

BREAKING THE CODES

Female Criminality in Fin-de-Siècle Paris



Ann-Louise Shapiro

THE SEXUAL POLITICS OF FEMALE CRIMINALITY

Society is afraid of both the feminist and the murderer, for each of them, in her own way, tests society's established boundaries . . . Nor is it surprising that the panic provoked by feminism and the alarm at female criminality coincide almost perfectly, as though according to some plan.

Ann Jones, *Women Who Kill*, 1980

As gateway to the Great Exposition of 1889, the Eiffel Tower transformed the Parisian landscape—asserting republican confidence, celebrating republican unity, and claiming the legacy of the Great Revolution for the new republican regime. Designed to “show our sons what their fathers have accomplished in the space of a century,” the tower spoke to ideals of citizenship and national strength that were to be realized through the republic's promotion of liberty, secularism, and science. In the direct, universal language of its monumentality, and in its incarnation as a kind of “baroque dream” that invited imaginative license, the tower called on millions to bear witness to the ascent of man.¹

In the context of the national malaise that followed France's defeat in 1870, this dream depended on a restored national identity—one that pointed to former French glory and looked aggressively to the future. The promises of republicanism were to be guaranteed, as Robert Nye has argued, by the new republican man, embodying the qualities of “citizen, worker, and father”; these men would constitute a republic secured not only by political principles but by a specifically masculine civic identity.² Their female counterparts were to be republican mothers—women freed from the manipulations of priestly authority, dedicated to the domestic hearth, and trained to raise republican *citoyens*. The corrupt, clerical, infertile Empire would be replaced by a morally regenerate, secular, and fecund Republic.

This was less an era of settled social roles, however, than a moment of conflict and transition in relations between men and women; in its symbols and programs, the Exposition of 1889 ironically captured both the

gendered dream of national harmony and its frustration. Even as the Eiffel Tower asserted masculine accomplishment, Paris was, in this symbolically dense year marking the anniversary of the Revolution of 1789, simultaneously the site of two women's congresses: the officially sponsored first International Congress on Women's Rights and Feminine Institutions, designed to celebrate women's philanthropic and charitable activities, and the French and International Congress on the Rights of Women, organized as an alternative and specifically feminist response to the government-subsidized conference.³ Although the program of the second conference was considerably more political than its official counterpart and its demands were couched in more radical terms, contemporaries did not see the two as necessarily in opposition; in fact, many men and women participated in both congresses. More important than the differences in outlook and strategy between the two groups was the extensive press coverage that both received and the growing audience attentive to feminist concerns that they represented. If, as social critics had argued throughout the century, the "condition of women" could be read as a barometer measuring the viability of the social order, what did this new preoccupation with women's issues connote?

Questions about the meaning of the republic for women increased as the new regime became more firmly established. Feminists who had begun to organize in the closing years of the Second Empire had been forced to retreat in the backlash that followed the defeat of the Commune. But with the republican order ensconced by 1879, they began to hope that the new government would realize the promises of republican rhetoric through concrete gains for women. According to feminist Maria Deraismes, "the liberation of half of humanity is, like the republic, in its third incarnation. . . . The republic seems, this time, determined to confirm its existence, and the rights of women are now a question that it must address."⁴ In similar terms, urging the republic to honor its heritage, another feminist noted that "the revolutionary idea has only been half realized; women await with confidence the great anniversary of 1789."⁵

Yet republican politicians did not as a group line up behind feminist goals, nor did feminist issues form a part of a republican political platform. The legislative and institutional gains that were achieved (such as the creation of a system of secondary education for girls in 1880 and the divorce law of 1884), were the work of particular, typically quite cautious individuals; politicians had no desire to turn attention to the legal

inequities against which feminists were organizing, preferring rather to "modernize" women's condition, promoting *une citoyenne au foyer*, a female citizen whose realm was the domestic sphere.⁶ Thus, though historians have characteristically identified the primary division in fin-de-siècle society as between the "two Frances"—the secular, liberal, republican France led by the progressive bourgeoisie; and the religious, conservative, monarchical France of the Church, army, and aristocratic *notables*—this descriptive dichotomy obscures the degree to which traditional, even patriarchal values were shared across the political spectrum.⁷ It therefore misses the way that "the condition of women" question revealed contradictions within republican rhetoric, as conflicts about how to address women's status undercut clear understandings of the meaning of republican egalitarianism and rattled republican sensitivities in both deeply personal and more public matters. In fact, republicans (and socialists) were as adamant as conservatives in their defense of the family and were reluctant to compromise their political capital by supporting any position that could be construed as undermining traditional familial patterns.

The growth of an organized movement for women's rights, however, exposed the paradox of a republicanism that asserted democratic principles and at the same time based its claim to legitimacy on a model of social organization derived from hierarchical, "normal" families that guaranteed men's rights and women's dependence. As men and women sought to find their balance within the possibilities opened by republican rhetoric and feminist challenges, some reformers began to argue that improvements in the condition of women—especially in the status of women within marriage—were a necessary prerequisite to national regeneration. But in the context of intense national anxieties about depopulation, there was also increasing concern about a new type of disordered woman: the autonomous bourgeois woman who, in one version, became an adulteress or a lesbian, rejecting the sexual confines of marriage; or, in another, the egoist who refused to have children, a woman barely distinguishable in her imagined social effects from the working-class *filles mères*, linked to abortion, infanticide, and murder. These were women—represented by the feminist and her presumed alter ego, the lesbian—who were dangerous in their independence and nonreproductivity. As recent additions to the social landscape and social imagination of the 1880s and 1890s, these two resonant female figures joined the cast of female deviants who seemed in some measure responsible for (and symbolic of) both domestic conflict and national decline.

Each became, in her own way, emblematic of a profound *désordre des mœurs* that threatened the patterns of private life while calling into question the organizing principles of the public realm. 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. It was these new female types who pressed republican authorities most insistently with questions about the attributes of citizenship and patterns of hierarchy in domestic and public spheres. And it was feminist women who represented the nearly unthinkable possibility of unstable gender difference, raising the double spectre of converging gender roles and slipping male authority. By calling into question inequalities established at law and sanctioned by tradition, by challenging the exclusions imposed on women and the protected privileges enjoyed by men, the feminist and the lesbian became, finally, the metaphorical shadows of the criminal women brought to account in the Cour d'Assises. Like the female criminal, the feminist contested deeply held beliefs about gender hierarchies and raised questions about women's rights; and both the feminist and the female criminal brought their grievances—which, by the end of the century, seemed to be couched in similar terms—to national attention, dramatizing the ways that contemporary policy and practice failed to secure their well-being as women. In her recent study of female criminals, Ann Jones has made an argument similar to the one I am making here. The quote that served as this chapter's epigraph is worth repeating here:

Society is afraid of both the feminist and the murderer, for each of them, in her own way, tests society's established boundaries . . . Nor is it surprising that the panic provoked by feminism and the alarm at female criminality coincide almost perfectly, as though according to some plan.⁸

This chapter will explore the conceptual web that naturalized the connections between criminal women and independent feminist women so as to reveal the intersections of gender, culture, and politics in the context of fin-de-siècle republicanism.

There was no unified feminist movement in the fin-de-siècle; but, although most French feminists were reluctant to follow the more radical groups in demanding suffrage, nearly all organized to rescind the legal disabilities of women formalized in the Civil Code—especially the infamous Article 213 on the authority of the husband in marriage (*l'autorité maritale*), which stipulated that men owed their wives protection while

women pledged obedience. Promulgated under Napoleon in 1804, the code effectively placed married women under the tutelary supervision of their husbands: a husband had control of all his wife's assets and property, which she could not dispose of without his consent; in marriages controlled by community property (and this included the vast majority), the husband could sell off (aside from real estate) his wife's personal belongings without her agreement; a woman could not live apart from her husband or open a business without his formal approval; any money that she earned belonged to him; the husband had custody of minor children of the marriage, a right passed to his family if his widow remarried; women could not initiate paternity suits, nor did they have equal rights to prosecute their spouses for adultery. Only widows and some single adult women enjoyed slightly more control over their own lives. Drawing out the political implications of these formal differences in status, one reformer wondered, rhetorically, whether such blatant inequality could be compatible with republican principles. In the end, he concluded, "we must assure the abdication of this conjugal king who is the husband and the succession of this citizen who is a woman; in a word, we have to make of marriage a republic."⁹

Public opinion about the respective rights and duties of spouses was galvanized in 1872 by a widely publicized Parisian crime of passion that provided the occasion for intense debate about the status of women and men in marriage and, more broadly, in the civil code. M. Du Bourg had murdered his adulterous wife—an essentially banal case that was rendered notorious by the fact that, instead of the expected acquittal, Du Bourg was sentenced to five years in prison. Among the outpourings of criticism that greeted this unlikely decision was an explosive pamphlet by Alexandre Dumas fils, *L'Homme-Femme*, that was reedited thirty-five times in the six months after it appeared, selling 50,000 copies after only three months and provoking impassioned responses from at least thirty-three writers across the full political spectrum.¹⁰ In a dramatic and inflammatory rhetorical flourish, Dumas had placed the bourgeois adulteress alongside the more familiar figure of the working woman / prostitute as a signifier of social decay. According to Dumas, a husband has the right to say to his judges: "I have killed this creature . . . in order to extinguish in her the germ of a child that she is going to impose on my trust . . . on my labor, on my legitimate children, on my name and on all my posterity." At the conclusion of this tract, Dumas takes his son to the summit of a mountain, and, speaking as God the Father, delivers his sermon:

