men and the Revolutionary police after them picked up a haul of children from house porches, under coaches, in alleyways, under bridges and on the street. For the majority of cases it was merely a case of identifying where the child had come from. Runaway children and those thrown out by their parents were, like Oliver Twist, attracted to the capital. Potentially they were all criminals, for they had no ostensible means of support. 50 per cent of those apprehended between the ages of twelve and sixteen claimed either that their parents maltreated them or that they were afraid of their employers who were violent and did not give them enough to eat. Once they were on the streets they banded together in groups of three and four—it is rare to find a juvenile arrested in isolation. The native-born city dweller holds his own with the immigrant in the tally of place of origin. Even the youngest could usually give a profession that he at least followed in name, though they are usually those requiring no particular competence, like water-carrier, second-hand goods dealer, errand-boy, latrine emptier, street-sweeper. Provincial children tended to have fallen into an undesirable apprenticeship where the master had not honoured his obligations to shelter and feed them or where ill-treatment was manifest. Every Summer Auvergnat chimney-sweeps came to the big cities of France with a couple of climbing boys whom they treated so badly that flight was common. Again, such a child was readily recognisable, by appearance and speech, to the police and to the rest of society.52

About a fifth of those children who actually came before the courts were living with one (or more) parent who was probably aware of what was going on. A number of young offenders also lived in roads that stood out as "criminal", and a family link can

be traced in the same way that those living together en garni committed crimes together.

Pickpocketing accounts for up to 80 per cent of prosecuted juvenile crime and one gets the impression that many were quite practised in the art. Consequently, handkerchiefs (not effects) head the list of goods stolen, followed by washing from lines. We cannot know how much juvenile crime was for 'kicks'. We see a child (male), an insecure occupation and either a poor address or the admission to homelessness. The crime records of the past are most defective in determining recidivism. If the criminal in question did not carry his record on his person in the form of a brandmark or a limp from being part of a chain on the way to the hulks, then the criminal could easily escape his past. How many juvenile offenders lived long enough to blossom into more hardened thieves it is impossible to assess. The records do not permit a glimpse into the world of organised city crime, if such a world existed. None of these city courts bears witness to any major crime haul. On the periphery of the capital there were, without doubt, highwaymen whose pickings may have been great, but they were the game of the maréchaussée, not that of the urban police-forces, Châtelet, Jurats, and Capitouls.

Somewhere in the city, embezzlers were at work—indeed, we know a proportion of them were in government service; but their activities would not be found in records of this kind of court and we have to look to Parlement or bailliage if we wish to detect criminality in the upper orders. Occasionally a petty counterfeiter emerges in the courts and can expect the death penalty, but one has to await the creation of the assignat to see the practice emerge as an industry. There is nothing to suggest a clever, calculating criminality, and if such a criminality existed, it was far beyond the resources of the police force to cope with it. There is evidence of hate, resentment and vendetta manifesting itself in occasional cases for arson or threats of arson, but there is little gratuitous vandalism. We learn about child exploitation but can point to no example of kidnapping, except for the limited end of stripping a well-dressed child of its clothes and leaving it wandering in filthy rags.

The message of city crime-records in the eighteenth century is of the strains and tensions, the problems of city growth at a time of low employment; potential problems arising from economic vicissitudes. We can perceive real poverty and necessity. We can
appreciate through them the floating, uncertain world of the immigrant and, equally so, the apprehensions of indigenous urban society concerned to defend what, by our standards, seem like trivial possessions. Out there somewhere was the world of Watteau and Boucher, of the witty salons and the gilt and gauze sexual titillation of Restif de la Bretonne, but one would not expect to find it in a justice devoted to the petty, squalid, brutal and sometimes despairing criminal activities of the flotsam, marginal and lower, if very numerous, levels or urban society. Sir Lewis Namier allegedly once expressed bemusement that Eric Hobsbawn should waste his time on “bandits”. I hope this discourse on the vulnerable sectors of urban society in the pre-revolution period will not evoke the same query from the benevolent shade of Sir John.