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GENDER IN MODERN EUROPE: CRIME AND VIRTUE

Gender and crime in modern Europe. Edited by Margaret L. Arnot and Cornelie Usborne. London: UCL Press, 1999. Pp. xv+288. ISBN 1-85728-746-0. £14.99.

Breaking the codes: female criminality in fin-de-siècle Paris. By Ann-Louise Shapiro. Stanford: Stanford University Press, 1996. Pp. vi+265. ISBN 0-8047-2693-0. £10.95.

Reign of virtue: mobilizing gender in Vichy France. By Miranda Pollard. Chicago: University of Chicago Press, 1998. Pp. xxi+285. ISBN 0-226-67350-2. £15.95.

The past decade has seen a virtual explosion in scholarship about issues of gender in the history of modern Europe.[1] Historians have taken up topics from the fall of Louis XVI during the Revolution to the role of women in fascism to demonstrate the pivotal importance that matters of sexual difference have made in shaping politics, culture, and society in the last centuries.[2] Scholars have realized that interpretations of class dynamics, work relations, collective action, and nations at war, for example, look considerably different and are far more complex when attention is paid to gender. Where the study of women in the past was once relegated to the backwaters, now courses on women's history and gender have taken a permanent place in most university curricula. Histories that include women have moved from 'her-story' (crudely, the history of individual women and their accomplishments) to analyses that use gender as an interpretative prism through which to view larger social and political transformations.

The three books under review participate in this larger movement toward integrating the perspectives of gender into major issues of European history that have been researched by historians before, but from a standpoint that these authors find lacking. Margaret Arnot and Cornelie Usborne, as editors of a collection of essays on gender and crime, wish to correct some of the assumptions about women and crime that have been ignored by historians who focus mostly on more historically conspicuous male criminals. Ann-Louise Shapiro uses the trials of criminal women in late nineteenth-century Paris

[1] To name only a few of the many recent titles, see Christine Bard, *Les filles de Marianne: histoire des féminismes, 1914–1940* (Paris, 1995); Edward Berenson, *The trial of Madame Caillaux* (Berkeley, 1992); Laura Lee Downs, *Manufacturing inequality: gender division in the French and British metalworking industries* (Ithaca, 1995); Georges Duby and Michelle Perrot, eds., *A history of women* (Cambridge, 1993); Laura Frader and Sonya Rose, eds., *Gender and class in modern Europe* (Ithaca, 1996); Christopher Gittings, *Imperialism and gender: constructions of masculinity* (London, 1996); Seth Koven and Sonya Michel, eds., *Mothers of a new world: maternalist politics and the origins of welfare states* (New York, 1993); Angus McLaren, *The trials of masculinity: policing sexual boundaries, 1870–1914* (Chicago, 1997); George L. Mosse, *The image of man: the creation of modern masculinity* (New York, 1996); Robert Nye, *Masculinity and male codes of honor in modern France* (New York, 1993); Siân Reynolds, *France between the wars: gender and politics* (New York, 1996); Mary Louise Roberts, *Civilization without sexes: reconstructing gender in post-war France* (Chicago, 1994).

[2] See, for example, Lynn Hunt, *The family romance of the French Revolution* (Berkeley, 1992), and Victoria de Grazia, *How fascism ruled women: Italy, 1922–1945* (Berkeley, 1992).

as 'lightning rods' that illuminate the social, political, and cultural conflicts of the fin-de-siècle. Miranda Pollard takes as her subject the Vichy regime in France, an era which has received considerable scholarly attention, but until the past ten years, virtually none of it addressed women's experience. As a group, these three books offer a good cross-section of much of the excellent work being done in gender history today, and offer suggestions about the directions in which this scholarship might take us in the future.

Much of the current work on gender, and these three books in particular, take inspiration from historian Joan Scott's 1988 collection of essays, *Gender and the politics of history*.[3] In the introduction, Scott notes that previous attempts at women's history which focus on the individual experiences of women and their great deeds ('her-story') have the unfortunate consequence of portraying women's experience as particular and unique, whereas men are assumed to be the universal human subjects. Instead, Scott calls for a history that theorizes about how gender operates historically, that exposes 'the often silent and hidden operations of gender that are nonetheless present and defining forces in the organization of most societies'.[4]

Scott begins to theorize in just such a way in an essay entitled 'Gender: a useful category of historical analysis.' The use of gender as 'a category of analysis' has been taken up in myriad ways by various scholars as a way of explaining the framework for their work, and of demonstrating the importance of gender as a fundamental dynamic at work in the worlds of labour, social relations, politics, art, science, and war. Gender in this interpretation is not the fixed, essentialist notion of what it means to be a man or a woman, but rather a set of relationships in flux, or 'a primary field within which or by means of which power is articulated'.[5] Writing gender history, therefore, is not merely a matter of adding women to the equation, but of discerning these relationships of power and describing their manifestations in past human experience.

Joan Scott draws on the work of Michel Foucault to explain the operation of power in human societies, and to demonstrate how relevant gender is to the study of 'politics'. Far from being simply the study of formal government authorities, Scott conceives of politics as the study of unequal relations of power that are established, refused, or maintained over time. For Foucault, power is not simply 'a group of institutions and mechanisms that ensure the subservience of the citizens of a given state'. Rather, in *The history of sexuality*, he states that 'power must be understood in the first instance as the multiplicity of force relations immanent in the sphere in which they operate and which constitute their organization; as the process which, through ceaseless struggles and confrontations, transforms, strengthens, or reverses them'.[6] Although not explicitly addressing gender and unequal relationships of power between men and women, Foucault's notion of multiple discourses producing 'truth' about certain categories of people or events has been

[3] Joan Scott, *Gender and the politics of history* (New York, 1988). Scott's book generated much discussion and controversy: see, for example, Martin Bunzl, 'The construction of history', and Judith P. Zinsser, '"Much more is at stake here …" A response to "The construction of history"', both in the *Journal of Women's History*, 9 (1997), pp. 119–41. See also Laura Frader, 'Dissent over discourse: labor history, gender, and the linguistic turn', *History and Theory*, 34 (1995), pp. 213–30, and Susan B. Whitney, 'History through the lens of gender', *Journal of Women's History*, 11 (1999), pp. 193–202.

