ARE WE LIVING IN A MORE VIOLENT SOCIETY?

A Socio-Historical Analysis of Interpersonal Violence in France, 1970s–Present

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This text suggests a general sociological model to interpret the development of violent behaviours in interpersonal relationships, based on the French case. An original synthesis of various types of data is used: police and judicial statistics, victimization and self-reported surveys, demographic and socio-economic data. The model links together five processes at work in French society: a societal process of pacification, a political and legal process of criminalization, a process of judiciarization of everyday life conflicts, a socio-economic process of competition for consumer goods, and a process of economic, social and spatial segregation. This model also attempts to link many theoretical contributions that have shaped the history of sociology and criminology.

Keywords: violence, pacification, disciplinarization, criminalization, judiciarization, competition, segregation, civilization

Introduction

The question of the development of violent behaviour in interpersonal relationships in France since the 1970s immediately raises two major methodological issues, seldom considered critical by commentators.

The first problem is the homogeneity of 'violence' as a category—a ubiquitous one in public debate as well as in social sciences. Can foul killings, mafia-like assassination, parricide, infanticide, conjugal violence of varying seriousness, violence perpetrated during thefts be lumped together with rapes, incest, paedophilic acts, as well as with verbal violence of all sorts, slaps, punches, stone-throwing and so forth? Scientifically speaking, the answer is no. For instance, a quick look at policing statistics published since 1972 (see Figure 1)— based on legal categories that tend to oversimplify the behaviours, perpetrators and victims considered in the first place—at once suggests great disparities in the various trends.

One intuits, then, that the question 'Is violence increasing or declining?' is meaningless, and cannot admit any simplistic, yes–no answer. Hence, too many analyses, even by social scientists, were simply attempting to answer a question that was in fact poorly put. We definitely can say that all those acts share one dimension: the physical or moral integrity of individuals is being assaulted. But whereas the consequence of these acts is the same from an extremely general standpoint, their causes, motivations, authors, victims, locations and the circumstances surrounding them are extremely varied (Stanko 2002: xiii). Indeed, violent behaviour is meaningful only in a given context. It does not, in itself, convey any predetermined signification or content. Ultimately, strictly speaking, the noun 'violence' should not be used as the subject of a statement—only the adjective 'violent' is suitable, to describe the form of an act.

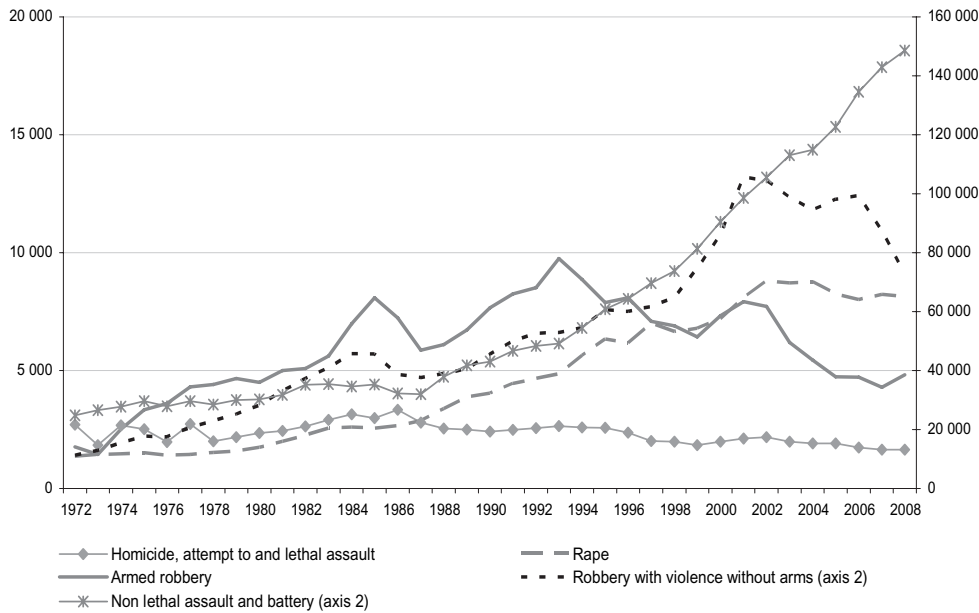*CNRS, CESDIP, Immeuble Edison, 43 bd Vauban, 78280, Guyancourt, France; mucchielli@cesdip.fr.

Fig. 1   Development of some violent crimes in police statistics (1972–2008).
Source: Ministry of Interior.

The second major problem arises when addressing the temporal development of violent behaviour. At this stage, one runs into the snag of change in status, place and meaning of this behaviour and these acts, both in social representations (their moral and social status) and in law (their legal status). The phenomenon is particularly obvious in the case of sexual violence and children abuse (within the family or in institutions), but, as we shall see, it is actually much broader. This psychosocial evolution has in fact been inscribed into criminal law, to a large extent, through the unprecedented acceleration of the criminalization process since the early 1990s. How, then, can we reflect on the development of a phenomenon whose definition is constantly changing and, indeed, being extended? How can we determine whether it is a specific behaviour that is new, or merely its stigmatization? The problem is all the more fundamental in that it is actually, as will be shown, characteristic of the present evolution of Western societies, and no thinking claiming to be scientific can eliminate it or view it as unimportant.

Admittedly, then, the apparent unity of the category 'violence' is in fact imposed by social representations and public policies that determine the content of a media-orchestrated public debate. The theme of violence—as exerted by lower-class youth especially—has become central since the early 1990s, to the point of constituting the main collective fear in French society (Le Goaziou and Mucchielli 2009). It is indeed inseparable from the idea of an increase in that violence, reflecting and symbolizing the 'crises' experienced in France, the contents of which vary from one author to another, be it a crisis in the state and the political system, a crisis in the primary mechanisms of socialization (the family, the school), an economic crisis or a cultural crisis (multiculturalism). In support of these representations and this discourse spurred by

fright, or even by the spectre of decadence (the theme of 'France's decline' has regained fashion in recent years), the protagonists of public debate (politicians, journalists and essayists) are constantly commenting on various sorts of 'violence' and all sorts of statistics pertaining thereto: sexual violence, violence in the 'suburbs', violence at school, homicides, and so on. Finally, the media illustrate and theatrically stage these interrogations on an almost daily basis, drawing from a bottomless source of petty incidents (Secail 2010).

