

daughters, of slavery, or to explain the work choices of newly peasant-proletarians at Worthy Park, are premature.

The premise of Worthy Park's "typicality" for Jamaica as a whole is also questionable at critical periods. The first comparative intercolonial figure in *Invisible Man* (p. 75) shows that the Worthy Park's sex ratio resembled that of Barbados more than that of Jamaica after 1815. Given the extraordinarily low ratio of males to females how well can Craton's remarks on the sexual deprivation of black men apply to Worthy Park toward the end of slavery, and how much can his sex data be used as a proxy variable for increased racial tension, in absence of other strong evidence? Instead of implying that sexual tensions made Worthy Park more like the rest of simmering Jamaica ca. 1830, Craton might well have asked whether the Worthy Park's atypically low male/female ratio may actually have helped to reduce social tensions at that critical moment.

The urge to "typicality" also dogs Craton's views on economic change. In his prologue Craton seems ready to abandon his former adherence to Eric Williams' timing of West Indian decline. However, he later begins his picture of Worthy Park demography after 1783 in the context of declining Jamaican profits from the 1780s. Regardless of his accuracy about the whole colony from the 1780s (no estimates are provided), the Worthy Park figures fly in the face of his characterization of Jamaica. They show both average gross profits and profits per field slave rising steadily from the first data year given (1783), until after the end of the slave trade. Thus either the Jamaican decline does not date from the 1780s, or we have a striking example of Worthy Park's extraordinary position. As for the period following abolition of the slave trade in 1807, the tendency to make Worthy Park as congruent as possible with Jamaica leads the author to conclude, despite his own findings elsewhere, that in the very last years of slavery "even production per field hand had begun to decline again" (p. 172). The atypicality of Worthy Park's sustained production between 1807-1832 is also overlooked by using the quite exceptional year 1812 as the base, rather than multi-year averages.

In view of the obviously lavish expenditure of resources on this handsomely produced volume it is a pity that it has no index, even for proper names, and that the standards of proofreading are sometimes lax. For example, in the study's crucial tables on births and deaths (nos. 23-9) the fertility and mortality rate columns are obviously mislabeled as percentiles. If not, during slavery days, the fertile women at Worthy Park often gave birth to more than one child per year, and in 1794, 105 percent of the slaves at Worthy Park died. Later tables, listing rates per *thousand* are presumably the true indicators.

Even with these reservations, the *Invisible Man* has opened new doors to the study of West Indian plantation slavery. It certainly rewards scrupulous reading. Craton deserves a full measure of recognition for having made his documents, so abundant and yet so meagre, yield a story with depth and continuity.

Seymour DRESCHER,  
*University of Pittsburgh.*

\* \* \*

André LACHANCE. — *La Justice criminelle du Roi au Canada au XVIII<sup>e</sup> siècle.* Québec: Les Presses de l'Université Laval, 1978. Pp. xvi, 187.

In 1966 André Lachance produced *Le Bourreau au Canada sous le régime français.* It is a delightful, little book that goes beyond the subject of the public

executioner's office to describe the history of legal institutions in New France, the use of torture, and the whole range of criminal punishments. In the appendices it also provides a statistical study of criminality as well as the edited text of the Great Criminal Ordinance of 1670. This short work and the coincidental publication of Raymond Boyer's *Les crimes et les châtements au Canada français du XVII<sup>e</sup> au XX<sup>e</sup> siècle* revealed a fascinating aspect of early French Canada which, hitherto, had been the subject of fragmentary, antiquarian studies.

*La Justice criminelle du Roi*, subtitled *Tribunaux et officiers*, is Prof. Lachance's second run at the topics contained in his earlier book. He has widened his range from Quebec City to the entire Laurentian colony, while restricting himself to the period from 1712 to 1748. This new book is a portion of his Ph.D. thesis, "la première partie d'une étude plus vaste" (p. 4), to be completed by a subsequent account of criminality. It consists of five descriptive essays on the organization of the royal courts of law, the personnel of the judiciary, prisons, the procedure of criminal trials, and the penalties that were imposed. The last two chapters follow the sequence of the Great Criminal Ordinance. The narrative is seasoned with jurists' comments, statistics, and examples of variations and exception in the general patterns.

Prof. Lachance documents what others have suspected about the magistracy of New France: that it was dominated by appointees from the mother country and formed a part of the administrative and military élite of the colony. On criminal procedure, he concludes "au Canada, même si elle n'a jamais été enregistrée, l'ordonnance de 1670 est suivie à la lettre" (p. 102). This may not seem a great revelation for we now assume that laws are made to be enforced. Legislation in the Old Regime, however, was sometimes an idealistic statement of a wish that was never translated into reality. The famous 1660 order of the Council of State to encourage early marriages in Canada seems to have been one of these unfulfilled visions. Lachance's observation also helps to dispose of the myth that laws of the realm had no force in New France unless registered by the *Conseil souverain/supérieur* at Quebec.