[4] Scott, *Gender*, p. 27.

[5] Ibid., p. 45. For more on this construction, see also Denise Riley, *Am I that name? Feminism and the category of 'women' in history* (London, 1988).

[6] Michel Foucault, *The history of sexuality*, 1 (Vintage, 1990), p. 92.

inspirational to many historians of gender looking to explain the means by which women have been excluded from power in the past.[7]

All three of these recent works on gender take up Foucault's interest in power and power relations and turn a critical eye to the multiple discourses elaborated about women in the past. Arnot and Usborne note that many of the papers in their collection concentrating on discourse 'recognize the contribution that discourses made to the shaping of crime and the criminal justice system; or, in other words, they recognize the historical power of discourses'. The authors state, however, that 'all the contributors to the book share the assumption that understanding the complexities of the operation of power in society is critical for understanding how crime is defined, how it is dealt with, and what it means within any society at any time'.[8] Ann-Louise Shapiro discusses the inspiration that many recent studies of criminality have derived from Foucault's work, especially related to the interlocking networks of power and discipline that attempted to 'normalize' the criminal. Though Shapiro recognizes Foucault's silence on issues of gender, she states: 'At the center of this study is the assumption that images, myths, and linguistic categories matter – that they must be seen as the source and effect of relations of power, revealing especially the ways in which different individuals positioned themselves and were positioned within and through specific cultural debates.'[9] Miranda Pollard evokes Foucault in addressing the complex discourses of sexuality that surrounded the issue of abortion in German-occupied France. Stories about abortion created a '"Grid of moral order" that transmitted and reproduced itself through technologies of sexual surveillance and social order.' Pollard asserts that 'This surveillance, articulated through a shared heterosexual idiom, was exercised by medical and legal professionals, the police, the judiciary, networks of pharmacists, bourgeois notables and shopkeepers, women and men on the streets and in the cafés of urban and rural Occupied France.'[10]

That all three works under consideration would evoke Foucault seems ironic, as he omitted any reference to gender and power dynamics between the sexes in his work. This fact has been a subject of debate amongst feminist scholars seeking to use postmodernism as an effective framework for revisioning history from a gendered perspective. Lois McNay, for example, suggests that Foucault's ideas on the active constitution of the self may be an inspiration for feminists, but the contradictions and limitations on his thought render them ultimately inadequate.[11] Lynn Hunt argues that although Foucault claims to destabilize the idea of the self, he none the less conflates the idea of the self with a historically specific, male self of the Enlightenment. Ultimately seeking to dismantle the notion of an autonomous, self-developing individual, Foucault continues to base his assumptions on the male as the original standard of measurement.[12]

This, in fact, is a theory that could be applied more generally to much of the work being done in gender history today. To what extent is the male subject still assumed to be the

[7] For more on Foucault's relevance to feminist scholarship, see also Judith R. Walkowitz, *City of dreadful delight: narratives of sexual danger in late Victorian London* (Chicago, 1992).

[8] Arnot and Usborne, 'Why gender and crime?', in Arnot and Usborne, eds., *Gender and crime*, p. 13.

[9] Shapiro, *Breaking the codes*, p. 220.

[10] Miranda Pollard, *Reign of virtue: mobilizing gender in Vichy France* (Chicago, 1998), p. 186.

[11] Lois McNay, *Foucault and feminism: power, gender and the self* (Cambridge, 1992).

[12] Lynn Hunt, 'Foucault's subject in the *History of sexuality*', in Domna C. Stanton, ed., *Discourses of sexuality: from Aristotle to AIDS* (Ann Arbor, 1992), pp. 78–93. Carolyn Dean follows up on this critique of Foucault and male subjectivity in 'The productive hypothesis: Foucault, gender, and the history of sexuality', *History and Theory*, 33 (1994), pp. 271–96.

norm, the non-gendered body that makes women the 'other'? One of the challenges facing historians is to expand the scope of women's history to a more universal *gender* history that does not assume that only women are shaped by society's gendered expectations and social conditioning. This was one of the problems raised by Scott in *Gender and the politics of history*, but more than a decade later, the challenge needs to be reissued. In a review of Scott's book, William Sewell notes that one of the most pressing tasks for feminist history is to 'displace and problematize this universal male subject of history'. One way in which this is accomplished is through demonstrating the inherently gendered characteristic of institutions that in the past we have assumed to be gender-neutral, even if represented exclusively by men. But according to Sewell,

> equally imperative for the task of dethroning the universal male subject is to undertake studies that will reveal the *particularity* of male identity and male agency. This will require the elaboration of a 'history' parallel to the existing 'her-story'. We need, for example, studies of the formation of masculine gender identity in families, businesses, clubs, apprenticeship, seminaries, clientage, fraternities, and armies; studies that will illuminate the ways in which male activities in major public and private institutions are shaped and limited by the particular character of their male identities.[13]

To what extent has new scholarship in the field of gender history taken up this challenge, and attempted to demonstrate the particularity of male experience?[14] Has women's history moved over into a realm of gender history, and thus avoided the trap of ghettoization? Examining the three books under review, it is clear that much progress has been made, yet there are still important steps to be taken.