Our intention here is not to investigate those psychosocial mechanisms that produce a unified concept of 'violence' and a linear view of its development. We will take the opposite stance, based on a two-sided postulate: the *heterogeneity* of violent acts and the *instability* of their moral and legal status. This is no condemnation of reflection on the development of violent behaviour in France. On the contrary, an overall—but complex—interpretative framework may be constructed that would emancipate our thinking from the univocal, linear equation of 'decreasing *versus* increasing violence'. That sociological model consists of a series of linked hypotheses as to the nature and evolution of processes susceptible of eliciting violent behaviour in interpersonal relationships and/or of eliciting changes in the status of such behaviour, leading to greater stigmatization. Our intention is to identify at least five transversal processes of potentially different origins, extents and paces: (1) a societal process of increasingly pacified practices; (2) a political–legal process of increased disciplining through criminalization; (3) a process of increasing judicialization of ordinary social life conflicts; (4) a socio-economic process of increased competition for consumer goods; (5) last, a process of economic, social and spatial segregation.

A Pacifying Process

Norbert Elias's famous thesis on the 'civilizing process' over the centuries has received widespread attention from contemporary social scientists. Historians were the first to take ownership of it. In the early 1990s, the rise of police statistics on personal violence over the previous two decades (with a slight increment in the homicide rate, in particular), along with the growing importance of the theme of 'violence' in public debate, led some sociologists to adopt the term again, but they turned it around, speaking of a 'reversal' of the civilizing process (Lagrange 1995; then Roché 1996; these authors took their inspiration mainly from US studies published in the 1970s and 1980s (Gurr 1981)). This hypothesis, already questionable in the 1990s when applied to homicide (Aubusson de Cavarlay 1993), has become indefensible at present. Following a review of available data on the development of violent acts, we will pick up the discussion on that process, which we prefer to call *pacification*, leaving the critical discussion of Elias's theses for our conclusion.

The data: police and judicial statistics, victimization surveys

Serious physical violence is not increasing in France. First of all, homicide (the most often used indicator, because its legal definition is stable and it is assumed to have a low 'dark figure') definitely did rise during the first half of the 1980s, but only for a short period actually, and the decline has resumed since (Mucchielli 2009*b*). Next, police figures about 'deliberate assault and battery' are unquestionably rising sharply. However,

observation of judicial statistics, which specify the seriousness of that assault (depending on whether it entailed medically certified total work incapacity (ITT), exceeding or not exceeding eight days), also shows a steady decline in the most serious acts (Figure 2). All in all, only *verbal violence* has increased sharply in police and judicial statistics.

Are these trends corroborated by the statements made by victims? This point is essential for our demonstration, since police and judicial data are based exclusively on those violent acts for which the victims filed a complaint. In France, the national statistical institute (INSEE) has been performing a yearly national victimization survey on a representative sample of about 11,000 individuals since 1996. These surveys distinguish three types of violence: definite physical violence (using the same criterion as administration statistics: ITT for over eight days), simple physical violence (ITT for eight days or less) and verbal violence. A look at the series of surveys (Robert *et al.* 2008; Le Jeannic 2006: 639) shows that from the end of the 1990s onwards, the proportion of people aged over 15 who reported an assault in the last two years has stabilized at around 7 per cent.[1] A detailed look at the various types of assaults shows that only the verbal ones (insults, threats) are increasing. These findings are corroborated by other surveys of the overall population and especially by the *Baromètre Santé* conducted by the national institute for prevention and education on health (the INPES) on the basis of a representative sample almost three times the size of the INSEE sample (about 30,000
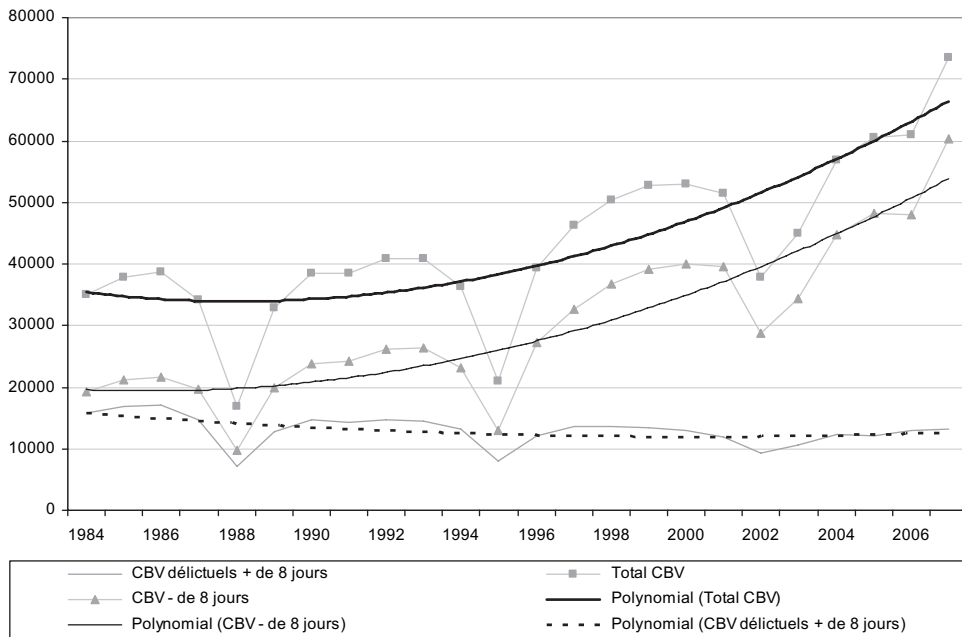

FIG. 2 Sentences for assault and battery with medical certificate for more or less than eight days of total work incapacity (1984–2007).
Source: Ministry of Justice (calculation from the author).

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[1] Following an (very) unfortunate modification of the definition of the 'assault', the results of the 2006 annual survey do not compare with those from previous years (Robert *et al.* 2009).

people aged over 12), in which respondents were asked about the violent acts they had either suffered or inflicted. Comparison between 2000 and 2005 shows a slight drop in the percentage of individuals claiming to have been assaulted during the past 12 months, along with a stable percentage of those claiming to have struck or injured someone (Léon and Lamboy 2006). Conversely, multi-victimization (the number of people having suffered several attacks during the same year) seems to have increased slightly, as evidenced by the INSEE surveys as well. It would seem, then, that victimization is increasingly concentrated in some limited places—more about that later.

Finally, since 2001, the Institut d'aménagement et d'urbanisme de la Région d'Île-de-France carries out, every two years, the most significant French victimization survey. Focused on the Paris region, with a representative sample of 10,500 households, its questionnaire and administration method have remained stable and the latest sweep has taken place in 2009. During this period, according to police statistics, various types of personal violence have increased by 25 per cent in the region (as in overall France). However, this alleged trend is invalidated by the findings of these victimization surveys. As Table 1 shows, the proportion of inhabitants of the Paris region who report having been victims of any type of violence was 6.7 per cent in 2001 and 6.4 per cent in 2009 (an non-statistically significant difference). And this perfect stability concerns all types of physical or verbal violence.

