**A Criminal Enterprise: The Pommerais Trial and Life Insurance in 19th Century France**

This paper investigates the sensational 1863 trial of Dr. Edmond Couty de la Pommerais for the murder of his mistress Julie de Pauw as a window into the creation of a market for life insurance in nineteenth-century France. Insurance often appears as the “modern” answer to the problem of risk and precarity. With the rise of the commerce and industrialization, business and institutions sought out as protection from what Jon Levy has called “the freaks of fortune” entailed by finance capitalism. Everyday people too turned to financial tools like life insurance to handle their personal risks. Yet, life insurance was not an initially easy sell anywhere in the nineteenth century. In few places was this clearer than in France, where the life insurance industry had yet to gain ground following a quarter century of prohibition (1793-1818). Moreover, life insurance companies struggled to present the new financial product as not only necessary but also different from, and superior to, familiar financial instruments such as tontines and annuities.

Amidst the speculative boom of the Second Empire (1852-1870), however, interest in life insurance grew markedly. The Pommerais trial soon became a test case for the fledgling industry. Dr. Pommerais had convinced de Pauw to take out 8 life insurance policies, totaling a staggering 550,000 francs, as part of an elaborate scheme involving the transfer of titles and the feigning of an illness. Not long after the policies’ initiation, de Pauw died and Pommerais claimed the insurance money. Immediately suspicious, insurance officials and police joined forces to investigate her death resulting in one of the decade’s most scandalous cause célèbres. Pommerais was found guilty and executed. The insurance companies were condemned as illegal and immoral by the chief public prosecutor. They were also sued by the guardian of de Pauw’s children with the claim that the companies should be forced to pay the policy amounts to the orphans if insurance really represented the moral agent that the companies claimed it to be.

The Pommerais affair, a media circus widely reported in newspapers throughout the country and abroad, provided many French people with their first exposure to the workings of life insurance. In studying the trial transcript, as well as the various newspaper and pamphlet reactions to it, this paper will focus on two things: a) popular understandings of life insurance as manipulated by Pommerais in his relations with de Pauw and in his self-justification to the court b) how these popular understandings, in which insurance could be seen as a money-making instrument akin alternately to an annuity or to gambling, underscored critiques both by the de Pauw heirs and by the public prosecutor. This paper will conclude by gesturing to the insurance industry’s response to these misconceptions, and to the haziness of the legal standing of life insurance more generally. The Pommerais trial served as a catalyst for an entire propaganda literature to broadcast not only the merits of life insurance, but also its proper and legitimate uses as a specific kind of indemnification rather than as a tool for enrichment.