In *Gender and crime in modern Europe*, Margaret L. Arnot and Cornelie Usborne have compiled a volume that takes up the relatively unexplored issues surrounding gender and crime in past societies. The articles focus on subjects from the 'invention' of the male juvenile offender in early nineteenth-century Britain to women in the Sicilian mafia following the Second World War. In their introduction, the editors point out that women's connections to crime have received very little scholarly attention, possibly because women have traditionally been perceived as generally more law-abiding. In addition, many of the scholars working on crime have been male and have framed their questions in ways that were not conducive to discovering women's roles in crime. The essays in this volume seek

[13] William H. Sewell, 'Review essay: gender and the politics of history', *History and Theory*, 29 (1990), p. 78.

[14] Garthine Walker and Jenny Kermode make such a call for *gender* history in J. Kermode and G. Walker, eds., *Women, crime and the courts in early modern England* (London, 1994). Scholarship that has begun to explore the male experience includes Elizabeth Badinter, *XY: on masculine identity* (New York: 1995); Jean Delumeau and Daniel Roche, eds., *Histoire des pères et de la paternité* (Paris, 1990); Laura Frader, 'From muscles to nerves: gender, "race," and the body at work in France, 1919–1939', *International Review of Social History*, 44 (1999), pp. 123–47; Cheryl Koos, 'Fascism, fatherhood, and the family in interwar France: the case of Antoine Rédier', *Journal of Family History*, 24 (1999), pp. 317–29; Maria Sophia Quine, *Population politics in twentieth-century Europe* (New York, 1996); Vernon A. Rosario, 'Pointy penises, fashion crimes, and hysterical mollies: the pederasts' inversions', in Jeffrey Merrick and Bryant T. Ragan, eds., *Homosexuality in modern France* (New York, 1996); Sylvia Schafer, *Children in moral danger and the problem of government in Third Republic France* (Princeton, 1997); Joan Wallach Scott, 'Feminist family politics', *French Politics, Culture, and Society*, 17 (1999), pp. 20–30; Daniel J. Sherman, 'Monuments, mourning and masculinity in France after World War I', *Gender and History*, 8 (1996), pp. 82–107; Barbara Spackman, *Fascist virilities: rhetoric, ideology, and social fantasy in Italy* (Minneapolis, 1996); Kristen Stromberg Childers, 'Paternity and the politics of citizenship in interwar France', *Journal of Family History*, 26 (2001), pp. 90–111.

to avoid the trap of equating 'gender' with 'women', and from the outset the editors state that they 'believe that the concept of femininity cannot be understood without also addressing the concept of masculinity and that women's experience cannot be reconstructed except in the context of a complex set of relations and processes which includes both women and men'.[15] The authors in this collection refuse to see 'gender' as a synonym for 'women', and in the tradition of Scott, use gender as a 'category of analysis' rather than as a merely descriptive term.

In an extremely helpful introductory essay, Arnot and Usborne lay out the different approaches toward gender and crime broached in the book, which range from quantitative analysis to discourse analysis. Indeed, it is one of the strengths of this book that the various authors lay out so many explanations for the operation of crime and criminal justice in society rather than focus on one historiographical point of view. As with all edited volumes, however, the richness of this diversity can have the disadvantage of not producing clear conclusions. Although Arnot and Usborne provide an intelligent and insightful overview to the various approaches of the authors, this coherence is sometimes lost when faced with the variety of the essays themselves. One question that arises in reading through crime statistics and discourses from various nations is the question of national difference: are there patterns to crime that are unique to certain countries, or gender norms that operate in distinctly national ways? Such questions are beyond the domain of any one of the essays, yet would seem important in setting the book within a larger context. None the less, this collection does an admirable job of bringing together myriad approaches to the questions of gender and crime in modern Europe.

In an article on 'Women and crime in imperial Russia', for example, Stephen Frank examines lower court records and prosecutions in Russia from 1834 to 1913 to demonstrate that crime was not a uniquely male phenomenon, but rather that the 'lower we move down the jurisdictional ladder, the larger was the proportion of women'.[16] Refuting traditional statistics on female crime in Russia, Frank demonstrates that it was shifting jurisdictions over property offences and the redefinition of behaviours previously prosecuted in substantial numbers that account for the changing proportions of women in Russian judicial statistics.[17] In his study of workplace appropriation and the gendering of factory law, Barry Godfrey also uses quantitative methods to challenge the accepted notion that women were more law-abiding than men. Women in factories in West Yorkshire guilty of appropriating workplace materials were less likely to be prosecuted than men, because foremen preferred to use informal punishments against women, and because convictions of women seemed problematic in the legal conventions of the day.[18] Such quantitative approaches begin to address the misconceptions of women and crime in the past, but as the editors point out, the relationship between criminal statistics and the construction of masculinity has yet to be explored in great depth.[19] In this regard, it seems a shame that Martin Wiener's paper

[15] Arnot and Usborne, eds., *Gender and crime*, p. 5.

[16] Stephen P. Frank, 'Women and crime in imperial Russia, 1834–1913: representing realities', in Arnot and Usborne, eds., *Gender and crime*, p. 96.

[17] Ibid., p. 97.

[18] Barry Godfrey, 'Workplace appropriation and the gendering of factory "law": West Yorkshire, 1840–1880', in Arnot and Usborne, eds., *Gender and crime*, p. 147.