Transformation of the status of violence

From these initial findings, we can already postulate that contrary to the general opinion, a pacifying process is still at work in French society, which partakes in the reduced use of physical violence for solving the ordinary, everyday conflicts in social life. Why is that? A detailed study of the many factors that have generally—however unevenly, depending on the social group—contributed to this process for several decades would exceed the limits of this article. Suffice it to list a few facts: the ongoing development of sensitivities; the expansion of individual fulfilment and individualism; the overall rise in the standard of living and in life expectancy; the growing denunciation of any form of risk (driving habits spring to mind: increasingly disciplined, leading to a steady drop in road casualties since the early 1970s; drinking has been declining since the 1960s as well); the continuing tendency to delegate the regulation of interpersonal conflicts to the state; the lessening of major conflicts in national political life (disappearance of revolutionary movements,

TABLE 1   *Proportion of people aged 15 and more reporting a violent victimization of any kind during the three years preceding the survey, 2001 and 2009 (%)*

	2001	2009
All types of violence	6.7	6.4
Including sexual assault	0.7	0.7
Including assault by an intimate	1.1	1.3
Including entailing work disability > 8 days	0.5	0.6
Including insults and threats	3.6	3.2
All personal victimization (including theft without violence)	14.6	14.2

Source: IAURIF, 'Victimation et sentiment d'insécurité en Île-de-France' surveys, 2001 and 2009.

gradual decline of separatist movements), in the workplace (fewer strikes and violent demonstrations), in electoral competitions and around the functioning of institutions (the stability of political parties, the habit of alternating parties in power);[2] growing control of the violence exerted by the police during law enforcement operations (also tied to increased democratic control over the state's monopoly of legitimate violence); growing police and judicial repression of all forms of aggressive and violent behaviour, especially that of young men, who are and always have been the main offenders and victims (since they mostly fight among themselves). One should also mention the denunciation of some forms of violence by social movements—feminist movements in particular—as well as greater moral surveillance by the media, functioning increasingly, for better or for worse, as 'moral entrepreneurs' (from the upper classes), insofar as they undertake crusades to reform the morality (of the lower classes), to borrow from Howard Becker's (1963) classic analysis.

One central point must be stressed: *if a pacifying process tends to reduce recourse to violence, it is because its primary consequence is the stigmatization and delegitimization of that violence.* Whence a paradox, albeit only an apparent one: the general impression that violent behaviour is increasing may very well go along with a trend towards more denunciation, but also with stagnation, or even a drop in actual frequency. In fact, our society no longer tolerates violence, no longer considers it legitimate or meaningful (hence the widespread use of a sociologically absurd phrase: 'gratuitous violence'). Our threshold of tolerance of formerly accepted violent behaviour is getting lower and lower, the outcome being that *the status of this behaviour changes.* What was previously regarded as 'normal' or 'exaggerated but acceptable' becomes abnormal and intolerable. What people did not want to see is now visible to all. What was a 'private affair' becomes a public affair. Public eyes probe places formerly subjected to the discretionary power of a head: father, teacher, vacation camp monitor, supervisor of the schoolyard, dormitory or hostel, staff-sergeant of a military camp, and so on. The result is that interpersonal violence that is not new is now denounced; it has a new status, and is no longer tolerated. This is massively true of sexual violence, conjugal violence, child abuse and various forms of harassment (including the most ritualized, or even institutionalized forms such as hazing freshmen), the development of which reveals a fundamental societal trend tending to protect the weakest members of society—especially women and children—and a deep-seated rejection of all forms of brutality, often ascribed to 'machismo' if not to masculinity, which have received considerable renewed attention from the social sciences since the 1990s. Consequently, there is a substantial increase in several sorts of lawsuits. Let us take two examples.

'Sexual violence has definitely become the modern form of violence,' says historian G. Vigarello (1998: 282). The perpetrator of sexual violence becomes the embodiment of evil (Garapon and Salas 1997: 201). The enormous increase, over the last quarter of a century, in the number of offences reported by the police, and in rape cases (including conjugal rape), incest, paedophilia and various 'sexual assaults' bespeaks this crucially. This trend, closely correlated with a major development in use of the courts, expresses the mutation of sensitivities—to the point at which sexual violence is susceptible of triggering 'moral panics' of unprecedented scope, such as the Dutroux case in Belgium,

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[2] On the last three points, see Crettiez and Sommier (2006).

or on a smaller scale, the case of the group rapes ('*tournantes*') in France (Mucchielli 2005). These aspects are well documented and no further development is needed here.

The growing share of conjugal violence in the category of 'deliberate assault and battery' cases brought to court is a third example of this transformation of the status of violent behaviour, also connected with a very large increase in divorces (a four-fold increase between the early 1960s and the early 2000s) and conflicts over child custody and alimony. In a study of 256 'deliberate assault and battery' cases judged by a *correctionnel* court in the Ile-de-France region in 2000, conjugal disputes made up almost 30 per cent of cases—a figure that rises to about 40 per cent when adding other cases of family violence committed by adults only (Mucchielli 2006). A similar study on closed cases (dismissed or other) would be interesting, since, according to police statistics, 90 per cent of conjugal violence acts entailed either no work incapacity or less than eight days of ITT (OND 2007: 221). Indeed, since 2006, the Observatoire National de la Délinquance has been working on evaluating the share of conjugal violence in the overall category of assaults against persons, as recorded by the police or *gendarmerie*. It is estimated that a quarter of homicides and non-fatal, deliberate 'assaults and battery' cases are of a conjugal nature (OND 2007). Moreover, extrapolation for previous years indicates a 32 per cent increase of such conjugal violence from 2002 to 2006. Finally—an important clue as per the judiciarization of conjugal disputes (see above)—an examination of the data from the Paris Préfecture de police, from 2000 to 2006, shows that reporting of these violent acts has shifted from 'police dockets' ('*mains courantes*', which are mere daily activity logs) to the more formal '*procès-verbaux*', which are proper notices of infraction and, as such, are subject to statistical count. Given that, in the victimation study about violence towards women conducted in 2000, slightly more than 2 per cent of women reported being subjected to physical or sexual violence by their partner (Jaspard 2007), the 'pool' of potentially 'lawsuit-triggering' acts of conjugal violence remains quite sizeable.