Marry [a woman] from whichever class, provided that the one that you marry is religious, chaste, hard-working, healthy, and gay, without irony. Never marry a mocking woman. Bantering by a woman is a sign of hell . . . ; if she betrays you, KILL HER!¹¹

Dumas had thrown down the challenge, reasserting traditional values and expectations. But would traditional hierarchies be able to sustain the challenges raised by feminists and reformers? What were women's rights to be in the new political order? How were the conflictual claims of men and women, husbands and wives, to be negotiated? And who would be the arbiters? In one of the most aggressive replies to Dumas, the feminist Maria Deraismes parodied her adversary. Taking her hypothetical daughter to a mountaintop, in "a solemn and sure tone" she lectured:

My child . . . you who are young, beautiful, educated, endowed with talent and virtue, do not forget that if this man, who appropriates all of this for himself, who takes as well your dowry, your fortune, in order to make himself a notary, a banker or deputy . . . if he keeps mistresses . . . if it happens that he even succeeds in corrupting the purity of your blood, do not forget that this man spoils the divine plan . . . he is Darwin's ape, he is Cain in person; kill him; do not hesitate.¹²

The debate could not, of course, stay within the terms of the polemics laid out by Dumas and Deraismes. In succeeding decades feminists and their opponents would attempt to come to grips with the implications of the specific issues and alternative definitions of rights implicated in these notorious incitements to murder. Women and men who supported broadly feminist objectives held a wide range of opinions on specific issues.¹³ Only a small faction were willing to support full political rights for women. These feminists, identified as radicals by their contemporaries, argued that nothing short of identical rights for both sexes would be compatible with republican liberty. The majority, however, did not share a specific program, but determined to dismantle piecemeal the most inequitable aspects of the legal and social codes that had been constructed over time according to patriarchal principles. Different groups organized around different goals, which included: the removal, one by one, of the disabilities of women legislated by the civil code; the pursuit of advanced secular education for women; the development of broader economic opportunities for women; the abolition of state-regulated prostitution; an end to the practice of arranged marriages; and the provision of public assistance to pregnant women, whatever their marital status. None of these causes automatically excluded any one of the others; feminist dis-

course intervened in public debates not as a uniform program but through the multiplicity of its commitments. In an interesting example of the possible, even contradictory, combinations of sensibilities and programmatic concerns, Marie Terrisse divided her feminist agenda into three parts: the first, presented as a series of sentimental vignettes of the lives of seduced and abandoned women, reads like a roman feuilleton and ends with a call for the right to initiate paternity suits; the second, a plea for an end to the system of state-sanctioned prostitution, is rendered in terms that echoed conventional, socially conservative reform literature—that is, by describing prostitution as a problem of "corrupted and corrupting women"; and the third, a demand for political rights for women, is expressed in the language of radical feminism.¹⁴

In spite of their small numbers, typically respectable social position, and predominantly moderate discourse, feminists had, it seems, become both visible and alarming as debate over "the woman question" heated up in the 1880s and 1890s. In his doctoral thesis, the lawyer Paul Granotier echoed contemporary sentiments when he referred to feminism as "an irresistible wave," a force "assailing governments like a mounting tide" and embodying less a fixed doctrine than a spirit that had penetrated nearly every social stratum and had found voices along the whole spectrum of political opinion.¹⁵ In Granotier's terms, "in the public world, woman establishes her headquarters everywhere." While feminism never became a mass movement in France, the gains made by women in a short period of time, in terms of both organizational strength and substantive changes, were significant. International congresses on women's rights were held in Paris in 1889, 1892, 1896, and 1900, and feminist journals began to be published throughout the country.¹⁶ The numbers of women pursuing higher education increased dramatically, as did the count of women seeking entrance into the professions.¹⁷

Even as republicans pursued a fairly conservative social agenda, a pattern of small, continuing, maybe even unrelenting, changes emerged in the space opened by more general republican commitments to equality. In 1880 new legislation mandated free public secondary education for girls, followed (1881) by the creation of teacher training schools for women, eligibility for women on Departmental Councils of Public Education (1886), and the entry of women into positions as inspectors of primary education (1889). In 1884 divorce was reinstated, and the new law abandoned the legal distinction between a man's adultery and that of his wife. In 1893 women separated from their husbands but not divorced gained

full civil capacity; four years later all women, married or not, could act as witnesses in a civil court, that is, were considered to have a separate legal identity. Women won the right to open their own old-age pension accounts (1886) and savings accounts (1895). From 1895 women could be named as administrators of charity boards; in 1898 they gained similar rights on commercial boards and in mutual aid societies and, two years later, on elected boards for labor arbitration. In 1900 women won the right to accede to the bar, and in 1907, equal rights over minor children. While several important issues remained contested—the right to initiate paternity suits, the right to marry the named party in a divorce-for-adultery case, divorce by mutual consent, and political rights—it is clear that established customs were being dismantled. The glue that had maintained a fairly stable equilibrium between the sexes for nearly a century had been loosened.

While it is usual for historians to describe the position of women in French society during this period in terms of their legal disabilities and second-class citizenship, it seems equally accurate and perhaps more revealing to see these decades as a time when men correctly perceived that they were losing many of the traditional prerogatives that had defined their superior status, validated their authority, and secured their masculinity. Du Camp's hyperbolic warnings in 1861 about the subversive campaign of prostitutes to "cretinize the aristocracy"—that is, his image of the female deviant as social solvent—could be (and was) readily rewritten in reference to a perceived invasion of feminists who appeared to be pulling down the edifice of male privilege. It should be no surprise that bourgeois men spoke explicitly of sex wars that envisioned the overturning of all that made social life familiar and possible, while conservatives wrote angrily and derogatorily of Marianne, the symbolic representation of what seemed to be a feminized republic, presiding over the loss of masculine power. In his study of republican imagery in the nineteenth century, Maurice Agulhon notes that the figure of Marianne remained, as she had been for critics since the time of the Revolution, a whore, "'naturally' called a woman selling her favours every time that the State could be reproached for any weakness, compromise or alleged corruption."¹⁸ Antifeminist discourse in this period did not, then, merely reflect the voice of a powerful male establishment seeking to exercise control over a subordinate group. We can only understand this literature if we interpret it as informed by both power and perceived powerlessness, inflected by anxiety as much as by authority.

The most intractable arguments against women's rights warned against violating traditional social practices that allegedly originated in "natural" or biological laws. Some appealed to the lessons of history—that is, the longstanding exclusion of women from public life—that were alleged to be necessary and eternally valid. Blaming the fall of Rome on the emancipation of women and the infiltration of foreign customs, for example, a Parisian lawyer offered a "natural law": "The Greek hid his wife in the *gynécée*, the Roman placed her under the guard of two *lares* (domestic spirits), the Moslem enclosed her in his harem, our society shelters her under the protective roof of the home."¹⁹ Another lawyer referred to the submission of women to men, to men's "protection" of women, as a principle consented to by all people in every age, "one of the primordial axioms that are beyond question."²⁰ Evoking a similar inevitability, an alienist who presented himself as an expert in *la science intersexuelle*, claimed that women in mental institutions sought solitude more than did men; women, he insisted, "naturally" prefer to be alone, "a bit as a recluse in the home."²¹ Antifeminists parodied women's demands as the expression of the "vain and hysterical" aspirations of a very few "egoistic" individuals; they catalogued the dangers women's emancipation presented to children and the family, citing especially the litany encapsulated in natality statistics from around the world; they worried about the effects of female naiveté and "impressionability" in political life, invoking Broca's studies of women's inferior cranial capacity and discussions of the limited range of female education; they elaborated sensational images of women in military life. It was practically an article of faith for political analysts of every persuasion that enfranchised French women would "take their orders from the confessional,"²² a conviction that placed female emancipation with other threats to the future of the secular republic.