[19] Margaret L. Arnot and Cornelie Usborne, 'Why gender and crime? Aspects of an international debate', in Arnot and Usborne, eds., *Gender and crime*, p. 11.

on the increasing visibility and prominence of the male criminal, delivered at the 1995 conference that inspired this book, was not included in the volume.

In addition to the statistical methods employed by some of the authors, some contributors to *Gender and crime in modern Europe* take full advantage of new approaches in historical anthropology, microhistory, and discourse analysis to address their subjects. Heather Shore, in her study on the 'invention' of the juvenile offender in early nineteenth-century Britain, examines the portrayals of delinquent boys in criminal discourse, demonstrating that 'the role of gender in constructions of criminal children in the early nineteenth century was inextricably tied to behaviour perceived as being associated with maturity, or the adult state: i.e. robust masculinity, sexual knowledge, coarse language and pastimes'.[20] Louise Jackson addresses similar issues on the construction of gendered notions of childhood by examining the discourses that were employed to discredit child witnesses in sexual abuse cases in London at the turn of the century.[21]

Ute Frevert takes up one of the only crimes seen as exclusively male in late nineteenth-century Europe, that of duelling and its criminalization in Germany. Frevert argues that 'duelling constituted a two-fold challenge (and threat) to state power' because it opposed the state's function to protect its subjects and to settle disputes in a peaceful and legally controlled manner.[22] Duelling was not only a mark of masculinity and manly bearing, it was also a symbol of class boundaries and the exclusive social honour of the nobility. Here, gender is not merely a construct of society, but is symbolic of class identity and difference, and ultimately of the relationships of power within society.

Many of the articles in this volume, in fact, deal with the issue of relationships of power evident in criminal prosecutions. Power most often is wielded in these accounts by male representatives of the state, of employers, or of the judicial system. Through a reconstruction of the operations of this power in the past, *Gender and crime in modern Europe* enables the reader to reconstruct the gender norms in operation in different societies over time, and to understand how these gender norms have played in to notions of class, race, and nation.

Crime is not merely a social construct, however, and the editors point out quite correctly that the questions of victimization and moral responsibility cannot be completely sidestepped in an academic account of crime. Arnot and Usborne state that there is 'a thread that can be discerned in our book that some crimes (particularly crimes of violence) are wrong in themselves'.[23] Certain crimes, such as the violence of the mafia sub-culture or the criminal violence of the Nazi state, represent fundamental abuses of human rights, even if not defined as 'crimes' within that society. This is an important concept to keep in mind, even amidst the recognition of the historical contingency of definitions of crime. Uncovering the agency and the voices of women and men who came in contact with the judicial system either as defendants or victims reminds us of the humanity of historical subjects, beyond the Foucauldian notions of discourse and discipline.

It is perhaps in bringing to light the humanity of women charged with crimes that Ann-Louise Shapiro most excels in her study, *Breaking the codes: female criminality in fin-de-siècle*

[20] Heather Shore, 'The trouble with boys: gender and the "invention" of the juvenile offender in early nineteenth-century Britain', in Arnot and Usborne, eds., *Gender and crime,* p. 86.

[21] Louise Jackson, 'The child's word in court: cases of sexual abuse in London, 1870–1914', in Arnot and Usborne, eds., *Gender and crime,* pp. 222–37.

[22] Ute Frevert, 'Male crime in nineteenth-century Germany: duelling', in Arnot and Usborne, eds., *Gender and crime,* p. 174.

[23] Arnot and Usborne, 'Why gender and crime?', in Arnot and Usborne, eds., *Gender and crime,* p. 19.

Paris. Shapiro wishes to introduce into the record the alternative stories, the individual voices of women charged with crimes, which often went unheard in the official accounts and judgements of women in the courts. Arguing convincingly for the overwhelming influence of 'love' stories that shaped judicial narratives of women's crimes of passion, Shapiro demonstrates how women's unique stories were drowned out by the power of gender stereotypes and ideals of femininity. For Shapiro, these stories were embedded in a patriarchal society attempting to come to terms with a new society of mass consumption and leisure in late nineteenth-century Paris. Although female crime was not statistically on the rise in fin-de-siècle France, 'the figure of the criminal woman was symbolically and practically central, a lightning rod that gathered the social and cultural tensions of the period'.[24]

Shapiro makes a convincing case for the French authorities' fascination with women's crimes, especially those associated with love affairs gone awry, in the midst of a society coming to terms with democracy and mass literacy. Her work follows in the tradition established by Mary Hartman, Robert Nye, and Ruth Harris who examine how the crime of passion allowed greater judicial leniency for French women.[25] Focusing mostly on notorious cases of female violence against former lovers, rather than on less publicized cases of prostitution, theft, or general disorderly behaviour, Shapiro mines the archives of the Prefecture of Police and newspapers such as the *Gazette des tribunaux* to demonstrate that trials of female criminals usually followed a script that attempted to reinstate traditional gender hierarchy rather than taking into account the peculiarities of the case. In the case against Marie Charrier, for example, the defendant's character was essentially on trial, as she was known for her 'decidedly undomestic behaviour and her willingness to embarrass her husband publicly'.[26] It seems that Charrier's lack of appropriate wifely behaviour, rather than the fact that she hurled cleaning acid in her husband's face, was foremost in the trial.