A shift in the status of victim

Violence is thus dissociated from physical assault and extended to the person in general, as a human being: speech is just as violent as acts; dignity is as sensitive as the body. Whence, for example, the popularity of the notion of harassment—sexual harassment, of course, but also *moral* harassment, which generally does not take place in anonymous public spaces, but rather at home, or in the communal parts of apartment houses, at the workplace, at school, where people know each other. Moreover, and quite significantly, slightly over half the people surveyed about victimization directly refer to insults and verbal threats as 'attacks'. This transformation of our sensitivities and representations is fundamentally connected with a *change in the status of victim* in French society. Aside from the fact that a lower threshold of sensitivity extends the field of acts denounced as intolerable, it accrues the compassion and moral empathy with victims of such acts, especially when the notion of suffering is present. As Le Goaziou (2004: 21) rightly says, 'more than violence, it is suffering that has become the key word today, the criterion on the basis of which judgments are pronounced. In the name of an unprecedented valuing of human life, suffering has become evil and the modern subject a potential victim'. True, the media and political debate increasingly venerate compassion and victims'

complaints of all sorts, to the point of contributing to the development of a 'society of plaintiffs' (Garapon 1996: 105*ff.*), and of encouraging some competition among different social groups posing as victims (Salas 2005: 63*ff.*; Erner 2006), hence the massive arrival of victims in the sphere of public policies and downstream, in the police and judicial sphere. This trend in sensitivities definitely contributes to the demand that the state provide protection and safety, to which it has actually responded through rapid advances in criminalization.

Criminalization: The Disciplining State

Most of the intellectual traditions that feed thinking about the development of European societies in modern times seem to agree on one point: the existence of a process of increasing disciplinarization. From Marx to Z. Bauman (1992) and P. Wagner (1993)—and including Elias, the Frankfurt school and Foucault—no one doubts that this is one of the major features of 'modernity'. The debate focuses more on the levers involved in this process. The development of the state has always been one of these; and one must admit that in the 1990s, most Western states, faced with the consequences of unemployment and the new amplification of inequalities, a high level of property crime and some other categories of offending, as well as a growing demand for safety, made serious use of their prerogatives in criminal justice and attempted to regain the upper hand, imposing a new brand of social control (Garland 2001). This phenomenon can take spectacular proportions, especially when it involves mass imprisonment, as in the United States in particular (Wacquant 2009), but it crosses all Western societies to varying degrees. The criminalization process is the key here. It comes under a number of headings: incriminations, referrals, suits and sanctions.

An ongoing, accelerating process of criminalization

The pacifying process is inseparable from a process of criminalization of mores (Lameyre 2000: 103). A tendency to incriminate physical violence, but also verbal and moral violence (breach of dignity, discrimination) has been advancing consistently since the early 1980s. The December 1980 legislation on rape is a landmark here. We may also mention the 10 July 1989 act on the prevention of abuse of juveniles and the protection of children. Next, there is the 1992–94 reform of the criminal code. The purpose of this reform was to make the protection of persons the core of criminal law, before public morality (Poncela and Lascoumes 1998: 81). Consequently, it introduced a series of new incriminations and increased the seriousness of those already enacted.

The new code introduces the following violent offences: the felony of torture and barbarian acts, the misdemeanours of endangering another person (introduced to fight traffic offences and workplace accidents), of impeding measures of assistance, of enticing minors to begging, drinking, using drugs or committing an offence (whether these acts are actually committed or not), of organizing a group for the purpose of drug dealing, of giving malicious or repeated phone calls. Finally, it ratifies a new misdemeanour: 'sexual harassment'.

The new code also toughens the prosecution and repression of already existing incriminations in three ways: *first*, by prescribing heavier sentences (especially for sexual violence, violence against animals or 'insulting a public official'), *second*, by increasing

the seriousness of some offences ('insulting a public official', formerly a petty offence, is now a misdemeanour) and, *third*, by adding 'aggravating circumstances' that change the seriousness of some offences. As far as violent offences are concerned, aggravating circumstances will be considered if the victim is under 15, is a spouse or partner, or a vulnerable person (owing to age, illness, disability, a handicap or pregnancy). Similarly, the new code defines eight aggravating circumstances for thefts, including the exertion of violence.

This trend towards incrimination has continued unabated from 1994 until the present (Danet 2008; Massé *et al.* 2009). The impact of these incriminations on police and judicial statistics is sometimes difficult to measure accurately—in particular, since Bills can be passed and not necessarily enforced. Data suggest some direct impacts of the 1994 reform, however, especially through the soaring figures for assault and battery as well as for threats and blackmail. This trend in the law may have considerable effects on the practices of social and penal control agents, especially through the intensification of referrals to the criminal justice system and prosecution decided by the police forces and the public prosecutor's office. The case of violence by juveniles is an excellent illustration that we can only summarize here (see Le Goaziou and Mucchielli 2009).

Intensification of referrals and prosecutions: the case of 'violence by juveniles'

The theme of 'juvenile violence' and its increase has been central in French society since the early 1990s, and is one of the main objects of the incrimination process discussed above. Usually, the only data supporting this fear and the political discourse constantly demanding even more incriminations are police statistics. Those data show that juvenile offending, as recorded by the police and *gendarmerie*, has strongly increased (around 40 per cent in the last ten years). For offences in which the victims were private parties, the increment is composed of thefts (forcible or not) and assault and battery cases, which, as previously seen, are more numerous but increasingly less serious in statistics for all sentenced individuals. Does this hold true when studying minors as a separate sample? Table 2 answers affirmatively, with a comparison of sentences (for misdemeanours and petty offences) for 1984 (the first year for which statistics are available) and 2008 (the last year for which figures are known) measuring the severity of the assault by the legal criterion of ITT of more or less than eight days. The slight tendency towards fewer serious assaults, but soaring rates of sentencing for less serious blows, is confirmed.

Also, this trend is not attended by an aggravation of crimes committed by juvenile offenders. Rather, homicide as a whole and hold-ups declined between those two dates.

TABLE 2 *Minors sentenced for assault and battery (1984–2008)*

	1984	2008	1984/2007
A&B with ITT > 8 days	1,456	1,342	−7.8%
A&B with ITT < 8 days	1,589	8,470	x 5.3
Total	3,045	9,812	x 3.2

Source: French Ministry of Justice, 'Les condamnations'.

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The only crime that increased was rape, the main reason being the previously analysed transformation of the status of this conduct.

Rape aside, the increasing acts of violence committed by minors as shown in police statistics are not very serious. The question, then, is whether this increment represents a change of behaviour or a change in referrals and prosecution of such behaviour. The two are most probably not mutually exclusive. However, three elements would prompt us to view the latter hypothesis as contributing more to the trend: first, the large 'reservoir' of cases formerly recorded on police dockets and potentially prosecutable; second, the nature of the judicial follow-up on these police proceedings by public prosecutors; and, third, the findings of surveys on self-reported offending.