A somewhat more conciliatory position couched the discussion of women's rights in the context of "progressive" change, applauding the improved status of women but cautioning against too rapid progress, for which the appropriate ground had not been laid. These voices thus emphasized "legitimate ambitions," subscribing to projects based on notions of "equivalence" rather than equality—emphasizing the special, distinct attributes of each sex and retaining what they saw as gender-appropriate differences in civic life. The prominent law professor Raymond Saleilles, for example, proposed a compromise. In place of a "false feminism" that might produce female lawyers, he offered a social and juridical role to women that expanded the arenas for their appropriate social

service without undermining conventional gender hierarchies. He reasoned that, as punishments in the criminal justice system were more and more tailored to fit the criminal (the individualization of penalties), there would be a natural function for women in providing the psychological analysis that would classify offenders, an activity described in familiar gendered terms as a “work of the heart.”²³ Women could, then, enter public service in appropriate, supporting roles. In a similar attempt to respond to women’s “legitimate” desires, another author noted that women fulfilled a patriotic duty in motherhood that exceeded men’s responsibilities to the state both in its value and in its bloody toll, which was as brutal as any military service. Women’s public duties, in his terms, were and should remain separate but superior.²⁴

A consensus was beginning to emerge that promoted specific, limited reforms in the status of women, motivated on the one hand by the principles of republicanism—by what Odile Krakovitch has called a *prise de conscience*—and on the other by a desire to foreclose more fundamental changes. The *académicien* Ernest Legouvé captured the essence of this implicit bargain in a preface that he wrote in 1893 to a conservative tract by L. Roger-Milès.²⁵ Legouvé begins by noting that it might seem a bit odd for a progressive person such as he to be writing a preface to a book by a conservative who had persisted in his unqualified support of a discriminatory civil code. In contrast, Legouvé presents himself as “nearly a revolutionary” in his ardent insistence that the civil code, “iniquitous and immoral” with regard to women, must be reformed. He even goes so far as to recognize the legitimacy of women’s demands for greater rights in the workplace. Claiming, then, his right to the label of “revolutionary,” he asserts that for the past forty years he has promoted the independence of women—“an independence that is defined, measured, proportionate, but real and legal.” Legouvé explains his collaboration with Roger-Milès, however, by acknowledging that the two men, in spite of serious differences, share certain fundamental convictions. It is in their common opposition to certain “disastrous ambitions”—that of the free woman, the woman voter, the female deputy—that the “revolutionary” and the conservative come together.

Legouvé is particularly piqued by the direction that women’s education has taken. He complains that although he has been a partisan of lycées for young women, he finds that the program has become “too serious [*chargé*], too scientific, too masculine.” In its place, Legouvé proposes

“to feminize female education, to make it proportionate [*proportionner*],” to provide “an education that HAS A SEX” (emphasis in original). Legouvé’s comments on education introduce his most pressing concern: the demands of some women for a kind of liberty “that would overturn the social order,” for a liberty in their physical person that inheres in the appeal for full citizenship. Legouvé rejects out of hand the patriotic justification offered by feminists to explain women’s demands for political rights, and sees instead a desire for personal freedom that reflects “some jealousy, some lassitude, but mainly curiosity. . . . Woman wants to lead the life of a boy.”

I have paraphrased Legouvé’s preface at some length because it conveys so effectively the tone of much of the literature around possible changes in the civil code. His repetition of the verb *proportionner*, “to make proportionate,” used without the need to make explicit its male referent, suggests the degree to which the emergence of feminist women promoting a political agenda challenged conventional ways of accommodating what Karen Offen has described as the familial feminism that so often framed debates on the woman question in the late nineteenth century.²⁶ Republicans who supported an improved status for women looked, as Legouvé’s remarks suggest, to the educational system to find the kind of proportion that would secure the social order—a proportion based upon conventional definitions of gender difference. The Sée Law of 1880, which established state-sponsored secondary education for women, was designed to free women from the pernicious influence of the Church; nevertheless, republican sponsors clearly did not intend to promote a single, ungendered curriculum or to open a path to professional careers for women. Sée himself stipulated that “I do not want women lawyers, and I worry about the possibility of having women doctors. The education of young women will certainly be set apart from all that which, in educating young men, is geared toward preparing them for a career.”²⁷ Yet, in spite of the pressures to limit women’s gains to those that supported motherhood and family, debates extended beyond these limits as feminists emerged to challenge traditional assumptions about their social roles that were, at that moment, being reinscribed by contemporary politicians and reformers as a kind of republican civic mandate.

The fierce controversy surrounding the request of Jeanne Chauvin to be admitted to the bar in 1897 epitomized the intensity of the struggles among different constituencies to come to terms with the meaning of gender roles in a context that at least rhetorically promoted individual

rights. Chauvin had pursued an elite education, typically available only to men, receiving a bachelor of letters degree in 1883, a bachelor of sciences in 1885, a degree in philosophy in 1890, and a doctorate in law in 1892, when she passed her exams with the highest distinction.²⁸ That her candidacy raised more than just professional anxieties may be seen in the direct question posed to her by one of her examiners at the Faculty of Law on the occasion of Chauvin's defense of her thesis: "We have only two genders in the French language, masculine and feminine. Do you wish to introduce a neuter gender?" Following up this theme, a second questioner made explicit the inevitable trade-off he foresaw between maternal (social) interests on the one hand and professional (individual) ones on the other: "The Yankees said, 'When we want to have children, we will bring women from the other side of the Atlantic.' And we, Mademoiselle, from where will we bring them?" Chauvin is reported to have replied, "But my dear sir, the women who are around you now will give you more children than you wish."²⁹

After receiving her law degree, Chauvin taught in lycées for young women for five years, after having been passed over for a university appointment. Frustrated by her inability to secure positions for which she was clearly qualified, Chauvin decided to apply for entry into the legal profession, a step that would allow her to practice law. In a packed courtroom of the appellate court in Paris, Chauvin, accompanied by her mother, argued her case before the attorney general (*procureur général*). The court denied her request, but the case had become famous and was not likely to end there. *Gil Blas* reported (July 2, 1899) that the agency that excerpted articles on celebrities from the daily press counted 6,935 references to Chauvin in the year 1898, that is, 119 references per day!—more publicity perhaps than that enjoyed by even the most sensational criminal story. In 1900 a bill was introduced in the legislature to support Chauvin's request. Following a favorable vote in the Chamber of Deputies (304 to 100) and the Senate (172 to 34), the legal profession was opened to women; Chauvin became a practicing lawyer shortly thereafter.

The technical issues about professional capacity and standing raised by Chauvin's case—issues that circulated through all the specialized law journals, in theses submitted for doctorates in law, and in the popular and feminist press—were immediately buried under the more emotionally charged questions about gender-appropriate roles and behavior. In a lecture essentially supporting the merits of Chauvin's position deliv-

ered at the opening of a court session, one jurist, Pierre-Julien Ravail, cited disparagingly the recent conclusions of a Belgian court that had rejected the appeal of a woman to join its bar. The Belgian court held that

the special nature of a woman, her weakness relative to her constitution, the reserve inherent in her sex, the protection that she requires, her special mission for humanity, the exigencies and constraints of maternity, the education that she owes her children, the direction of the household that is consigned to her care, all place her in conditions that are not compatible with the professional duties of a lawyer and give her neither the leisure, nor the strength, nor the necessary aptitude to engage in the struggles and the hardships of the bar.³⁰

Ravail's lecture, in contrast, exposed the illogic of this decision. Such reasoning was untenable, he countered, because it was blatantly inconsistent. What, he asked, would one say about female weakness to women who worked on farms and in factories? Should women be removed from these positions because of their frailty? Is greater strength required to study judicial dossiers, to peruse works of jurisprudence, and to enter pleas in a courtroom? Moreover, what of the many women who had no household to oversee, no children to raise?³¹ Ravail concluded this impassioned defense of Chauvin's right to enter the profession, his insistence that professional status could not be a privilege reserved exclusively to men, with an equally fervent wish that women would, in the end, renounce a professional life. "How much more worthy is the Frenchwoman," he asks, "who can say enthusiastically: 'that man is my son; it is I who formed his spirit and fashioned his heart. I will reap my share of honors from those bestowed on him.'"³²

While Ravail rejected the specific disabilities attributed to women, he nevertheless resisted condoning a world that did not guarantee gender difference and preserve women's domestic roles. Chauvin herself explicitly seconded such sentiments. In an interview in 1899, she identified her professional goals in terms that affirmed conventional expectations: "This will be my goal: to defend children, to defend unfortunate mothers, abandoned ones and even guilty ones. Who knows if a kind word, a wise counsel, an encouragement, a support, will not lead a woman who has gone astray back to the straight and narrow path? What a noble task, what a noble role!"³³ In another context, Chauvin argued for the special suitability of women for careers in medicine and law—a suitability predicated on their "feminine tenderness," their "spirit of justice," and their "devotion."³⁴ Both Ravail and Chauvin also articulated more abstract defenses of women's rights; but both suggest as well some of their

culture's uncertainties about how far the limits of gender definition could be stretched. They are important, therefore, not because they did not go far enough in their visions of reform, but because their respective writings reveal the struggle within individuals (as well as within the culture) to find viable boundaries even as older ones were exceeded and transgressed.

At stake in these discussions was the meaning and consequence of gender ambiguity in both social and personal terms. The feminist writer Marya Chéliga tried to defuse the emotional charge that surrounded these issues in an essay entitled "Childish Fears."³⁵ She noted that many men seemed to think that if women were endowed with the same rights as men, they would become men. How, she asks, will women become men? And why is it that men who pursue so-called feminine occupations do not endlessly have to assert their firm intention of remaining men? To demonstrate her point, Chéliga pointed to the celebrated fashion designer Worth, who, in a milieu rustling with silk and lace, had never been asked to attest to his having and preserving the personal qualities appropriate to his sex. In effect, she is arguing that social roles are not determined by, or coextensive with, biological sex; but this concept was deeply troubling in a culture that was built on quite opposite assumptions. As Foucault has shown in his discussion of the fate of a nineteenth-century hermaphrodite, contemporaries shared a powerful investment in establishing the "true sex" of an individual and in silencing or erasing elements of ambiguity.³⁶ And biological sex, once fixed, was believed to determine both personality and possibility in the world.

