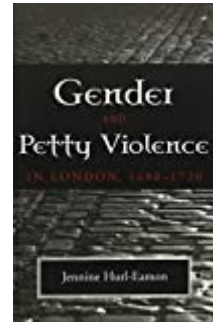


Jeannine Hurl-Eamon. *Gender and Petty Violence in London, 1680-1720*. Columbus: Ohio State University Press, 2005. xii + 213 pp. \$44.95 (cloth), ISBN 978-0-8142-0987-5.



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Jennine Hurl-Eamon analyses “petty” violence in London from two perspectives, addressing its victims in the first section of her book and its perpetrators in the second. She further organizes her material by exploring whether men and women acted differently in both instances. She concludes that assault victims of both sexes in London were empowered as prosecutors, strategically using “victimhood” to achieve a successful prosecution. She even contends that female victims of rape could assert themselves, assisted by the law and authority’s attempts to police aggressive male sexuality. The actions of perpetrators of assault were more clearly gendered. One third of all the people bound over for assault in the City of Westminster were female, so Hurl-Eamon concludes that women could be as aggressive as men. Nonetheless, male assault defendants were more likely to have attacked representatives of the state than their female counterparts, who were usually violent in the context of neighborhood tensions. These are valuable findings, although their novelty is sometimes overstated. Prosecutors’ empowerment or agency is surely inbuilt into a legal system that relied upon participation. Nor is it especially new to recognize that early modern women were assertive in the prosecution of assault, even against their husbands. Current work on gender and crime also demonstrates that women were perceived to be capable of physical aggression by their contem-

poraries, though the way in which this was considered transgressive changed over time. This is, nonetheless, a carefully written book grounded in over seven thousand recognizances for assault brought before the Westminster Quarter sessions between 1685 and 1740.

Gender and Petty Violence in London adds to a growing body of work on strategic approaches adopted by people when confronted with law and authority. Current research on litigants and poor relief claimants, for example, demonstrates their use of tactical language in gaining their desired ends. Chapter 2 explores the way that “victimhood,” defined as “a status taken on by the victim after he or she decided to go to the courts” (p. 16), was a means by which prosecutors of assault could exercise agency. Hurl-Eamon sees this as a conscious act of “self-fashioning” (p. 16), though it could simply be that the system itself facilitated this degree of agency for prosecutors. Since men and women emphasized their personal weakness and the severity of their injuries, in order to strengthen their prosecutions, she contends that men were able to use their personal weakness in the same way as women without risking their masculinity. It is well known that women highlighted their perceived vulnerability in the attempt to gain advantage.[1] Men, however, are usually seen as deploying different tactics, being far less keen to point out their own weakness or dependency

and emphasizing difficult circumstances instead.[2] The possibility remains, however, that male victims of assault were simply demonstrating the extent of the incapacities caused by their assailant and the disruption to their present and future livelihood, as required in the legal formula for binding over defendants. Such an emphasis does not necessarily equate with women's manipulation of their dependency in other fora. This chapter ends by taking an interesting new approach to the phenomenon whereby both parties in a conflict issued simultaneous complaints counter-accusing each other of violence. Traditionally seen as vexatious or malicious prosecuting, Hurl-Eamon classifies these instead as "competition of victimhood" (p. 17).

Chapter 3 explores ways in which male sexual aggression was subjected to restraint and defined as a problem. It begins by examining cases of attempted rape. Rape victims were more likely to achieve a successful prosecution if they prosecuted their aggressor for attempted rape (a misdemeanor) rather than rape (a felony), since the repercussions for the defendant were not so harsh in a crime that was difficult to prove. Hurl-Eamon contends that the reduced prosecution, nonetheless, indicates that attempts were made to control male sexual aggression and that in the process male defendants were disempowered while their female victims were empowered. Hurl-Eamon then turns to selected cases of rape reported in the Old Bailey Proceedings in which many of the victims were children. Thus she draws the provocative conclusion that "male sexual violence was more *socially* defined rather than legally defined, often meaning the act of a man overpowering a child" (p. 40). This is clearly a fruitful area for further research. Hurl-Eamon next explores another facet of society's concern about male sexuality by considering the Mohock Scare of 1712. She argues that though the fears about young elite rakes causing mayhem to Londoners were largely unfounded, this popular opinion helped fashion upper-class men as particularly dangerous. Indeed prosecutions of upper-class men for assault increased in the years 1712 to 1715. This finding is important in offering a further mechanism for the shift over the course of the eighteenth century whereby men came to be seen as the more sexually aggressive, dangerous sex.[3]