The author provides evidence that the discretion allowed judges in assessing penalties — the "arbitrary" aspect of French criminal justice — led to a moderation of customary punishments, which might be further reduced on appeal to the *Conseil souverain/supérieur*. This evidence of compassion and the fact that a quarter of the defendants were acquitted challenge the widely-accepted claim of the Quebec Act about the relative "Lenity of the Criminal Law of England". M. Lachance does not overstate the case in favour of French criminal justice; he acknowledges all of the handicaps of being a defendant in such a system.

In its analysis of methods of punishment, the book falters. The social origins of the victims of each type of penalty are noted and, invariably, we find that "gens de modeste condition" suffered the most painful and humiliating punishments. Yet there is no collective portrait of the 620 known defendants to be compared with these individual patterns. This hampers an evaluation of the social and sexual prejudices of the courts. Despite the encouragement of André Morel to consider the social significance of his findings (see *Revue d'Histoire de l'Amérique française*, Sept. 1975), Prof. Lachance does not venture far from his statistical summaries.

The author shows the same caution in appraising the motives of legislators and judges. The rationale of the *Ordonnance criminelle* is explained by paraphrase of its preamble. There is no reconstruction of the logic of Old Regime criminal jurisprudence. Cases of "instructive punishment" (*punition exemplaire*) are

described, but the theory and its assumptions are not fully explained. Likewise, the public ritual of penitence called *amende honorable* is merely presented as "une peine principale" (p. 113). This ritual in which the criminal confessed to and repented for his offence sanctioned the punishment to follow and purged his soul. It also reinforced the moral order and the system of justice, while separating the culprit from the sympathy of the onlookers. Every public execution of justice was a calculated and explicit lesson to cow potential malefactors among, to use one writer's phrase, "le peuple toujours déraisonnable." The French magistrates' belief in the irrationality and moral depravity of the lower orders of society would explain their zeal, noted on p. 137, to brand and to isolate transgressors. "The breakdown in morals," wrote the author of the *Code de la Police*, "is a contagious disease, whose progress will lead to the destruction of the body politic." French criminal justice was capable of extreme brutality in dealing with what appeared to be the germ of social disorder.

*La Justice criminelle du Roi au Canada* is not a complete work. It exposes one aspect of a legal system that dealt with civil matters and regulated commerce too. The book is a prelude for Prof. Lachance's promised "étude de la criminalité." Better organized yet less vital than his earlier work, it is an admirable handbook on the actual procedure, practices, and personnel of the royal courts of New France in the eighteenth century. For these things and a wealth of additional details, it is a book well worth acquiring.

Peter N. MOOGK,  
*University of British Columbia.*

\* \* \*

HENRY F. MAY. — *The Enlightenment in America*. New York: Oxford University Press, 1976. Pp. xix, 419.

It is a curiosity of American historiography that, despite the large and growing literature on the eighteenth century, there should be so little devoted to a comprehensive view of the Enlightenment in America. Professor May's book seeks to remedy this situation. Befitting a volume on the eighteenth century it is clearly written and well laid out. Divided into four unequal sections — the Moderate Enlightenment, 1688-1787; the Sceptical Enlightenment, 1750-1789; the Revolutionary Enlightenment, 1760-1800 and the Didactic Enlightenment, 1800-1815 — it chronicles the rise, the flood and, above all, the ebb of the movement. Given that the American Enlightenment was essentially the product of an elite, was remarkably shallow in its permeation of American society and had to contend with the vital, and often boisterous, religious forces stirring colonial and revolutionary America, May tries to deal with the Enlightenment within the context both of American society and the prevailing ideological patterns. This means recognizing that the Enlightenment cannot be understood apart from the religious ideas and feelings of the time and May is acutely aware of the interplay between religious and other developments in American life from the Great Awakening to the Great Revival. Indeed, if anything distinguishes the Enlightenment in America from its European manifestations, it is the degree to which it is permeated by religion. If this book can be said to have a thesis, it is the role of religion in the Enlightenment in America, not only, for example, in the onslaught of revivalism from without in defeating it, but also, May argues, in Anglican dreams of glory that split the moderate enlightenment religious camp into two, and in pitting Old Lights against Anglicans paved the way for the rise of ultraprotestantism.