The physician Dr. J. Chevalier was closer than Marya Chéliga to his culture's deepest convictions when he described homosexuality (sexual inversion) in terms of gender roles and behaviors rather than in terms of sexual desire. For him, inverts were, first and especially, men who crocheted, sewed, knitted, embroidered, occupied themselves with cooking and household chores, and women who sought the out-of-doors, abandoned the hearth—men characterized by coquettishness and women by "virile sentiments," causing them to disdain female suffering in favor of strength and courage.³⁷ Inversion was not, then, exclusively or even especially a description of men and women who sought sexual relationships with partners of their own sex. Sex difference was, in this historical moment, as much grounded in social behavior and gendered roles as it was in erotic desire or sexual preferences.

It was, then, the instability of boundaries around appropriate behav-

iors that seemed profoundly dangerous. Whatever the manifest content of antifeminist arguments, anxieties about the consequences of gender slippage saturated these discussions. Feminism seemed to connote masculinism. Particularly in the 1890s, the "new woman" became a subject of intense discussion in the Parisian press—from the established *Journal des Débats* and the *Revue des Deux Mondes* to the avant-garde press, more middlebrow magazines, and popular satirical revues.³⁸ This *femme nouvelle*, depicted as either Amazon or *hommesse*, seemed in revolt against the social order, rejecting female roles, defying every manifestation of femininity or domesticity. She was, according to one observer, "not beautiful. She looks rather like a boy. . . . They are no longer women of pleasure and leisure but women who study, of very sober comportment. And nothing suits them better than heavy and somber colors . . . that express firmness, . . . roughness, and decisiveness."³⁹ Feminism meant, *tout court*, androgyny.

Examples such as this one excerpted by Debora Silverman from the late-nineteenth-century art world can be found, with slightly different inflections, in nearly any body of literature that surveyed the contemporary social scene. Almost any subject could become a vehicle for the discussion of what seemed to many an alarming blurring of sexual difference. In 1899, a piece in the weekly illustrated supplement to *Le Petit Journal* managed to bring nearly all the pieces of this litany together in a single short story entitled "Feminism."⁴⁰ The author describes a sitting room/office, severely (that is, unattractively) furnished, strewn with books and pamphlets. The walls are covered with framed diplomas and, instead of a mirror over the fireplace, there is a huge poster titled in bold capital letters "Declaration of the Rights of Woman." The mistress of the house is seated, working on a legislative proposal on the enlistment of women in the military in time of war. With three gentle knocks on the door (the wife responds "Enter" without looking up), the husband enters to begin a series of brief emblematic conversations. Throughout he is humorous and whimsical; she is harsh and humorless. In the climactic (and perhaps most characteristically French) moment, she forbids him to address her with the familiar "*tu*" and insists on the formal "*vous*": "It was fine before when we were slaves. But times have changed." She brusquely opens her robe and reveals a cycling outfit: "We now wear pants, my husband!" "So do we," he responds somewhat helplessly. In the closing vignette, she lectures him on taxes while he rings for the children who embrace him passionately.

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"Feminist demands: 'I am going to a feminist congress. Prepare dinner for eight o'clock sharp, do you understand? And especially be sure that nothing goes wrong!'"

Dr. Chevalier provided a medical analogue to this story, reframing in medical terms the lowbrow version presented in the popular press. Not only was the modern woman winning her freedom, he argued, she was, more importantly, becoming masculinized. He noted that the dualities that had ordered social life had become precarious, that "in a multitude of matters, feelings, ways of thinking, activities, there is a resemblance" between men and women:

Little by little woman tends to approximate man, to appropriate his ways of being, his kind of independent and free existence. Instead of woman's life being constituted, as it was not long ago, by calm, by private life, by intimacy, the life of the woman of today is lived beyond her home, within preoccupations where the family does not count. . . . Determined, she affects in everything the independence, the turbulent audacity, the self-confidence of a boy. She shocks and disconcerts without being shocked or disconcerted herself.⁴¹

In a series of unsettling visual images, Chevalier described the unprecedented possibilities opened by the new urban milieu: female artists drawing from male and female nude models; mime shows that included play between female lovers; female dance partners parodying the "natural couple." He talked of "priestesses of a new cult" that was drawing ever more converts. These were women "without limits" who symbolized a society that had become unrecognizable and, in effect, sick.

Concerns about secure gender identity extended as well to issues centered on masculinity and manliness. Edward Berenson and Robert Nye have written extensively about fin-de-siècle preoccupations with codes of male conduct, emphasizing the ways in which the defeat of France by the Prussians in 1870 intensified worries that modern French civilization was fundamentally emasculating.⁴² Critics characterized contemporary culture as on the one hand overintellectualized, enervated, and effete, and on the other overbureaucratized and mundane, hostile to the virtues of courage and daring. In the words of the moralist F. A. Vuillemet, "there are no longer any men."⁴³ Equally pointedly, a conservative opponent of the republic offered a most damning criticism by charging the leadership with sexual impotence: "The center-left has no sex."⁴⁴ A culture of honor and sport—institutionalized in dueling, fencing, and gymnastics societies—emerged as the antidote for perceived male weakness. The invocation of chivalry and training for physical aggression were called upon to produce a revival at once masculine and national, a reinvigorated patriotic virility. But as Berenson argues, the upsurge of dueling during this period testified to a sense of manhood lost as much as it guar-

anteed manhood regained.⁴⁵ While the duel encouraged a desired spirit of combat, its proponents unwittingly recapitulated depictions of elite men as prone to an effeminate sensitivity that rendered them particularly vulnerable to the slightest assault against their honor. In effect, the justifications for the code of honor led back onto the slippery terrain of converging gender identities.

Perhaps not surprisingly, one of the most resonant symbols of gender slippage was the most visible—"une petite armée de femmes en culottes," women on bicycles who made regular appearances in the urban landscape.⁴⁶ Getting directly to the heart of the matter, one author suggested that women's participation in the new sport represented "an important step in their emancipation," a step particularly captured in their giving up the skirt in favor of *le pantalon*: "the first time that women have challenged the monopoly on the quintessential attribute of masculinity." When Sarah Bernhardt, herself a cultural icon, was called upon to comment on this issue, she mused that "the bicycle is in the process of transforming the culture more profoundly than one might imagine. All the young women and all the girls who are out devouring public space [*devorant l'espace*] renounce in good part *la vie intérieure*, life within the family."⁴⁷ The link to emancipation seemed self-evident. Both the cyclist and the feminist in their "masculine" aspirations foretold the end of familiar patterns both in domestic and in public life—undoing the charged sexual/spatial oppositions of interior/exterior, and specifically embodying some of the forces disturbing the equilibrium of fin-de-siècle culture and producing its pervasive malaise.

The feminist Madeline Pelletier was uncharacteristic in her embracing of these destabilizing tendencies. Outraged by events at a feminist meeting, for example, she chastised her colleagues for their timidity. It seems that one woman had urged a group planning a demonstration for female suffrage to hire a carriage filled with flowers to accompany the march so that demonstrators could, in a most feminine fashion, throw bouquets to the crowd. Pelletier insisted that women needed to abandon such frivolous and ultimately retrograde behaviors and instead to become more masculine, creating a single standard of conduct without which the goal of equality remained elusive.⁴⁸ Few, however, were willing to contemplate such a prospect. Drawing out the implications of this threatened loss of gender clarity in terms of both love and politics, Henri Thulié was more typical. He warned that family life and heterosexual love were ultimately incompatible with women's political rights, that female bodies

would become unrecognizable (even denatured) as women abandoned their "appropriate" function. The political woman became, in Thulié's analysis, both a subversive and a grotesque:

[Emancipation] will mark the beginning of the woman without breasts, for . . . it will not be long before these organs begin to disappear. . . . Soon, [women] will no longer want to be mothers; this will mean the organization of abortion, and, for the prudent, the triumph of lesbianism. Once sterility has been organized and *les politiciennes* refuse to offer their wombs for maternity, we will be obliged to have women whose special function is reproduction so as to prevent the race from being extinguished while *les citoyennes* engage in politics and homosexuality.⁴⁹

The connection between the emancipated woman and lesbianism that Thulié elaborated had become a commonplace by the 1890s. Like earlier symbols of female deviancy, "the lesbian" worked as the condensed image that fused multiple and overlapping anxieties. One commentator noted, for example, that it had become usual to witness women arriving in fine carriages at brothels once reserved to men; he speculated that vice was spreading out from its contained quarters as prostitutes communicated their taste for lesbianism, not just to women of the theater, but to ordinary married women.⁵⁰ Making a similar point, Dr. Chevalier wrote extensively about the excesses of civilization that pushed women out of their protected naiveté into a world of sexual and political emancipation, ending finally, inevitably, in lesbianism. In fact, for Chevalier, while male homosexuality arose from a kind of aristocratic depravity that required ever more exotic pleasures for its satisfaction, "the story of sapphism for women is the story of the emancipated woman."⁵¹ He prophesied that the end for the woman who had the confidence and the independence of a man, who no longer needed the guardianship of men—that is, the end of *la vraie jeune fille*—could only be lesbianism. Doing without a man's protection, she would do without his love.