In contrast, the most sympathetic female criminals were those bourgeois women who were presented as driven by the desire to maintain their love relationships and their families, particularly the ties of motherhood. Melanie Lerondeau, for example, was transformed during her second trial into a caring mother who, if she had in fact poisoned her husband with oxalic acid, was merely trying to protect her daughter's dowry from being thrown away on her husband's mistresses.[27] According to Shapiro, 'this focus on motherhood legitimized women's distress – justifying the seduced and abandoned (pregnant) unmarried woman in her violence and giving married women the standing to resist a husband's betrayal. It recuperated women from the public world of crime and restored them to a privatized and asocial domestic space.'[28]

Female criminals who did not fit these gendered scripts were perceived as 'unnatural' women – women out of place, and as the century came to an end, more and more isolated and unnatural women were conflated in the public's eyes with feminists, criminals, and lesbians. Medical experts colluded in the discourse that considered women's reproductive biology as all-important in a woman's state of mind. Monthly changes might be responsible for temporary or intermittent insanity, for example, according to medical specialists and

[24] Ann-Louise Shapiro, *Breaking the codes: female criminality in fin-de-siècle Paris* (Stanford, 1999), p. 7.
[25] See Ruth Harris, *Murders and madness: medicine, law, and society in the fin-de-siècle* (Oxford, 1989); Mary Hartman, *Victorian murderesses: a true history of thirteen respectable French and English women accused of unspeakable crimes* (New York, 1977); Robert Nye, *The medical concept of national decline* (Princeton, 1984).
[26] Shapiro, *Breaking the codes*, p. 54. [27] Ibid., p. 164. [28] Ibid., p. 165.

clinicians of the fin-de-siècle. Shapiro argues that 'the assimilation of the criminal woman to the feminist was not casual or accidental, but integral to the social, cultural, and political transitions of the fin-de-siècle'.[29]

A real accounting of some of these important social, cultural, and political transitions would have strengthened the case for the centrality of the criminal woman to understanding fin-de-siècle society. Shapiro rightly points to the power of various interest groups in shaping the discourse surrounding female criminality, such as the concern of physicians and social scientists for the national disease of degeneration – *dégénérescence* – and advocates of the traditional family who were concerned with population decline in France.[30] It would have been helpful, however, for Shapiro to have explained exactly how these discourses led to concrete changes within French society. Although *Breaking the codes* suggests that anxiety about the female criminal led to modifications on laws in the pre-war period concerning divorce and separation, or the right to initiate paternity suits, the means by which this happened are unclear. Did the stories of female criminals really lead republican men in positions of power to recognize the basic gender inequities in French society, or were there other more compelling stimuli for such changes?

The image of the bourgeois republican man is one area that Shapiro might have explored in more depth as well. She states 'although contemporaries shared a fairly consistent image of the ideal republican man, the presence of feminist women making civil and political claims unsettled easy assumptions about domestic order and national politics'.[31] Yet *Breaking the codes* is filled with evidence of male insecurities, anxieties, and crumbling privileges in the fin-de-siècle, developments that must surely have had a

[29] Ibid., p. 213.

[30] For more on degeneration see Daniel Pick, *Faces of degeneration: a European disorder, c. 1848–1918* (New York, 1989). The literature on fears of population decline and pronatalism is voluminous. A few titles include Elinor Accampo, Rachel G. Fuchs, and Mary Lynn Stewart, eds., *Gender and the politics of social reform in France, 1870–1914* (Baltimore, 1995); Elisa Camiscioli, 'Intermarriage, independent nationality, and the individual rights of French women: the law of August 10 1927', *French Politics, Culture, and Society*, 17 (1999), pp. 52–74; Joshua Cole, '"There are only good mothers": the ideological work of women's fertility in France before World War I', *French Historical Studies*, 19 (1996), pp. 639–73; John R. Gillis, Louise A. Tilly, and David Levine, eds., *The European experience of declining fertility* (Cambridge, 1992); Martha Hanna, 'Natalism, homosexuality and the controversy over *Corydon*', in Jeffrey Merrick and Bryant T. Ragan, Jr, eds., *Homosexuality in modern France* (New York, 1996); Marie-Monique Huss, 'Pronatalism and popular ideology of the child in wartime France: the evidence of the picture postcard', in Richard Wall and Jay Winter, eds., *The upheaval of war: family, work and welfare in Europe, 1914–1918* (Cambridge, 1989); Cheryl A. Koos, 'Gender, anti-individualism and nationalism: the *Alliance national contre la dépopulation, 1938–1944*', *French Historical Studies*, 19 (1996), pp. 639–73; Karen Offen, 'Depopulation, nationalism, and feminism in fin-de-siècle France', *American Historical Review*, 89 (1984), pp. 648–76; Susan Pedersen, *Family, dependence and the origins of the welfare state: Britain and France, 1914–1945* (Cambridge, 1993); Andres Horacio Reggiani, 'Procreating France: the politics of demography, 1919–1945', *French Historical Studies*, 19 (1996), pp. 726–54; Mary Louise Roberts, *Civilization without sexes: reconstructing gender in postwar France, 1917–1927* (Chicago, 1994); Robert Talmy, *Histoire du mouvement familial en France, 1896–1939* (2 vols., Paris, 1962); Françoise Thébaud, 'Le mouvement nataliste dans la France de l'entre-deux-guerres: L'Alliance nationale pour l'accroissement de la population française', *Revue d'histoire moderne et contemporaine*, 32 (1985), pp. 276–301; Susan Watkins, *From provinces into nations: demographic integration in western Europe, 1870–1960* (Princeton, 1991); Michael S. Teitelbaum and Jay M. Winter, eds., *Population and resources in western intellectual traditions* (Cambridge, 1989).