(1) Surveys by several researchers in the 1970s showed that whereas thefts are generally the object of a procedure (tied to problems of responsibility and insurance), 'the dockets are full of stories of fights, blows, and threats during quarrels and disagreements' (Le Goaziou and Mucchielli 2009: 34), especially in conjugal and family contexts (Aubusson de Cavarlay *et al.* 1995: 44–6). In other words, no complaints were filed for a whole series of not very serious physically and verbally violent acts, which were not prosecuted, the solution or outcome being negotiated between the parties to the conflict and with the police officers who reported them. In the case of minors, these not very serious acts were most often sanctioned by a simple scolding, with the justice system delegating its power, so to speak, to law-enforcement agents. We therefore postulate, like others before us (Gebler and Guitz 2003: 55), that in the present climate of political dramatization and massive mobilization of the criminal justice chain focused on 'juvenile violence', the police have been gradually incited to initiate procedures for more cases and to increasingly leave the rebukes to judges, who, in turn, receive increasingly insistent encouragement to limit dismissals. The latter point is particularly clearly established.

(2) The intensification of referrals and prosecutions is the goal sought by the authorities since the early 1990s, as shown not only by the Bills passed and the rulings issued, but also by the ministerial orders issued by the ministries of the Interior, Justice System and National Education, aimed at encouraging their staff to intensify such referrals and prosecutions. At the judicial level, this took the form of *a real revolution in the practices of public prosecutors*, who have invented, over the last ten years, what is known as the 'third way' or 'alternatives to prosecution' (Figure 3). This is a series of rapid sanctioning techniques designed to treat petty offending and actually not cutting down prosecutions, but rather dismissals due to the slight seriousness of the offences (Aubert 2007). Since the beginning of the 1990s, public prosecutors have been led to increase the number of cases treated in a proportion similar to the number of additional cases turned over to them by the police and gendarmerie. But, over the same lapse of time, the proportion of dismissals among all decisions dropped from more or less 50 per cent to 23.8 per cent in 2007. This trend favoured 'alternatives to prosecution', then, the main measure being 'calling to order', a form of rebuke. Such alternatives, practically absent in 1994, represented 42 per cent of decisions in 2007 (since 2004, they are now the first type of judicial answer for juveniles). As for 'calls to order', they alone represented 70 per cent of alternatives to prosecution in 2007, and 30 per cent of the overall penal response to juvenile offending. This trend is continuing at a very fast pace.

(3) The last (but not least) element that greatly relativizes the hypothesis of a sharp, recent increase in violent juvenile behaviour is provided by surveys of self-reported
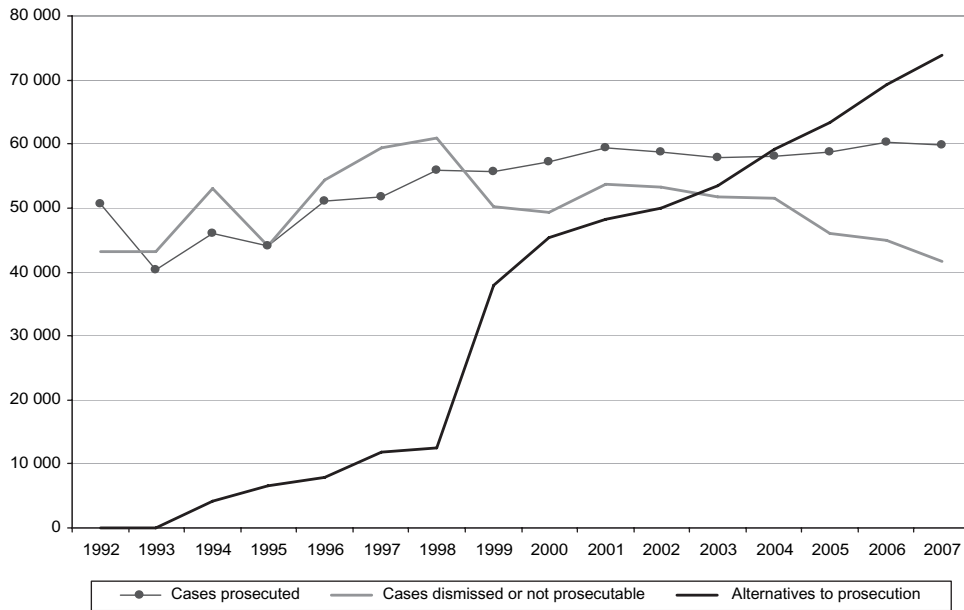
FIG. 3   Variation in the penal response of public prosecutors to juvenile delinquency (1992–2007).
Source: French Ministry of Justice.

offending conducted among school-attending teenagers. In France, the production of self-reported delinquency data starts only in the 1990s, in fact included in more large national surveys on youth health. The first one was realized by the national institute of medical research (INSERM) in 1992, then by the Comité Français d'Education pour la santé (CFES) from 1997. The comparison between the 1997 and 2000 surveys is disturbed by some changes in the questionnaire. But, 'the fact that comparable proportions have been recorded in 1997 and 2000 strongly suggests that the level of interpersonal violence does not change between those generations' (Lagrange 2004: 1993). Then, the strict comparison between 2000 and 2005 surveys shows that 'acted violence is stable since 2000. There is no significant development whatever the sex and age' (Léon and Lamboy 2006: 81). On suffered violence, the number of people of every age declaring having being attacked decreases from 3.3 per cent to 2.6 per cent, especially in young men.[3] Finally, those trends are confirmed by the French results of the international surveys HBSC (Health Behaviour in School-aged Children) that provide comparison on a 12-year period (1995–2006), polling 7,000–8,000 pupils aged from 11 to 15 (Navarro *et al.* 2008). The proportion of boys auto-declaring victims of assaults during the year has regularly decreased, from 19 per cent in 1992 to 15.4 in 2006 (and those of girls is stable on a two times lower level).

Our main assumption, in conclusion to this study of the incrimination and prosecution process, is therefore that of an intensification of referrals all along the penal chain, leading to much tougher penal treatment of aggressive, delinquent and uncivil behaviour in young people. But this important question of the referral process extends much

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[3]But the number of attacks declared by the same persons has slightly increased, which is conformed with victimization surveys (as seen before).

further, into the very complex issue of social control: 'It is in the very interplay of relationships throughout society that the very scattered phenomena of exclusion occur, one fraction of which is referred to the criminal justice system', as Zauberman (1982: 24) so rightly wrote. To study the process of referral to the criminal justice system is to study societal evolution as a whole, the degree of cohesion of the many communities of which it is formed, the contents of the social representations more or less stigmatizing certain practices and social groups, the referral strategies of all sorts of actors and the professional ideologies of institutional actors (Zauberman 1982: 32–40). It is therefore worth our while to extend our analysis so as to observe a much broader process of judicialization of conflict solving in today's social life.