In Chevalier's description of the emancipated-woman-as-lesbian, he sounds themes representative of his period; but the tone of his writing stands somewhat apart. While he laments the passing of "the true young woman"—simple, deferential, modest—he speaks respectfully of the modern woman, "a complex being, well-spoken, straightforward, perceptive," "whose practical sense does not readily accommodate daydreams and idle fancies."⁵² His articles are intriguing because of the ambivalence conveyed in his vacillation between anxiety and admiration. Sometimes he seems to sound a note of wistfulness, or perhaps even of longing or



“La Garçonnière.”

envy, when he describes the way that the modern woman has made the whole world her own. The tone is hard to read and impossible finally to pin down. Yet it is clear that his is a work that ranges over several social and emotional realities. For every description of loss—the loss of charming innocence, the loss of freshness and the carefree ignorance of speculative questions—Chevalier presents a picture of competence and accomplishment. The modern woman has succeeded, he claims, in the world of sports, in the art world, in the professions; she has reached her goals through keen judgment, lively curiosity, and talent, and has be-

come, in Chevalier’s words, “sufficient unto herself.”⁵³ This is not unambiguous praise. He is clearly disturbed by the blurring of gender difference, and in the end asserts that “[the modern woman] has not succeeded in penetrating the secret of virility although physically and morally she has managed to unsex herself.”⁵⁴

In contrast to the shifting ground from which he represents the modern woman, Chevalier is unambivalent about what he sees as a dangerous revolution that had occurred in the relationship *between* men and women—a social transformation that did nothing less than erase the reciprocal relationship between the two sexes, placing them instead “on a footing of absolute equality.”⁵⁵ It is the possibility of this equality, so unprecedented and disruptive, that seems to have left men like Chevalier without a secure sense of their role or place in society and especially without a secure identity grounded in sexual difference. Pointing directly to this typically unacknowledged dimension of the discussion around gender and political equality, Maria Deraismes observed that contemporary men could not imagine an identity that was not complementary—that in making women their legal equals, they seemed to think that they ceased being men. Deraismes claimed that men saw the world as a kind of zero-sum game in which any gain for women constituted a loss for men. In her terms, if women were to be granted equal rights, men would believe that women have/are everything and they have/are nothing.⁵⁶ Writings such as those of the sociologist Jacques Lourbet reassured his contemporaries that, while men and women might achieve juridical equality, “psychic parity was happily a chimera.”⁵⁷ Similarly, Dr. Michel Bourgas provided scientific confirmation of the inevitability of complementarity, claiming that it was, in fact, a law of nature that “men and women who possess an attribute of the other sex prefer a partner deprived of that attribute. Thus a large woman seeks a small man, a fat seeks a slim, a virago seeks an effeminate.”⁵⁸ In his terms, nature guaranteed complementary sexual difference, even if the precise terms of the difference fluctuated, confirming the couple as the complete social organism and providing a model for social arrangements that would both mirror and secure this complementarity. But women’s demands for political rights raised confusing issues about the relationship between the assumptions that underpinned claims to equality and more conventional assumptions about gender complementarity.

In fact, feminist women and men as well as antifeminists often argued for equivalence rather than equality as the measure of justice—seeking

to identify a standard that repudiated a sexual hierarchy while recognizing the apparent reality of gender difference and the specificity of women's needs and attributes, the special qualities that they would bring to public life. Feminists and reformers were caught in the contradiction between the individualist, egalitarian principles that justified claims for universal political rights and their own sense of (and often, defense of) women's difference. It was unclear on what grounds women could claim to be Frenchmen. Their political demands exposed the conundrum generated by the seeming opposition between the claims of equality and difference, and unsettled the model of natural complementarity.⁵⁹

While Chevalier's writing is interesting because of the ways in which it explicitly presented the relationship between gender difference and other kinds of equality as a problem, it also pointed to the undercurrent of sexual anxiety that slipped into so many discussions of the emancipated woman. A Parisian lawyer observed in 1898, for example, that "the feminist is in revolt against love"—at least, against "love" as it had been conventionally understood.⁶⁰ The novelist Marcel Prévost echoed these worries, describing the *bourgeoise* of the fin-de-siècle as more sensible but less passionate than her earlier incarnations, having more reason and less tenderness, and possessing a clear sense of personal interests that made her less charming and more *égoïste*. In his tract insisting that women must not have the same freedoms as men, the conservative Roger-Milès dramatized the theme of sexual danger in two opposing scenarios that epitomized the social-sexual implications of women's political emancipation. The first vignette narrates the experience of a young woman who has lived by herself, *en garçon*. For her, the promise of marriage no longer held any secrets; she has loved and has been loved. What does she bring to her husband?

A withered soul; a sullied body. A man no longer needs to protect her; she is his equal—physically, morally and immorally. As for surprises, she no longer finds any. Her education is complete in all regards . . . since she brings to marriage the independence of a bachelor.

This image of damaged goods is juxtaposed against another: that of a naive young woman who waits for the companion that she has chosen to reveal to her "the great mystery." This woman "is amazed; the other compares. This one loves; the other judges."⁶¹ It is striking that these images immediately follow a discussion of women's demands for political

rights. For Roger-Milès and for many of his contemporaries, the slide from political emancipation to sexual freedom was automatic; the implied losses for men were both political and sexual. Many concluded, like the philosopher Charles Bos, that feminism made marriage impossible. Bos argued that young women who came under the influence of feminists would no longer see marriage as the only means of emancipation; would no longer be terrified of the label "old maid"; and would be less willing to make the sacrifices required by marriage. With the veils removed from their eyes and their romantic illusions gone, they might, he suggested, find their husbands to be mediocre, not worthy of love. In the end, Bos concluded that "the truth can be insidious." He suggested, instead, a "vital lie" that would suppress arguments about justice, about rights to which women were reasonably entitled, about women's aptitudes, in order to preserve the general well-being of society against the devastating effects of women's freedom.

Threaded through these discussions of changes in "love" were pervasive anxieties about sexual relations in marriage. With disarming directness, one commentator noted that "women's newly refined images of love present a grave danger for our times." He worried that with all the new ideas about love, women would not be able to accept or endure reality. "A day does not go by," he noted, when one does not meet young, beautiful women—some experienced, some virgins—who are asking, "Is that all there is?"⁶² For decades, French doctors had encouraged husbands to please their wives sexually—advice offered in the interests of health and fertility. The coincidence of worries about increasing rates of divorce, depopulation, and the growth of feminism, however, increasingly thrust this discussion into a new context in which cultural authorities began to promote the eroticization of bourgeois marriage and to discuss women's sexual satisfaction as a right. Echoing the language of political struggle, Dr. Bourgas wrote, for example, about the need to achieve "equality in the work of the flesh," to find justice in sexual relations. Men must recognize, he argued, women's "right to love." Making the most direct links between the tenor of the bedroom and the quality of public life, Bourgas attributed the scourges of jealousy, adultery, murder, prostitution, and depopulation to female sexual frustration. In response to this new sensibility, *faits divers* and medical texts began to recount stories of morning-after suicides—characterized as a "postnuptial insanity" to which women were especially prone—in which new brides, overcome with aversion for their husbands, violently took their own lives.⁶³ Not

surprisingly, then, doctors sought to teach husbands about the physiology of sex. Bourgas wanted to substitute women's right to sexual pleasure—the true woman's right—for feminists' demands for the "rights of men." In a veritable eulogy to the simultaneous orgasm, he concluded that when men learned how to please their wives, there would no longer be a "woman question."⁶⁴

It is impossible fully to comprehend this literature without recognizing the extent to which depictions of women (their character, needs, desires) are inseparable from the needs and desires of the mostly male authors who were producing these documents. In his critique of the masculinist bias of the nineteenth-century sources available for writing the history of women, Alain Corbin has underscored what he calls a "sexual asymmetry in the fabrication of images."⁶⁵ He argues that historians necessarily rely on sources compiled by nineteenth-century men who were preoccupied with the possibility of male sexual inferiority—a preoccupation that haunts the scientific vision of women. According to Corbin, it is this set of sexual anxieties that accounts for the symbolic resonance of the figures of the nymphomaniac (the insatiable woman), the hysteric (whose sexuality is out of control), and the lesbian (who disdains men)—figures who proliferated in medical and prescriptive literature, masking (or perhaps revealing) male feelings of inadequacy.⁶⁶ Taking this argument further, Robert Nye has theorized that bourgeois male identity in the nineteenth century was rooted in reproductive capacity, centering around the ability of the bourgeois man to establish a vigorous lineage. Hence, fears of impotence and sexual exhaustion, exacerbated in the fin-de-siècle by greater public acknowledgement of women's right to sexual satisfaction, became a leitmotif in medical discussions in which "the dyad female orgasm / male impotence [was] always a latent feature."⁶⁷ Following the lines of thought opened by the work of Corbin and Nye, we need to recognize the preeminence of the (masculine or androgynous) feminist on the list of women who evoked sexual danger at the end of the century. In her, male commentators located worries about the woman who could not be satisfied, who, newly positioned to judge male adequacy, was immune to the "surprise" and "the great mystery," who upended all comfortable assumptions about gender, and who might decide for herself what she wanted and needed.