[31] Shapiro, *Breaking the codes*, p. 183.

profound impact on notions of ideal masculinity and the *bon père de famille*.[32] Shapiro's main focus is on the stories of these criminal women; yet, as 'lightning rods' for the society at large, their narratives also have much to tell about the changing standards and self-perceptions of the all-male juries who judged these women. Could the stories of female criminality in fin-de-siècle Paris be illuminating to both female and male gender history?[33]

Finally, perhaps more should be said about the actual *people* involved as victims in the violent cases Shapiro examines. *Breaking the codes* contains powerful photographs and images of the men and women scarred by vitriol (sulphuric acid), stabbed, or shot by their aggressors, and children killed by their mothers in moments of possible insanity. Many of the victims appearing in the book are hardly sympathetic characters and some would think that this personal revenge was more than appropriate considering the limitations and legal disadvantages facing women. Yet little is said about the violence of the acts themselves, which are brought into sharp relief by the illustrations in the book. Bringing out the humanity of the victims, as well as the perpetrators, of such acts would serve further to ground the power of discourse in material reality. Exploring some of these questions might complement Shapiro's goal of bringing together cultural, social, and political history in such a way as to create a fuller human picture. Shapiro concludes with the observation that 'the use of gender as an analytical category enables a bringing together of the subjects of cultural, social, and political history, producing a more integrated historical narrative'.[34] This she accomplishes handily with *Breaking the codes*, and demonstrates that examining the discourse surrounding women's crimes in the fin-de-siècle illuminates the landscape of Parisian society more generally.

Shapiro acknowledges her debt to Joan Scott in this analysis, and in a similar way, Miranda Pollard has built upon Scott's work in her *Reign of virtue: mobilizing gender in Vichy France*. Pollard was one of the first scholars to begin to investigate the role of women in the Vichy regime, work that has since been followed up by Sarah Fishman, Francine Muel-Dreyfus, and Hanna Diamond, among others.[35] Pollard places gender at the centre

[32] For questions of 'ideal' masculinity at the turn of the century, see Jeffrey Weeks, 'The late Victorian stew of sexualities', *Victorian Studies*, 35 (1992), pp. 409–15; Berenson, *Trial of Madame Caillaux*; Jack Ellis, *The physician-legislators of France: medicine and politics in the early Third Republic, 1870–1914* (Cambridge, 1990); Annelise Maugue, *L'identité masculine en crise au tournant du siècle (1871–1914)* (Paris, 1987); George Mosse, *The image of man: the creation of modern masculinity* (Oxford, 1996); Nye, *Masculinity and male codes of honor*; Sylvia Schafer, 'Between paternal right and the dangerous mother: reading parental responsibility in nineteenth-century French civil justice', *Journal of Family History*, 23 (1998), pp. 173–90; Abigail Solomon-Godeau, 'Male trouble: a crisis in representation', *Art History*, 16 (1993), pp. 286–312; Judith Stone, *Sons of the revolution: radical democrats in France, 1862–1914* (Baton Rouge, 1996); Robert Stuart, '"Calm, with a grave and serious temperament, rather male": French Marxism, gender and feminism, 1882–1905', *International Review of Social History*, 41 (1996), pp. 57–82.

[33] For suggestive work in this vein, see Jan Goldstein, 'The uses of male hysteria: medical and literary discourse in nineteenth-century France', *Representations*, 34 (1991), pp. 134–65, and Mark S. Micale, 'Charcot and the idea of hysteria in the male: gender, medical science, and medical diagnostics in late nineteenth-century France', *Medical History*, 4 (1990), pp. 363–411.

[34] Shapiro, *Breaking the codes*, p. 219.

[35] Miranda Pollard's first essay appeared in H. R. Kedward and Roger Austin, eds., *Vichy France and the resistance: culture and ideology* (New York, 1985), entitled 'Women and the National Revolution', pp. 36–47. See also Sarah Fishman, *We will wait: wives of French prisoners of war, 1940–1945* (New Haven, 1991); Francine Muel-Dreyfus, *Vichy et l'éternel féminin* (Paris, 1996); Hanna Diamond, *Women and the Second World War in France, 1939–1948: choices and constraints* (London, 1999); Claire Andrieu, 'Démographie, famille, jeunesse', in Jean-Pierre Azéma and François Bédarida, eds., *La France des*

of her analysis of the Vichy regime, asking whether Vichy *needed* gender to have its programme succeed.[36] She argues convincingly that gender was in fact fundamental to the regime's goals, that gender became politicized and was an integral part of the programme of moral and social renewal known as the National Revolution. Although bound by contradictions in its policies and the physical hardships of a country under occupation, the Vichy regime needed to generate a powerful discourse on sexual difference and women's natural inferiority in order to accomplish its ideological goals.

Pollard employs a top-down approach in her study, examining the ideology and policy decisions of administrators and government propagandists whose documents fill the archives she has carefully mined. Her analysis uncovers profound contradictions in the way in which women were addressed in the Vichy years. Perhaps most obvious was the regime's treatment of married women's work. Initially outlawed as a measure of support for unemployed men and a symbol of women's 'returning' to the home, the law of 11 October 1940 was not universally welcomed and in the realities of life in France in 1940–1, seemed economically unviable. Requisitions for labour in Germany, which included women, marked Vichy's 'definitive loss of power over the discourses of *la femme au foyer* and *le travail*'.[37] Pollard demonstrates the tragic irony of a situation in which women who had previously been called to 'return' to the home were now gaily exhorted by the regime to leave their families and work in Germany.

Despite the real constraints of a situation in which 1.5 million French prisoners were being held in German POW camps, Pollard chronicles the way in which Vichy attempted to make 'family' the cornerstone of a new France. Important in this process was the promotion of Mother's Day, or the *Fête des Mères*, a celebration that would replace more problematic national holidays, such as 14 July, 11 November, or 1 May, as a day of national unity. *Reign of virtue* offers interesting pictorial examples of this propaganda, including many posters from the *Fête des Mères* and other cherished Vichy causes such as the *Secours d'Hiver*. While many husbands or fathers languished in German camps, Vichy attempted none the less to make real the ideal of a patriarchal family with a mother who devoted herself to reproducing both her family and a new state.