Judicialization of Conflict Solving in Social Life

Judicialization is the resort to courts to solve quarrels, conflicts and disagreements of all sorts. This process is, of course, furthered by the ongoing pacifying process and is directly amplified by the constant extension of incrimination. However, it is also tied to the evolution of lifestyles in as much as these reduce the ability to regulate inter-individual conflicts in social micro-communities. Urban development is now about developing outlying areas rather than further increasing the size of large cities, namely the focus is on previously rural areas in the vicinity of the metropolizes (Bessy-Pietri 2000). But this so-called 'back to the countryside' movement is actually not attended by any reconstruction of dynamic communities. On the contrary, these urban and suburban lifestyles increasingly separate the family's place of residence from the workplace (itself increasingly precarious or temporary and therefore less fertile ground for establishing close relationships), the shopping centres (where people shop increasingly in impersonal hypermarkets) and sometimes even schools, recreational facilities and places where people can engage in social and citizen life. Conversely, they require intensive use of cars. We thus live in increasingly impersonal places. In the city centre, it is not unusual not to know one's neighbours, and anonymity is the rule in public transportation and recreational facilities. In ZUS (reputedly unsafe neighbourhoods), intense, noisy youthful sociability conceals the more frequent isolation, anxiety and withdrawal reported there by broad population surveys, mainly due to unemployment and the paucity of professional, community and even family networks (Pan Ké Shon 2005). On the whole, face-to-face contacts (as opposed to phone calls) are dwindling at top speed (Blanpain and Pan Ké Shon 1998). The outcome is a further accentuation of an old trend—the reduced ability to regulate interpersonal conflicts without resorting to the courts. Individuals who do not know each other and do not typically resort to dialogue and mediation have to solve their conflicts on their own, and if they cannot come to an agreement, they have no other solution than to turn to the authorities.

These trends in lifestyles thus directly impact relations between the population and the law-enforcement agencies, and contribute to a constant increase in reports of the least serious kinds of personal violence. This was shown, for example, in one study recently conducted in suburban areas under *gendarmerie* responsibility, using a method combining analysis of recorded offending and of the content of procedures, and in-depth interviews with *gendarmes* (Mucchielli 2007*b*). It indicates that the main changes in offending recorded by *gendarmes* during the last 15 years do not reside in the nature of the offenders' behaviour, but, first, in the expanded definition of offending and,

second, in changes in the way the *gendarmes* work and in complaint filing by residents. This is true to the point that the *gendarmes'* main complaint is a change not in offenders' behaviour, but rather in the behaviour of residents, described as 'coddled', 'individualistic' and harassing them with petty demands outside their competence, according to them and especially for conflicts between neighbours, anti-social behaviour ascribed to youths (starting with being noisy and boisterous in public places) and also conjugal and family conflicts in which they feel very much utilized.

Moreover, the judicialization process does not stop at relations between individuals and the police/judicial authorities. It is also at work in relations between the latter and other administrations, especially those in charge of adolescents and young adults. In the previously mentioned study of areas managed by the *gendarmerie*, we noticed an abnormally high rate of violent acts recorded by one squad. Field investigation then uncovered the reason: the presence in the area of a home run by the judicial department for the protection of youth. The educational staff had developed the habit of 'externalizing' the management of violent quarrels with the youths by systematically calling in the *gendarmes* to settle conflicts that are actually inherent in handling problem teenagers and that have been experienced by every generation of educators since the creation of the 'reform school system' in the post-war years. It seems that the novelty here resides less in incidents provoked by the youths in custody than in the inability of the adults in charge to deal with them. And we think that a similar analysis is applicable to schools, and to the notion of 'violence in schools' (Dubet 1998; Geay 2003) as well as for all the professions faced to varying degrees with teenage 'incivilities' and petty offending. It is true for agents of the administration such as teachers (Barrère 2002), social workers (Carra 2001: 141*ff.*), but also for police officers and *gendarmes*, with a growing procedure load, over the last 15 years, for insult and obstruction in the course of their identity checks (more on this later), as well as for agents of public enterprises such as train and subway ticket inspectors, and even for employees of private firms such as guards covering shops. All of these plaintiffs were found by Coutant (2005: 48*ff.*) in a Maison du Droit et de la Justice (House of Law and Justice), and it is definitely this judicialization mechanism that is at work in these low-intensity conflicts, rarely new in themselves (sometimes locally more intense), but that agencies (both public institutions and private firms) try to get rid of by 'outsourcing' them to the police and criminal justice system, leaving it up to the lower echelon, 'front-line' employees, to file complaints.

Understandably, these broad mechanisms are particularly active in situations in which a public composed of people who are not only working-class, but, moreover, of non-European extraction, exhibiting some cultural peculiarities, is confronted with middle-class representatives of institutions that 'formatted' them, and whose educational level when first hired has risen over the last 20 years. Distance and incomprehension can reach unsuspected heights.

Competition for Material Goods in an Impersonal Society

At the turn of the 1960s, the French society found itself at a new, unknown juncture, with an enormous rise in the proportion of youths in its population. Owing to the 'baby boom' at the Liberation, the number of 15–25-year-olds went from 5.6 million in 1960 to 8.5 million in 1975—a 50 per cent increment. This considerably amplified the usual

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phenomena of juvenile delinquency. Public debate at the time reflected this for a while, with the fear of the 'teddy-boys' (*Blousons noirs*) (Mucchielli 2002: 84*ff.*). These teenagers were depicted as acting in 'gangs', behaving violently towards both private individuals and institutions, committing what was (already) called 'gratuitous' violence, attending rock 'n' roll events and concerts to 'commit vandalism'; they were '*casseurs*' (the modern catchword for anyone—demonstrator or other—who acts roughly), in other words. However, behind the media-fomented constructions based on a few spectacular but exceptional occurrences, the core of juvenile offending and of its increase comprises thefts, some of a new kind, with partially new motivations. Thefts are no longer the poor man's means of survival (the way vagabonds and servants stole in the nineteenth century) or professional jobs. Some are of a new kind because they involve new objects: the embodiments of consumer society. First and foremost, of course, come thefts of automobiles (and motorbikes) and of accessories for these new 'cult objects' (the spearhead of industrial growth, with the number of cars rising from 1.5 to 15 million vehicles between 1950 and 1970). Automobiles and virility then began their long affair. To this day, driving 'makes the man', in the sense that it separates children from grown-ups more definitely than adulthood defined by age (Esterle-Hedibel 1996; Masclet 2002). The car symbolizes independence, but it is also at the heart of the 'civilization of leisure' (Dumazedier), then coming into its own. With a car, you can 'go out' on weekend evenings and it is important to be able to listen to music in it, thanks to a car radio (a much stolen item when they became commonplace). So this is the new kind of theft uncovered by researchers of the time: 'In the immense majority of cases, the vehicle is stolen for the youth's immediate use: it corresponds to a present need (coming home late, an escape, a planned offense, or more often, a simple ride); once the need is satisfied, the vehicle is abandoned . . .. This is not theft for the sake of possession: it is mostly dangerous because the young people cause accidents' (Sélosse *et al.* 1965: 45, 86).