By the 1890s, then, speculations about women's independence had generated a discussion of "love" that crossed back and forth across the rhetorical boundaries between sex and politics. Although a large share

of the writing about the "problem" of love comes from the contemporary reporting of men, there is considerable evidence that women were themselves talking about redefinitions of love (and sex). In a study of little-known feminist novelists of the *belle époque*, Jennifer Waelti-Walters notes that, while feminist novels tended to follow fairly conventional plot lines and gave little credibility to women who sought a future outside of marriage, they were at the same time "carefully subversive," suggesting women's disappointments and dissatisfaction with the choices that love and marriage forced upon them.⁶⁸ The novelist René Marcil complained directly that "we have grown weary of not finding either in our fiancés, or in our husbands, or in our sons that which we have dreamed of finding."⁶⁹ And Maria Deraismes cautioned that, in short-sighted justification of their casual adultery, "men deceived themselves into thinking that a respectable woman was content with so little." In an effort to set the record straight, she explained that adulterous women were women who had been prematurely turned into "widows" by neglectful husbands.⁷⁰ Madeline Pelletier once again took the most radical position. She argued that female sexuality would be, and should be, liberated by economic independence. The woman who was able to support herself, claimed Pelletier, would be able to experience sex as a right rather than a duty. She pointed to a new category of single women who had come to realize that their respectability derived neither from their virginity nor their fidelity in marriage, but from their financial independence. For these women, sexual freedom was inseparable from emancipation.⁷¹

What we are seeing here, at the end of the century, are new kinds of "love stories"—not the story of passionate, obsessive, and vengeful love codified in the *crime passionnel*, ultimately so conservative and normalizing, but stories that told of disappointment in love, of changing mores, and of an unstable balance in the sexual equilibrium between men and women. Moreover, in writing about "love," these various social critics effectively shifted the discussion of political subjectivity that had been raised by feminists onto more conventional ground, displacing the public dialogue about republican citizenship with discussions of love and marriage. In making this substitution, the complicated ways in which gender identities constructed political life were obscured by the more mundane concerns encapsulated in anecdotes about heterosexual relations. Analyzing twentieth-century resistances to feminism, Janice Doane and Devon Hodges have described this kind of displacement as essentially nostalgic, seeking to restore a more comfortable "reality" than the "deteri-

orating" world of the present. Rewriting history in this way, nostalgic authors typically identify the disorder of the present as a sexual or gender disorder and create a mythic past that substitutes an alternative vision of the way things ought to be. In this writing, sexual meanings stand in for political ones.⁷²

The frenzied discussions of the future of marriage in the first decade of the twentieth century exemplify this genre. Highbrow and mass-circulation newspapers repeatedly sponsored surveys of opinion to chart popular and elite sentiments on all aspects of the "crisis" of marriage—and, indeed, to set the terms of the debate.⁷³ An *enquête* conducted by Hugues Le Roux and sponsored by *Le Matin* in 1911 was typical. Le Roux solicited opinions among the newspaper's readership as to whether there was a "crisis in love," later publishing this material as a book that included both the letters received in response and his conclusions. Le Roux summarized and commented on the *cahiers de doléances* (grievance lists) of both men and women,⁷⁴ seeking ostensibly to discover: What do women want? What do men dream of in a wife? And what has inhibited the growth of love? To respond to these issues, he provided a series of telling anecdotes that allegedly recounted the particular dilemmas and disappointments of the current generation of young people—anecdotes that, in their intimate detail and calculated emotional effect, turned political and economic questions into a problem of *mœurs*, producing a conservative polemic that invited readers to witness the damage wrought by the disintegration of older values.

Le Roux noted that women's letters complained especially that they could experience no passion in situations in which they felt themselves, in so many ways, identical to their male suitors, that there could be only tepid attraction of like to like. For their part, men whose wives worked outside the home told of some small financial gains that were dwarfed by the loss of all domestic harmony. In reviewing these accounts, Le Roux concluded that "Frenchmen of every class want restored to them the homemaker of former times, a woman whose solid qualities had been formed by tradition, a woman who resembled their mothers."⁷⁵ He advised young men not to be fooled by the apparent independence of their women friends: "Today, as in the past, young women want, more than anything in the world, the strong arm of a man to lean on. If they appear independent, it is because they have not had this support in hard times. . . . What women really want is a master."⁷⁶ Through an evocative series of sentimental vignettes, Le Roux constructed an indictment of the present and a rationale for the restoration of traditional practices.

In contrast, however, to the substitution of personal stories for political ones accomplished in the nostalgic genre described by Doane and Hodges and exemplified by Le Roux, the link between sexual and political developments was often explicitly drawn by writers in late-nineteenth-century France. In an era obsessed with worries about depopulation, feminism, with its iconic Amazons and *hommesses*, could readily be identified with national decline. Gender slippage and national deterioration were experienced as paired phenomena; the sexual did not precisely displace the political, but rather was considered to be inseparable from it. For contemporaries, the link between gender equilibrium and France's future appeared self-evident. The connections between female independence and male weakness on the one hand and between male sexual potency and French national strength on the other seemed beyond dispute and all of a piece. Of all the symbolic women who represented the pain of the present, the possibility of "fatal women and impotent men,"⁷⁷ the feminist (haunted by her shadow twin, the lesbian) was best able to represent the most intimate and the most public anxieties.

Less evident and most interesting for our purposes is the fact that writers from very different positions began to speak of the feminist and the female criminal in exactly the same terms. The two seemed to merge culturally, exemplifying only slightly different versions of the same social malady, posing the same challenge to authority and convention. Some authors seemed to make the connection almost unconsciously, offering little or no explanation. The first sentence of a criminological study of women in prison stated, without further clarification, "In this time of feminism, this book has found its moment." Similarly, and even more cryptically, an appendix of supporting documents for a general study of "crime and debauchery" in Paris included a list of women who had received university degrees between 1870 and 1878.⁷⁸ All of the other tables and lists referred to the organization of the police force, the operations of the morgue, typical punishments, numbers of recidivists, and so on. The author clearly saw the higher education of women as connected to crime or debauchery (including divorce), but did not feel the need to elaborate or to explain the connection.

Often the mere existence of gender slippage seemed proof of imminent criminality. According to one forensic expert, "It is when, in one or the other sex, the characteristics are inverted that the aptitude for criminality reveals itself. In men, it appears with the characteristics of femi-

ninity; in women, with those of masculinity.”⁷⁹ Although the French had not been particularly sympathetic to the Italian school of criminal anthropology, which posited a direct link between criminal women and “unfeminine” or masculine women, contemporary social criticism began nevertheless to think of feminists and criminals in the same conceptual and moral universe; lesbianism and feminism, like prostitution, had become the cultural equivalent of criminality. This kind of blurred association is evident in the concerns of one journalist who observed that, having reached the end of fantasies inspired by the image of the romantic consumptive, contemporary imagination (created, he claimed, by elite writers) had substituted the neurotic, the hysteric, and the disturbed (*détraquée*)—figures whose impact could be measured both in the increase of women’s crime and “in the morbid desire to experience the unknown, to resuscitate the world of Lesbos.”⁸⁰ The precise connections that would support the logic of this argument remained unaddressed; rather, the author describes a set of contemporary developments whose interdependence seems so real and self-evident as not to require elaboration. In effect, the perceived moral lassitude of the age—often described as a crisis in love and evident in various kinds of disorderly women—suggested to many a syndrome in which crime was linked, via loose and essentially affective associations, to lesbians and new women.⁸¹

Once again, it was Alexandre Dumas fils who brought these issues into sharpest focus and who popularized the intriguing connection between criminal women and women’s emancipation. In his 1880 essay with the evocative title *Les Femmes qui tuent et les femmes qui votent* (Women who kill and women who vote), Dumas makes visible some of the ways in which his contemporaries understood, if only unconsciously, the social and political subtext of their discourse about female criminality in general and crimes of passion in particular. With this piece, Dumas, “the great consulting lawyer for bloody crimes,” entered the growing debate over the acquittal of criminal women. He argued essentially that this kind of extralegal justice, “in which juries found victims odious and defendants interesting,” had become so pervasive because the legal system lagged fatefully behind customs. In his terms, when an idea filled the air, when it reached a point of cultural saturation, it made itself material, visible, and active—in short, “when an idea must live, it makes itself human.”⁸² To prove his point, demonstrating the human embodiment of an idea whose time had come, Dumas discussed the criminal cases of three women (Mlle Marie Bière, Mlle Virginie Dumaire, Mme de Tilly), each

from a different social stratum (actress, domestic, aristocrat), each accused of attempted murder. Each woman would have been uncomfortable in the others’ presence; yet all found themselves before the same court, escorted by the same *gendarmes*, for essentially the same crime:

Mlle Marie Bière, Mlle Virginie Dumaire, Mme de Tilly . . . are they isolated beings, separated from the community by their temperaments, their customs, their specific and purely individual crimes? No. They are the effective living and at the same time unconscious incarnation of certain ideas generated by intellectuals, moralists, politicians, writers and philosophers—ideas that are just, logical, protective [*tutélaire*], whose time has come, according to these men of reflection, to become law.⁸³

For Dumas, these three women, separated by their different milieus and by their different positions vis-à-vis their male victims, were no longer individuals, but had become through their criminal behavior *la Femme*, violently and publicly demanding justice from *l’Homme*. Women had, he argued, turned to private retribution because they were not sufficiently protected in their essential female roles by civil law. Dumas posited a law of nature that preceded both the legal codes and society’s moral code. In each case, he claimed, it was the urgency of maternal concerns that drove each woman to crime—that behind the joined women’s voices were the voices of three children.⁸⁴ Women’s honor, located in their maternal function, was, in this argument, their “moral capital.” The law—which did not protect the virginity of young girls, the honor of the married woman, or the rights of the (illegitimate) child—must be changed, Dumas argued, to provide the same guarantees that were in place to protect material capital against theft.