Vichy's gender policies were based on a fundamental anti-feminism that posited women as naturally inferior to men. Education for young people was based on sexual difference, with girls being instructed in *enseignement ménager*, or housekeeping, and preparation for the maternal role. Boys, on the other hand, were offered a much more 'virile' education in the *Chantiers de la jeunesse* or the *Ecole des cadres*, as they were expected to be the heroes of the new state. Both sexes were to be instructed in demography, a subject of instruction introduced during the Third Republic, which focused on the depopulation of France and the need to have a large family.

Mandatory *enseignement ménager* was one manifestation of Vichy's anti-feminism, but as Pollard notes, this anti-feminism could take on much more severe forms, such as in the laws

années noires, 1 (Paris, 1993); Célia Bertin, *Femmes sous l'occupation* (Paris, 1993); Hélène Eck, 'French women under Vichy', in Françoise Thébaud, ed., *A history of women*, v: *Toward a cultural identity in the twentieth century* (Cambridge, 1993); Melanie Hawthorne and Richard Golsan, eds., *Gender and fascism in modern France* (Hanover, NH, 1997); Paula Shwartz, 'Partisanes and gender politics in Vichy France', *French Historical Studies*, 1 (1989), pp. 126–52; Rita Thalmann, ed., *Femmes et fascismes* (Paris, 1986).

[36] Pollard, *Reign of virtue*, p. 2.

[37] Ibid., p. 170.

against abortion.[38] Abortion was made into a capital offence in February 1942, and despite the fact that the laws on the repression of abortion were 'multilayered, contradictory', Pollard states 'unlike other arenas of Vichy policy, abortion repression meant directly attacking women'.[39] Between February 1942 and July 1944, two people were guillotined, fourteen were condemned to life imprisonment, and twenty-six others were sentenced to prison terms of twenty years or so.[40] Pollard takes up the stories of Marie-Louise Giraud and Désiré P__, who were seen as flagrant offenders against proper sexual roles and public decency and were beheaded by the state. Despite its ultraconservativism, Pollard notes that Vichy did not engage in an 'all-out war' on abortion, but rather that 'some sex, some abortions, were more frowned upon, more liable to be "criminalized" than others'.[41] Through the stories of women, their families, and abortionists, Pollard outlines a 'highly specific sexual regime that both constrained and produced "truth" about sex, using surveillance and confession, discipline and punishment'.[42] Here we see once again the influence of Foucault and his notions of power/knowledge and intensifying discipline over bodies.

Reign of virtue is about mobilizing *gender* in Vichy France, but in fact Pollard is stronger when discussing women under the regime than in applying the same critical analysis to discourses about men. This is perhaps based on her assumption that French men were rendered 'metaphorically invisible' in the 'great business of cleaning up France through a National Revolution'.[43] Pollard writes 'if young French men were fleeing to the *maquis*, being shipped off to Germany, or being invited into the *milice* or the *Légion Française contre le Bolchévisme*, they were not "available" for the virile French *rénovation* that Vichy had planned'.[44] Yet, as *Reign of virtue* amply demonstrates, Vichy ideology seldom coalesced with material reality, and the relative lack of able-bodied young men did not stop the regime's ideologues from propagating a parallel discourse for men. Under Vichy, the symbol of the *père de famille* was raised to national prominence, and the beleaguered father of the family was touted as the means for the regeneration of the French state. Though nothing matched the boisterous celebrations surrounding Mother's Day (there was no Father's Day under the Vichy regime), this highly politicized discourse none the less would significantly broaden and deepen our perception of how gender was *mobilized* in Vichy France.

Pollard may be forgiven for emphasizing women in an effort to correct the hundreds of accounts in which women are simply ignored. Yet in an analysis of *gender* in the Vichy regime, it is essential that both sides of the equation be accounted for. Vichy's restrictive gender ideology was not imposed only on women, but rather targeted male bachelors, homosexuals, childless men, and any man who failed to live up to the virile standards set by the regime. Humiliating defeat made this project all the more essential, as men were also blamed for the depopulation of France and for the decadence of the Third Republic.[45]

[38] See also Cheryl Koos, '"*On les aura!*": the gendered politics of abortion and the Alliance nationale contre la dépopulation', *Modern and Contemporary France*, 7 (1999), pp. 21–33, and Gisela Bock and Pat Thane, eds., *Maternity and gender policies: women and the rise of the welfare states, 1880s–1950s* (London, 1991).

[39] Pollard, *Reign of virtue*, p. 175. [40] Ibid., p. 174. [41] Ibid., p. 192.

[42] Ibid., p. 192. [43] Ibid., p. 1. [44] Ibid., p. 96.

[45] On men in the Vichy regime, see John Hellman, 'Communitarians, non-conformists, and the search for a "New Man" in Vichy France', in Sarah Fishman et al., eds., *France at war: Vichy and the historians* (Oxford, 2000), pp. 91–106; Bernard Comte, *Une utopie combattante: l'école des cadres d'Uriage, 1940–1942* (Paris, 1991); Limore Yagil, *'L'Homme nouveau' et la Révolution nationale de Vichy (1940–1944)*

One of the criticisms voiced against *Reign of virtue* is that amidst the powerful discourses of the Vichy regime, women themselves are lost underneath the rhetoric of those in charge.[46] Women's agency does seem to be minimized by the all-encompassing surveillance of the Vichy officials and technocrats. This is a critique that could be addressed to many histories that take discourses seriously, or take a top-down approach to understanding how gender ideologies are propagated. In fact much of the criticism directed at Foucault centres on the lack of agency and individual capacity for change that he accords his subjects; caught up in the interlocking discourses of power and control, individuals have little capacity for independent thought or action. This becomes a very real concern in scholarship addressing the lives of women: if the discourses of power and repression define and create women, is there a risk that these women will continue to be disempowered and rendered helpless by the very history that claims to reintegrate them into the picture?

