

LOUIS XVI AND A NEW MONARCHY

[an institutional and political study  
of France 1768-1778.]

Peter Burley

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(University College, London)

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BIBLIOGRAPHICAL NOTE

1. Full bibliographical details are given whenever a work is cited for the first time. Subsequently, the author's name is followed in the footnotes by just the page and - when appropriate - volume reference. In cases where more than one of the same author's works are mentioned, his name is followed by an abbreviated title of the particular work. This procedure is adopted for both primary and secondary material, and is adapted to references to archival material where feasible.

2. The names attributed to authors of primary sources (and for proper names in the text) are those by which the people were known at the time (eg. Montesquieu rather than Secondat). French Christian names have been hyphenated consistently. The particle has not been included in the noble titles, or used for alphabetical purposes, except in a few special instances (eg. Du Barry). Names have been standardised to what would seem to be their contemporary norm (eg. Pésay for: Pésay, Pésai, Pézé, Pésé, etc.).

3. The eighteenth-century language has not been altered except for the bringing of the use of capitals into line with modern practice.

4. The following abbreviations have been used in references to archival material:

A.E.M.D. - Archives du Departement des Affaires Etrançeres  
(Mémoires et Documents).

A.N. - Archives Nationales.

B.N. - Bibliothèque Nationale.

B.M. - British Museum.

S.P. - State Papers (Public Record Office).

St John - Archives of the Order of St John of Jerusalem (in Valletta, Malta).

ABSTRACT

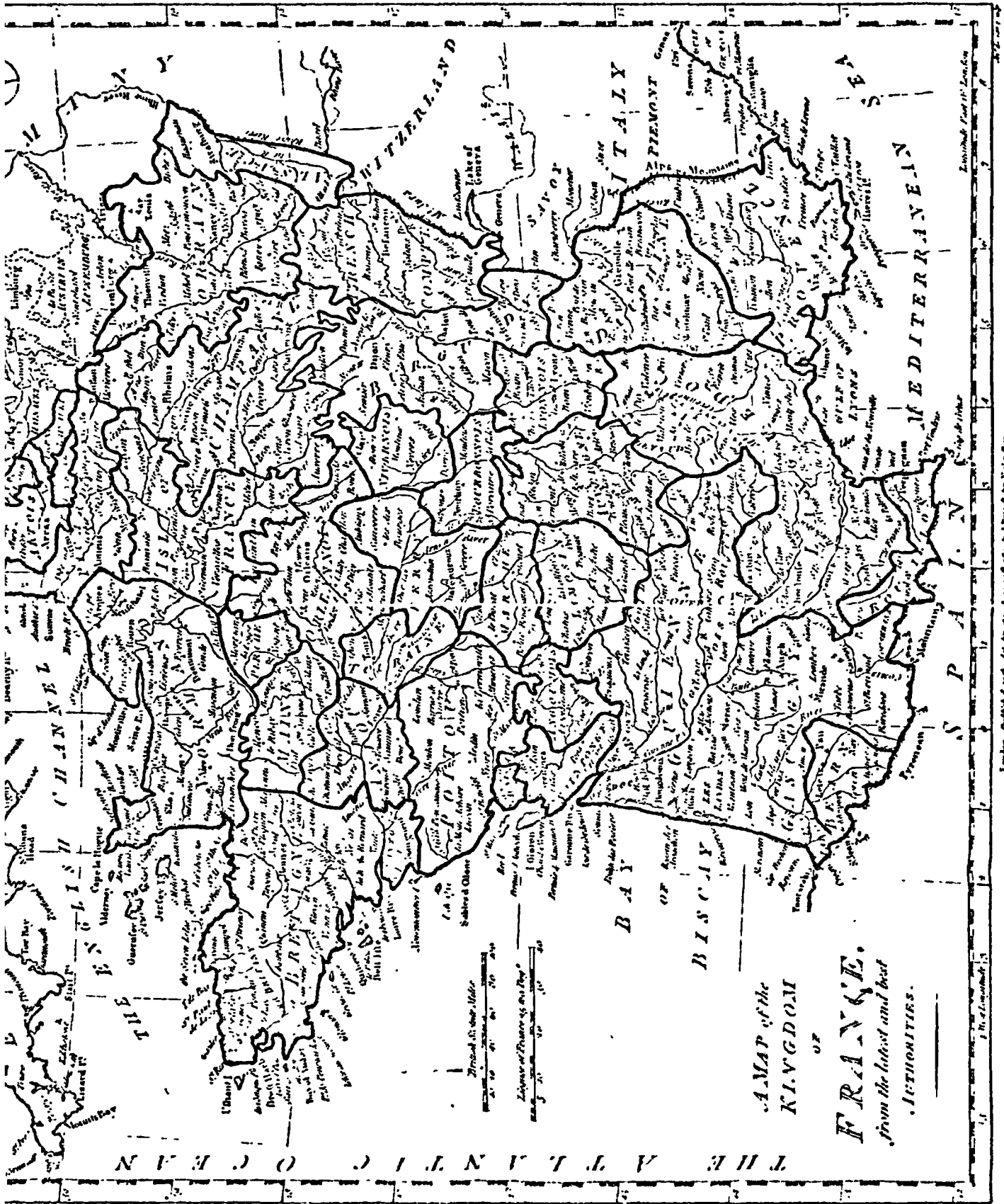
This is a political and institutional study of a decade of political activity in the old régime 1768-1778. It assesses its strengths, weaknesses, and reforming potential, and seeks to establish it as a viable and credible political culture. The study moves from a description of the régime in actuality, through various of its institutions, and on to an interpretation of Necker's reforming vision in 1778. The political dimension is provided by an analysis of politics over the decade using much new material, and by describing the political experience of one individual.