The paradox of modernity, as David Riesman already remarked in 1948 (*The Lonely Crowd*), is that it incites young people to assert their individuality by the ostentatious consumption of standardized goods sold to them as fashionable by advertisers. And, as Robert Merton (1938) had realized even earlier, this process turned out to be so powerful that some of those who were unable to gain access to consumption were condemned to frustration and deviant behaviour. Now, while the phenomenon remained relatively contained during the 1960s when purchasing power grew rapidly all along the social ladder (including workers), it became much more salient in the 1970s, when the oil crisis put an end to the post-war boom, and French society entered an era of mass unemployment that wreaked havoc on the destiny of the younger generations (Chauvel 1998). Whereas stealing did not cease to be a typically adolescent means of transgression and fun, it also took a more 'existential' turn, as it became a means of survival, both financial and in terms of identity, for some of the outcasts.

Some form of violent redistribution

Hence, the constant expansion of consumerism went along with the development of confiscation-aimed offending, representing some form of violent redistribution, usually operated by people who were at least marginal in that society, if not totally excluded, but who wanted to exist, to be visible, to possess goods and to experience the joys of

consumerism like other people (and, in some cases, to make a living by receiving and selling stolen goods). 'Modernity' is also, characteristically, that increasingly bitter competition for the possession of consumer goods, in a society in which anonymity greatly facilitates the thieves' job (Cohen and Felson 1979; Robert 1999). This is the (well known) main feature of the transformations observed over the last half-century. In fact, the main risk in contemporary French society is to be robbed of goods—car, scooter, handbag, jacket and wallet, luggage, as well as, more recently, cell phone, CD-player, computer, video game and others—or of the money needed to buy those goods, at the workplace, at home or in a public place.

At the start of the twenty-first century, property offences, although no longer soaring as spectacularly as during the latter twentieth century, are still the core offences and the main risk to which private individuals are potentially exposed. In the victimization surveys conducted in the Ile-de-France region in the early 2000s, for example, nearly a quarter of households reported a theft or burglary over the past three years, whereas less than 0.5 per cent of people claimed to have suffered an attack causing bodily injury (Fouquet *et al.* 2006). Be that as it may, and this brings us to our point: *property-related risks and those involving personal attacks are not necessarily mutually independent.* Some thefts cannot be perpetrated without using or threatening to use physical violence, especially if the victim offers resistance. The same victimization surveys show that in the Paris suburbs, about half of violent offences of all sorts reported by victims (sometimes even more, in some places) are actually tied to a theft or attempted theft (Zauberman *et al.* 2006). In other words, whereas recourse to physical violence seems to be receding in many other sectors of social life and social relations, *violent theft, often involving strangers, is in serious contradiction with the pacifying process.* And that sort of theft is no less characteristic of 'modernity' than the said process, in as much as it is also linked to the technological trend. Two contemporary illustrations very well exemplify this: car-jacking and cell phone thefts (Mucchielli 2007*a*).

The classical question posed by Merton may thus be illustrated here: if 100 per cent of youths want a cell phone and 90 per cent of them possess one, why wouldn't the remaining 10 per cent—who are unable to buy one conventionally—steal them, given that they are 'alienated to consumer standards' as much as and even more (lacking other prospects for personal accomplishment) than the others? (Lagrange 2001: 176). H. Lagrange (Lagrange 2001: 83*ff.*) has highlighted a strong correlation between the development of thefts and that of unemployment among poorly educated young men. Violent behaviour is therefore also the consequence of some thefts, which, in turn, may be viewed as the price to be paid for maintaining inequalities and exclusion from mainstream society in a constantly developing consumer society.

Overall Territorial Segregation and the Risk of Ghettoization

Just as 'violence' is hardly meaningful as a category, neither is the national territory viewed as a homogeneous whole. Having analysed the processes that pervade French society in general, we must now look into the differences according to the type of area and the social groups residing there. Not only do lifestyles in 'hyper-centres' differ enormously from those of 'deep' rural areas and fast-growing suburban areas, but growing polarization is to be found within the suburbs of middle-sized and large cities. Since a 1996 act, the INSEE (French national institute for statistics) has had a separate

category for 'sensitive urban areas' (ZUS), defined by a series of demographic and socio-economic criteria including a large proportion of youths and of individuals of foreign nationality, and high unemployment and precarious employment rates. In short, these areas are defined as accumulating precarious or even social exclusion situations, to the point at which one feels entitled to speak of a *process of ghettoization*. It is out of the question to suggest that French ZUS are directly comparable to the ghettos in some large American cities, and still less to those of South America, in as much as segregation does not *ipso facto* entail ghettoization (Wacquant 2007). We will not speak of 'ghettos' in France, then. Still, we are obliged to postulate the existence of a process of 'social separatism', which contributes to widening the gap between the living conditions and fates of different social groups (Maurin 2004). Last, we shall see that these processes now have definite consequences in terms of the 'collective identity' (and therefore of a border, both social and mental)—an important criterion (Lapeyronnie 2008).

What are the consequences of this situation for our subject? Studies of police data recalculated by the national research institute for sensitive urban areas (ONZUS 2006; 2007; 2008) seems to vindicate this point of view, although the deviation between ZUS and the rest of the country is not that big overall, as opposed to what it is in terms of the now traditional disorderly events in these neighbourhoods (fires, damage and destruction). Nonetheless, acts pertaining to the category of 'misdemeanours and felonies involving wilful assault and battery' are slightly more frequent, along with verbal violence (threats and intimidation) and forcible thefts without a weapon committed in public places. But this is only police statistics. The annual INSEE victimization surveys show that only robberies with violence (committed mainly in public transportation and public places) are significantly more intense in the ZUS (Table 3). In fact, the higher rates of victimization rather concern inhabitants who live *just around* the ZUS.

Finally, local victimization surveys provide also some clues in as much as they show where and in what kind of housing the victims live. We discover that violence in the ZUS is only really higher for *family violence*. Conversely, the rates for sexual assaults and 'general' assaults are lower than in city centres. Quite logically, multiple victimization is also higher in the ZUS (since they involve family conflicts and, to some extent, sexual attacks, offenders and victims are in permanent contact, as opposed to attacks 'in general', which usually occur in public places between strangers who will never meet again). Similarly, the seriousness of the violent behaviour seems to be slightly greater in the ZUS. We can see that 'all the features—overrepresentation of lower socio-economic

TABLE 3   *Victimization rates per housing area, 2005–06 (%)*

	ZUS	Inhabitants of other urban areas (city including ZUS)	Other cities and built-up areas (no ZUS)	Total
Assault	2.5	2.8	1.8	2.3
Threat	5.1	5.6	4.5	5.1
Insult, injury	14.4	15.2	11	13.1
Robbery with violence	2.4	1.4	0.4	1
Robbery without violence	3.5	4.5	2.6	3.5

Source: INSEE, 'Enquête Cadre de vie et sécurité' 2007.