But Dumas’s argument went well beyond his insistence that the time had come to revise the civil code in order to end the bizarre pattern of murder and acquittal that had, which such élan, installed itself in the popular theater of the Cour d’Assises. He observed that women who watched their “capital” dissipate would turn not only to crime but also to demands for more fundamental (and more fundamentally dangerous) changes in the social and political order:

Wearied of seeing men take from them, with impunity, their honor, their freedom, their love, they want to take from him his work and his place. . . . Women are actually not anxious to assume the business of men; their calling as women is entirely sufficient. It is only that they want to pursue this calling fully, in which they have a point. Thus, they say to men: “Either give us that which nature has

told you to give us—love, respect, protection, the normal family—or give us that which you have kept for yourself—freedom.”⁸⁵

For Dumas, the *femme criminelle* was, quite literally, a feminist wielding a powerful bargaining chip. What was at stake in the resolution of these criminal domestic dramas was nothing less than the work and the place of men and the security of the patriarchal family. By receiving greater protections in her domestic domain, Dumas assured his readers, the contemporary woman, so disruptive in her behavior, would be led to relinquish her violent claims to justice as well as her demands for greater participation in a public arena (the freedom of men); satisfied, she would return to her natural domestic milieu, restoring the world, in Dr. Chevalier's apt phrase, “as it was not long ago.”

We have been following here a paradoxically circular argument that underpinned the parallel development of the problem of female criminality and “the woman question.” In this trajectory, the Mother—fecund, moral, and domestic—seemed the antidote to national decadence. But at the same time and in Dumas's terms, mothering, in the context of Third Republic legal codes, social policy, and contemporary practice, could also be the inspiration for women's lawlessness. Instead of two figures (the criminal and the feminist) we find three: the criminal, the disappointed mother / unprotected woman-as-criminal, and the feminist. In the center term of this triad, the problem identified its own solution. In defining his formula for a kind of de-criminalized “feminism,” Dumas explicitly dismissed “those vociferous ones prone to exaggeration, with an exalted imagination and overblown pride,” who were clamoring publicly for political rights. In their place, he substituted his maternal criminals, those “who have all the qualities that make them worthy of equal treatment.”⁸⁶ Following this formula, commentators across the political spectrum recommended a broad range of legal changes to extend protections to women in the service of goals that were traditional and familial, at least in part to foreclose the possibility of more radical change. The progressive revision of the civil code was to be the means by which to purge society of both the female criminal and her more dangerous alter ego, the feminist. Both would be disarmed in the same move.

A tract by Anna Levinck, *Women Who Neither Kill Nor Vote*, although written to disrupt the connections between demands for women's rights and female crime, attested to the currency of Dumas's argument within the culture. Already in its third edition by 1882, Levinck's pamphlet sought to counteract “the arguments penetrated by vitriol and gunpow-

der,” *les revendications homicide*, that were validated by the acquittals voted by male juries “as an homage to women's right to vote.”⁸⁷ Levinck observed that, in order to awaken male sympathy for the miserable condition of women—a condition inflicted in large part as a consequence of male pride—a woman had to be lewd, an assassin, or an arsonist. She rejected the rationale that allowed a guilty act, “sealed with blood and vitriol,” to lead to a demand for suffrage; rejected a system that acquitted guilty criminals in the name of rights for honest women. Levinck's purpose was to solicit support for “real” women, that is, respectable women who accepted their place in the home, who recognized the public forum as an appropriately male preserve; but in making her argument she suggests, perhaps inadvertently, that it is the women standing before the Cour d'Assises—lewd women, assassins, and arsonists—who had in fact brought women's issues to public attention.

It is particularly interesting that feminist writers participated as well in this conflation of the feminist and the criminal woman. Many began to write about women's issues and to demand women's rights in ways informed by the cultural information produced in accounts of female criminality. Such links emerged implicitly, for example, in a pamphlet by the popular feminist novelist Daniel Lesueur that was commissioned for the International Congress of Commerce and Industry for the Universal Exposition of 1900.⁸⁸ Although ostensibly a technical examination of economic competition between women and men, Lesueur opened her study with a general discussion of the most important problems that constrained the lives of working women. She listed three critical reforms: the elimination of costly and complicated bureaucratic procedures in the application for marriage licenses; modification of the civil code so that the system of community property would not weigh so heavily on working women; and the institution of women's right to bring paternity suits. Lesueur's agenda could have been directly lifted out of the judicial depositions of women accused of violent crime. In each case, she has underscored the very issues that female defendants identified as the grounds for their criminal acts against men who, in failing to marry them, in taking (and squandering) their income and property, and in abandoning the children produced in irregular liaisons, fatally compromised their economic viability and left them without legal recourse. Women's crimes were, then, but another version of a feminist text, and feminist texts took their message from women's crimes.

These same connections were made even more explicitly in Marie

Terrisse's exploration of the condition of women, *Notes et impressions à travers le féminisme*.⁸⁹ Terrisse speaks of her feminism as a "light that will illuminate the most obscure corners of the situation of women"; she recounts her feminist stories through similar plots and in precisely the same idiom as might be found in the depositions of female defendants (or in the criminal stories circulated in romans feuilletons). Posing as a self-consciously female *flâneur*, Terrisse structures her text around visits to Parisian landmarks, offering in each locale a story of female victimization and, often, of female violence. She tells, for example, of an abandoned mistress violently intruding on the church ceremony celebrating the marriage of her former lover, naming the new husband as the father of her child. She describes an infanticide executed on the banks of the Seine by a desperate, abandoned mother who, Terrisse claims, would surely have shot her betrayer in the temple or hurled vitriol in his face if she had been able to find him. In each case, the boundaries between the feminist text, the roman feuilleton, and the judicial deposition have disappeared as the author claimed for feminism the interpretations offered in archetypal criminal stories.

Both the female criminal and the feminist were understood as "problems," straining the boundaries of ideological certainty in the ways that they broke down distinctions between public and private realms and disrupted assumptions about the naturalness of gender identities; in their similar challenges to male privilege, both suggested an upheaval in social conventions and potential losses for men; both found the legal codes inadequate, and, in demanding substantive change, both threatened to overturn not only conventional gender relations but the terms of gender difference that secured these relations. As Edward Berenson has shown, each could be defined in terms of the other: women's familiarity with guns could in itself be seen as a sign of a dangerously blurred gender identity.⁹⁰ In the notorious trial of Mme Caillaux for the murder of the newspaper editor Gaston Calmette, the prosecution had based its case on the representation of Henriette Caillaux as a man-woman—cold, calculating, and, most tellingly, a woman able to select and maneuver a complicated firearm to execute a willful homicide. Such a characterization, including extensive testimony about Mme Caillaux's careful purchase of her weapon and her skill on the firing range, was designed to undercut the defense's version of the murder as a *crime passionnel* effected by a distraught (and thus more sympathetic) woman. In the state's case, the feminist-criminal was set in opposition to the real woman, whose passionate criminality would be, in effect, erased.

Feminists were not necessarily willing to confirm the prosecutor's depiction of Mme Caillaux as a powerful, independent woman. Jane Misme argued, for example, that Mme Caillaux was not at all a feminist but, on the contrary, represented a frustrated and dependent woman who had little knowledge of the public world.⁹¹ On another occasion, however, she used the *crime passionnel* to present a more explicitly political analysis of female rage. When Mme Bassarabo killed her adulterous husband and cut him up in pieces, feminists joined the chorus of horror. Yet, writing in *La Française*, Misme did not lose the opportunity to make a larger point:

We have said, and we repeat, that we abhor the act of Mme Bassarabo. But men must do their part. The spirit of resignation seems to have definitively left women and if [men] want to feel secure in their homes, they must be converted, definitively as well, to the practice of conjugal probity. Family life will become impossible if the enlightenment of men does not correspond to the emancipation of women.⁹²

If the goal here was loosely familial, the tone (and implications) surely were not. Similarly, Madeline Pelletier did not hesitate to appropriate the link between independent women and dangerous women for feminist purposes. She drove the point home with characteristic force in her recommendation that "women should adopt the habit of carrying revolvers for evening outings and walks in the country," which would make available to women the same sense of power that men derived from wielding weapons of self-defense.⁹³ The criminologist Granier turned this point to a slightly different end. There was nothing new about abandoned women taking vengeance, he argued. What was new was the belief, confirmed by juries, that this vengeance was a *right*—that it only awaited a law that would formalize "the rights of women over men."⁹⁴ Violent women acting to redress a wrong—criminal women as *justicières*—in this analysis became feminists, manipulating juries and politicians in their position as standard-bearers in a political struggle with men.