Chapter 4 revisits two categories of female prosecutors that Hurl-Eamon has dealt with in other publications: pregnant women and beaten wives. The position of this chapter is problematic, since it develops many of the issues discussed in chapter 2. As such it might have been more rewarding to explore both issues together. Hurl-

Eamon sees these women's ability to use their vulnerability to gain assistance as indicating that the state did not simply define motherhood and wifehood in a negative light, but offered them protection. This is not an especially unusual finding.[4] For example, the "state" had long offered wives legal fora to deal with abusive husbands. This facility was simply part and parcel of a hierarchical gender system in which men were given greater authority and responsibilities as patriarchs, but were also therefore constrained in their application of mastery. Tyranny was to be avoided at all costs. Thus, while beaten wives who prosecuted their abusive husbands may have been empowered, their actions in doing so were conventional and legitimate.

The first chapter of the section focusing on those bound over for assault describes the nature of male and female assaults, concluding that much petty violence was un-gendered as to the degree of aggression, or its use as a "tool" to achieve specific ends. Nonetheless, significant differences lay in the tendency for women to use teeth and nails while men were more likely to use swords, though both were likely to use any item that came to hand as a weapon. Her analysis of the causes of assault lists the usual suspects of alcohol, crowded living conditions, money, and contact sport. These themes are elaborated in the next two chapters. Chapter 6 argues that it was men who were prosecuted for assaulting representatives of the state. Women on the other hand, as outlined in chapter 7, were more inclined to riot (in the sense of violent group action) as the result of neighborhood tensions, except where she uncovers their demonstrations against the state in the form of Jacobitism. This division is problematic. A more revealing way to analyze this material would have compared both male and female violence in the name of Jacobitism and both sexes' personal attacks on representatives of the "state."

Overall *Gender and Petty Violence in London* raises a number of interesting questions. I have reservations about some of the bigger claims of the book, its tendency to superficiality (covering, as it does, such a wide range of offences), and its failure to situate the assaults in the context of the metropolis. Nonetheless, *Gender and Petty Violence in London* offers valuable insights to those interested in the broader meanings of violence and its treatment in an era that is rarely considered in its own right.

Notes

[1]. Less often stated is that they used their knowledge of the law too. See G. L. Hudson, "Negotiating for Blood Money: War Widows and the Courts in

Seventeenth-Century England,” in *Women, Crime and the Courts in Early Modern England*, ed. J. Kermode and G. Walker (Chapel Hill: University of North Carolina Press, 1994).

[2]. See for example, recent findings about fathers who petitioned the London Foundling Hospital, Tanya Evans, “Unfortunate Objects”: *Lone Mothers in Eighteenth-Century London* (Basingstoke: Palgrave Macmillan, 2005).

[3]. Martin Wiener, “Alice Arden to Bill Sikes: Changing Nightmares of Intimate violence in England, 1558-1869,” *Journal of British Studies* 40, 2 (2001): 184-212.

[4]. The stress on novelty leads to inaccuracies. For example, Hurl-Eamon states that her use of 176 cases of husbands brought before the quarter sessions dwarfs past research, yet my own analysis of wife beating, published in 2003, utilized over 500 such cases from other parts of England. See Bailey, *Unquiet Lives: Marriage and Marriage Breakdown in England 1660-1800* (Cambridge: Cambridge University Press, 2003). See Susannah Ottaway, “Review of Joanne Bailey, *Unquiet Lives: Marriage and Marriage Breakdown in England, 1660-1800*,” H-Albion, H-Net Reviews, January, 2006: <http://www.h-net.org/reviews/showrev.cgi?path+97091143227713>.

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