Note: the victimization rate is defined here as the proportion of individuals (aged more than 13) who have been subjected to the mentioned acts at least once during the two years.

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groups, of reputedly "difficult" neighborhoods and suburbs—accumulate, suggesting that violence among relatives is a form of victimization that is strongly linked to the hardships of the socio-economics environment' (Fouquet *et al.* 2006: 63).

Our own studies of judicial records also support this finding: serious violence (both homicide (Mucchielli 2004) and assault and battery committed by adults (Mucchielli 2006) and by juvenile (Le Goaziou and Mucchielli 2009)) mostly occurs among people who are acquainted and often in family or conjugal relations and, more often than elsewhere, in those areas with concentrations of people in extremely precarious socio-economic situations—understood as yet another factor fuelling uneasiness, depression, stress and aggressivity, which can only worsen interpersonal conflicts.

However useful victimization surveys are, they remain far from sufficient for evaluating differences in the frequency of violent behaviour in different areas. First of all, since they only question people over age 13 or 14, they overlook, by definition, a great deal of the violent behaviour occurring between pre-adolescents or adolescents, for which surveys of self-reported offending and data from various sources covering violence at school, and therefore focusing on pupils, are more appropriate (institutional data, self-reported offending studies and victimization surveys). The latter, too, stress the greater frequency and more frequently repeated attacks in those establishments (especially junior high schools (*collèges*) located in 'sensitive areas' (Debarbieux 1999; Observatoire National des ZUS 2005: 309–12), whereas the overall trend is towards less victimization in junior high schools since the mid 1990s. Next, they define areas on the basis of the victim's place of residence, and so are unable to assess violent behaviour suffered in ZUS by people who have some activity or work there, but live elsewhere, as is the case with representatives of some agencies, public services and associations. The surveys do not depict the tension surrounding schools or the conflicting relations between some youth groups and the police. Now, police behaviour is obviously not the same in city centres and in ZUS. In the latter, latent tension is almost always noticeable, occasionally degenerating into violent clashes producing local cycles of reprisal (Mohammed and Mucchielli 2007). As we have already pointed out, interaction with the police that degenerates into violence is an increasingly frequent starting point for offending. But tension also grows around the school system and the relationship between some of the youths and the adults (teachers, but also assistant principals and even principals), due to the higher school failure rate in these neighbourhoods. Be it directed against the police or teachers, some kind of violence of resentment, failure and humiliation is clearly at work here, both in daily life and during high-emotion collective outburst such as riots (Kokoreff 2008; Mucchielli 2009*a*).

Last, victimization surveys are also unable to perceive violent behaviour within a professional criminal context (linked to drug dealing, for instance), for which we have no systematic work providing elements of geographic and social comparison, although they are probably a non-negligible factor in the development of criminality in Europe (Aebi 2004).

Conclusions

Over the past 20 years, the work of Norbert Elias (1969; 1982) has elicited much sociological and historical writing on the subject of the development of violence since the end of the Middle Ages (a recent assessment in Mucchielli and Spierenburg 2009).

At that time, violence pervaded social relations; it was valued as such and implemented by the ruling class of noble warriors within that class as well as towards the lower classes. It was also implemented massively by the latter, in a context of great, even life-threatening insecurity. The violence that broke out in daily life was wrought by—relatively young— men, and took place mostly in public places, for the defence of property and honour in its many guises (Pitt-Rivers 1997). Over the centuries, this economy of violence has changed fundamentally in Europe. Two questions persist, however.

The first is the interpretation of the subsisting portion of this violent personal interaction in contemporary European societies. As we have seen, the analysis of French society requires a complex analytical model. The first three processes identified by us indicate that our vision of violence has changed and offer the hypothesis of a continuation of the overall trend towards reduced violence. The acts that attract attention today are far from new; rather, they are what remain following what Elias calls the civilizing process, which we have preferred to call the pacifying process. Hence, the closer we come to the contemporary period, the more salient conjugal and family violence appear to be, along with some forms of juvenile offending, in as much as other kinds of violence are gradually disappearing (Eisner 2003: 118–21; Kaspersson 2003: 80–1). Similarly, the relative frequency of working-class participation in serious physical violence is all the greater today in as much as that of the upper classes has practically disappeared, as the latter use legal tools to settle their conflicts (Cooney 1997). Thus, one can argue that the 'discovery' and continuous denunciation of so-called 'new violence' merely illustrates the power of the pacifying process at work. Be this as it may, two other processes make analysis considerably more complex. Both belong to the socio-economic sphere and stress the extent to which violent behaviour in modern capitalist consumer society is closely tied to people's actual living conditions, their social integration through employment, the relationships between social groups and the more or less brutal way the state manages all of this (Young 2003). At this point, a second question arises: that of the exact mechanisms by which the pacifying process operates.

Although the finding that interpersonal violence is receding, at varying paces, is probably more or less validated for all European countries, Elias's diffusionist psychosociological model is nonetheless the product of his times (the 1930s) and is quite unable to explain that development.

First of all, aside from the fact that his concept of 'civilization' is somewhat normative (Bonny *et al.* 2003), the conquest of the monopoly on legitimate violence (and taxation) by central states is an inadequate explanation for this historical process, which would be better described as social pacification and disciplining, determined by many other factors such as the bureaucratic process (Dandeker 1990) and the gradual internalization of the religious morality strongly inculcated in the masses by the churches following the Reform (Gorski 1993), to mention two basic axes of Max Weber's work, but also including the spreading of literacy and education as well as the development of manufacturing and the capitalist–Fordist organization of labour (Eisner 2001; 2003). Next, Elias seems to have paid too little attention, on the whole, to socio-economic factors, which definitely seem to play a growing role in the development of violent behaviour. In fact, starting from the mid 1970s, following a phase of broad consensus as to shared progress and the effective converging of standards of living thanks to the post-war boom and the development of the welfare state, French society has gradually experienced economic–social–spatial segregation processes sparking stress, depression, anxiety, frustration,

resentment, aggressiveness and anger in a portion of the population. Associated with the constant expansion of consumerism, this state of affairs represents the main factor contradicting the overall process of pacification that seems to have every reason to continue or even quicken the pace of the expansion started at the end of the Middle Ages and pursued through the beginning of the modern era. The issue raised, then, by the analysis of violence in our 'post-modern' society is also, *in fine*, that of the democratic distribution of wealth, which shapes living conditions.

Acknowledgement

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