Some historians of women have attempted to address this issue by shifting their focus to the lives of individual women, writing historical biography that emphasizes individual identity. Although biographies seemed to fall out of fashion with cultural historians and poststructuralists who questioned the concept of a coherent self, biography seems to be coming into its own again, as is evident from a number of recent books on individual women in the past.[47] Joan Scott herself, in her latest book, has focused on individual women as 'sites – historical locations or markers – where crucial political and cultural contests are enacted'.[48] Although not a biographical approach, Scott's most recent work attempts to deal with the question of women's agency by locating it within the dynamic power of language.[49]

Focusing on the power of words, stories and narratives about gender need not disempower individual men and women. Their stories are not lost amidst a history that takes language, ideology, and propaganda as important subjects. Rather, understanding such discourses provides a frame for understanding individual experience: it does not claim to replace it. The lived experience of women brought to trial in fin-de-siècle Paris or prosecuted for abortion in Vichy France cannot be uncovered by official pronouncements about their biological nature or their feminine dispositions. This, as the aforementioned authors would readily admit, would be another project and require different sorts of research. Perhaps it is time, twenty years after Foucault's death, to move beyond studying the discourses of policy-makers and cultural elites to an understanding of the workings of gender in everyday lives of the past. The value of studies that illuminate and explicate official discourse is that we are better able to see the workings of change over time.

(Paris, 1997); and Kristen Stromberg Childers, 'Fathers, families, and the state in France, 1914–1945' (PhD dissertation, Pennsylvania, 1998).

[46] See Robert Gildea, in *Journal of Modern History*, 73 (2001), p. 184, and Claire Gorrara, in *Journal of European Studies*, 29 (1999), p. 450.

[47] See Victoria Thompson, review of May 2001 for H-France. James Smith Allen, *Poignant relations: three modern French women* (Baltimore, 2000); Whitney Walton, *Eve's proud descendants: four women writers and republican politics in nineteenth-century France* (Stanford, 2000); Jo Burr Margadant, 'Introduction: the new historical biography in historical practice', *French Historical Studies* (1996); idem, *Performing femininity in nineteenth-century France* (Berkeley, 2000); Natalie Zemon Davis, *Women on the margins: three seventeenth-century lives* (Cambridge, MA, 1995).

[48] Joan Wallach Scott, *Only paradoxes to offer: French feminists and the Rights of Man* (Cambridge, MA, 1996), p. 16.

[49] Mary Louise Roberts, 'Only questions to offer', *Journal of Women's History*, 10 (1998), p. 171.

Individual experience is less successful at explaining large shifts in attitudes and understanding. If gender does, in fact, shape all our institutions, governments, knowledge, and social categories, then understanding the articulation and changes in gender ideology will enhance our understanding of transformations in these spheres.

It is perhaps in perceptions of change that these works come together, as all three texts point to the intersection of crises of gender and the challenge of modernity. Whether modernity is defined as the fear of democratization, mass consumption, and leisure society, as for Shapiro, whether it is reviled as the source of all evil, as in Vichy France, or whether it is cast as the encroachment of the state on male duelling rights in nineteenth-century Germany, gender seems to be most contested, problematic, and ultimately critical at moments of perceived 'modernization' of society. These authors suggest that gender concerns become most imperative at points of profound societal change, and that charting the transformation of gender norms is an essential tool for analysing the transformation of social, political, economic, and cultural history of the time. 'Modernity' and 'modernization' are obviously vague and imprecise terms, yet it is *perceptions* of modernizing change in the past that elicited the most soul-searching with regard to relations of power between men and women. For Shapiro, 'female criminality became the material and discursive site where bourgeois authorities could attempt to address the problem of mass culture as they sought to secure their professional authority and cure the syndrome of modernity'.[50] In the nineteenth and twentieth centuries in Europe, the challenges of new political and economic developments came hand in hand with the need to reaffirm, contest, or transform gender norms.[51]

Timothy Gilfoyle has argued that the historical study of prostitution has changed from examining 'parables of pornography to metaphors of modernity'. Gilfoyle demonstrates that in many recent works on prostitution, changes in prostitution have been equated with the evolution of state power and modernity in the nineteenth and twentieth centuries.[52] Just as the prostitute may be a portal to understanding wider historical trends, so must we also recognize that gender history, far from being at the fringes of historical understanding, in fact widens and deepens our understanding of the most traditional topics of historical research. The three works under consideration here show that this clarification may take many different forms and even offer conflicting interpretations, but ultimately historians of modern Europe cannot afford to ignore the powerful and dynamic way in which gender has played a role in the unfolding of this history.

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[50] Shapiro, *Breaking the codes*, p. 47. See also Dena Goodman, 'More than paradoxes to offer: feminist history as critical practice', *History and Theory*, 36 (1997), pp. 392–405.

[51] See also Howard I. Kushner, 'Suicide, gender, and the fear of modernity in nineteenth-century medical and social thought', *Journal of Social History*, 26 (1993), pp. 461–80.

[52] Timothy J. Gilfoyle, 'Prostitutes in history: from parables of pornography to metaphors of modernity', *American Historical Review*, 104 (1999), pp. 117–41.