These diverse examples of the rhetorical merging of the feminist and the criminal woman suggest the different effects that could be accomplished by this association. With each small turn of the narrative, with just slightly different inflections, the basic story, like a kaleidoscope, registered multiply refracted impressions that joined in different ways the stories of feminists and female criminals. By the 1890s, this connection had begun to be articulated in terms of the problem of unpunished female crime. Concerns about problems of accountability and responsibil-

ity—medical, moral, and legal—were increasingly accompanied by a discussion of the devious *hommesse*. Worries that high acquittal rates for women spawned the “contagion” of crime were increasingly likely to be inflected by a new anger about the growing power of feminists to turn the world upside down. The regularly available acquittals offered to female defendants—*ces touchants faveurs*—appeared to have backfired; what had seemed benign had become malignant.

We can see something of the shifting attitudes toward the acquitted female defendant in *L'Acquittée*, a play performed at the turn of the century in the Grand Guignol, a theater specializing in bloody terror and “sordid realism.” The story is about a provincial trial of a governess, Mme Ménard, for the strangulation murder of her six-year-old charge.⁹⁵ Defended by the famous Parisian lawyer Henri Robert, Mme Ménard was acquitted by a jury that deliberated less than fifteen minutes. It is the presiding magistrate who remains dissatisfied, worried about a system that had acquitted three defendants in one session. In a conversation with a local doctor, he observes that children had died in three of the households in which Ménard had served as governess, although the defense had each time succeeded in convincing the jury that there was no motive for the alleged crime. To satisfy the presiding judge’s curiosity, they bring Ménard into his chambers, where the doctor hypnotizes her. Under hypnosis, she in fact reenacts the strangulation of which she had been accused. The play ends with Mme Ménard leaving the court with a menacing expression on her face as the doctor and the judge watch helplessly from the window.

In a theater dedicated exclusively to the macabre, one that did not flinch from the most graphic scenes of bodily mutilation and psychological horror, this play seems quite tame. We can only speculate that the fearsomeness of the story emerges from its closeness to very immediate fears shared by the presumed audience. It seems that the acquitted murderess had outlived her time; she had become not the grateful recipient of the court’s largesse but a menacing female figure who had overpowered the men who judged her. Voicing this more cynical perspective, Maurice Talmeyr complained that the *filles mères* of the roman feuilleton was always falsely rendered as an innocent, her misconduct cast in poetic terms, so that her “fall” became somehow a “legitimate fall.”⁹⁶ Others insisted similarly that seduced and abandoned women were rarely the inexperienced victims created by the popular press, and characterized abortions and infanticides not as desperate moves to conceal dishonor but as the

product of “*une terreur égoïste*,” a cowardice that drove women to experience forbidden pleasures without bearing the consequences.⁹⁷ One columnist observed, for example, that the “childlike” and “fragile” defendant who stood before the court was, in fact, “calculating” and “forceful,” manipulating an acquittal from jurors who were, finally, “ultra-feminists.”⁹⁸ He imagined the post-courtroom scene: “She will leave the Cour d’Assises, her face uplifted . . . to hold forth in the evening at some meeting of the League for the Rights of Women where she will superbly retell her feelings as a person who has rendered justice, who has redressed wrongs.”⁹⁹ Merging the unpunished *femme criminelle* and the feminist, he described a new “despotism of women.”

The defendants in the Cour d’Assises were not, however, self-identified feminists, nor did they present themselves in the terms attributed to them by worried commentators. As we have seen, they told their stories in personal terms that outlined especially the socioeconomic and emotional conditions of their lives, justifying their behavior as a legitimate response to men’s failure to honor common understandings of a domestic contract in a context where women had few modes of recourse. But the actual and symbolic presence of the feminist as a cultural marker increasingly reframed these accounts of domestic conflict. Because feminists had provided a political analysis of the consequences of women’s civil disabilities, and because their writings recapitulated and recast the kinds of stories told by female defendants, the slide between feminist discourse and the testimony of working-class defendants made cultural sense. Instead of positioning women more clearly as victims (that is, instead of following the melodramatic script), the sympathy accorded women defendants by juries came to be seen as a female victory in a larger sex war. This context of belligerency necessarily called forth a more concerted defense against what was increasingly perceived as a conspiratorial “freemasonry of women.”¹⁰⁰

In sum, 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. Both the feminist and the *femme criminelle* pointed to the weakening of the ordered oppositions that had organized social life—male/female, public/private, autonomous/dependent—and challenged the hierarchies and privileges that had guaranteed that order. We have already noted the regularity of the passage of laws that extended women’s public roles. At the same time, male authority within the house-

hold was losing its unquestioned hegemony. Depopulationist worries opened the door to state involvement in the workings of the family that intruded on areas of private life traditionally believed to be fully and permanently beyond the purview of public authorities. The republican government had begun to reinvent, in terms of specifically fin-de-siècle concerns, the relationship between state and family, transforming in the process conventional understandings of both. Sylvia Schafer has argued, for example, that the child welfare legislation of 1889 must be seen as a pivotal moment in a redistribution of power. In assuming the role of protector of the “best interests” of the child—and hence the best interests of the nation—and placing that role above even the authority of biological parents, the state penetrated the sanctity and privacy of the home, violating parental and especially paternal rights that had seemed above society and beyond history. This legislation was, Schafer argues, part of a transformation in the state’s *imaginaire*, preparing the way for increased regulation in the name of protection.¹⁰¹ The unquestioned rule of the *bon père de famille* was passing.

Even masculine notions of honor were unraveling. One critic noted facetiously that in earlier times, “when the door was locked,” a deceived husband was indeed ridiculous if he could not see a lover coming through the window. But in the present liberated society, a society in which the door was inevitably open, he wondered if there was any possibility of deception left!¹⁰² The irony of the situation did not change the fact that it recorded an arena of diminished power for men. Both Karen Offen and Robert Nye have shown that men of the fin-de-siècle understood depopulation as a man’s issue—one that called into question their sexual potency and their familial authority.¹⁰³ And physicians were increasingly asserting the importance of female sexual pleasure in marriage, explicitly alerting men to a higher level of responsibility for assuring domestic tranquillity. There can be little doubt that the closing decades of the century were decades when bourgeois men might reasonably feel that the *mal de siècle* was, after all, a male malady.

The fin-de-siècle was, then, a period in which gender relations were particularly volatile—disruptive in ways that crossed back and forth across public and private realms. Republican aspirations to unity and stability notwithstanding, unresolved issues about the gender order persisted, starkly identified by the *femme nouvelle* and symbolized by her conflation with the *femme criminelle*. Crimes of passion did not cease with the passage of the divorce law as proponents had hoped; in fact, the numbers of such

cases climbed steadily through at least the first decade of the twentieth century, as did cases of adultery and petitions for divorce. Abortion and infanticide eluded legal controls and birth rates continued to fall. The regulations surrounding prostitution were gradually loosening, but prostitution was neither eliminated nor effectively controlled; the numbers of clandestine prostitutes seemed, in fact, to be increasing, marking a failure to confine sexuality within the normal family. At the turn of the century, twenty-one feminist periodicals were being published in France;¹⁰⁴ and middle-class women continued to enter the professions in ever larger numbers. It had not been possible, after all, to recuperate deviant women. The shifts in gender relations produced by changes in law and social practice were incremental, not revolutionary. But as this examination of the criminal-as-feminist and feminist-as-criminal has shown, these shifts challenged fundamental values that had informed expectations and behaviors in both public and private life for a century.

The sexual politics that situated the *femme criminelle* within a cultural frame were inseparable from public politics. The preferred symbolic representation of the republic in 1880 was a domesticated Marianne, a demure figure who conveyed visually the moderate aspirations of the republic’s founders. In keeping with this image, the sculptor Doriot produced a bust of the personified republic, chosen to adorn government buildings, which depicted a grave and motionless Marianne, wearing robes and a crown of vegetation above a headband with the engraved message “Honor and the Motherland”; eight medallions formed a necklace inscribed with the words Agriculture, Trade, Fine Arts, Education, Justice, Science, Shipping, Industry.¹⁰⁵ But realities did not match these normalizing aspirations; the image of republican order in its female personification was illusory and perhaps ironic. The year 1880 marked both the moment when the republic rested more securely after a decade of turmoil—a security celebrated in the *grande fête* of July 14—and the publication of Dumas’s tract on women who kill and women who vote, inaugurating decades in which disorderly women, feminist women, and criminal women would be at the center of public concerns, challenging republican commitments and practices and the authority of men to rule both the family and the state.

Although women’s rights were by no means complete by the closing years of the century, the republic had begun to redefine the meaning of citizenship and the parameters of state authority. The danger of the emancipated woman was effectively brought home in the figure of the *femme*

criminelle, a figure who embodied for both feminists and social conservatives the nexus of concerns that informed "the woman question." There was no closure on the issue of women's place in French society at the turn of the century; rather, there was an ongoing series of small transformations and continuous debate in which the female criminal and the feminist marked profound transitions in domestic relations and civic life. In the midst of these shifts, men and women of the fin-de-siècle found themselves in new positions with regard to each other and to the state, as boundaries between public and private life were shown to be permeable and gender hierarchies, presumed natural and immutable, appeared, after all, to be subject to change.