- I. defines the régime's geopolitical differentiation, administrative-cum-legal structures, social composition, and areas of stress and potential change. It identifies the robe as the dominant force in society, and devolution as the main pressure for reform.
- II. examines theorists of the monarchy, especially Louis XVI's tutors, and thence his practice of kingship to show that he believed he was following a blue-print for success.
- III. shows that Maupeou's reforms were not a firm base for wider reform and restructuring, but that the exiled magistrates had developed a coherent ideology of institutional conservatism which operated in opposition to a reforming monarchy.
- IV. the States - whether lapsed, hypothetical, or extant - were the most viable alternative administrative structure to the decaying 'Administrative/Absolute Monarchy' based on the Councils and Intendants.
- V. samples the mass of alternative thinking about the régime, and describes the major reform schemes.
- VI. Necker hoped to become the dominant minister of the century by drawing all the political themes of the period and breaking the power of the robe.

## Appendix

- I. analyses ten years of ministerial instability interpreting the background to the institutional developments.
- II. shows Linguet's career exposing most aspects of the regime and challenging many of its basic assumptions.

The France of 1774



INTRODUCTION

The years 1768-1778 are the focus for this study. Although they link the end of one reign with the beginning of the next, they form a surprisingly homogenous period. It will be claimed in this thesis that the last serious efforts at reform led by the crown took shape in that period, that behind changing policies and personalities lay a single unchanging political feature: the crown retained the initiative throughout, whether to sweep away the parlements through Maupeou's offices, or to institute more positive measures under Turgot and Necker.

It is clear enough that the monarchy faced mounting problems after the War of American Independence, but why had the crown been taking no active interest in reform in the decades up to 1768? Machault's experiment with a reformed parlement 1750-54 had ended in defeat for the government, and ministers were for a long time reluctant to risk repeating this experience. The struggles fought out in the parlements between the Jansenists and Jesuits had occupied the political limelight, and left the crown as spectator rather than protagonist. The king personally had not been interested in the day to day process of ministerial politics - being content to leave it in the hands of ministers such as Choiseul - and the Dauphin (Louis XVI's father) had withdrawn from politics. The military defeats and financial dislocation caused by two successive wars had weakened the crown's confidence and authority. This allowed the parlements to fill a power vacuum at the centre, and give the appearance of dominating the regime. While the need for reform had been recognised, it was still only in an abstract sense, and with no feeling of urgency. As yet, no practical or comprehensive reform programmes had been formulated which could be taken up by a ministry as public policy. The ministers and administrators who would be motivated to undertake major restructuring had not yet reached the political scene; they would emerge in the 1770's as a new generation borrowing from the Enlightenment to seek new solutions to the regime's problems. Choiseul's style of politics itself militated against any serious reform. His administration through a consensus of vested interests offered stability rather than innovation.

Several forces operated to change this political environment and to set up a new scene in the early years of Louis XVI. Both the causes and results of this change will be considered at length in this work.

Wherever possible the study has drawn on primary sources. One previously unknown archival source has been used: the records of the Order of St. John of Jerusalem (the 'chevaliers de Malte'). These archives in Valetta were traced through correspondence between the Order and the States of Brittany. They shed new light on the problems of a privileged corporation operating in the old regime, and contain more general political correspondence, which extend our understanding of various events.

The Archives Nationales and the archival sources in the Bibliothèque Nationale have been used selectively to explore particular problems (eg. the administration of Corsica).

The problems of the late old regime can not be confined to a decade, but taking a limited period has a methodological advantage. It allows the comprehensive researching of the more important printed sources and some archival ones. This reveals all contemporary concerns and political activity. Sources thus consulted are: the British embassy papers (Public Record Office), the archives of one Department of State, and the main journals, diaries, and commentaries of the time. As far as possible, all relevant printed material originating in the period was consulted.

Secondary material has been used when an area has been researched satisfactorily, and where new work would only be duplication. Some secondary sources have been treated as *précises* of primary material (eg. Viollet on the structure of the administration). Secondary material has also been used to define the point at which fresh research needed to start. Some historians have reappraised the regime, but in limited areas, such as Louis XVI as Dauphin by Girault de Coursac, or the French Right by Roberts. Few of these reappraisals have been followed through or integrated into a wider context. The study acknowledges a debt to Tocqueville, who opened up the regime to historiographical analysis. Certain contemporary historians have been used to provide essential frames of reference, notably Behrens and Cobban <sup>1</sup>.

Aspects of such a study on the late ancien regime might seem to overlap Dr. Hardman's recent work. That study, however, takes a different slant on the regime's politics, and explores the process and operation of ministerial politics 1774-87 (eg. the Prime Ministership), while the examination of politics here will be to demonstrate the continued credibility of the regime's institutions and political culture <sup>2</sup>.



The analysis of politics here also has a different basis in primary material from any previous studies. Dr. Hardman, for example, has taken the abbé Véri as his basic source and has accepted his framework of political analysis. The reason given is that no body of French documentation exists similar to English Cabinet Papers, and in their absence the abbé's record is the best available guide to ministerial politics under Louis XVI. The objection to using Véri uncritically is that his link with ministerial politics was second-hand and heavily biased in favour of Maurepas and Turgot. He exaggerated their importance, tried to transpose their shortcomings and faults onto others, credited their opponents with badness of heart, and at some points indulged in wishful thinking. He could not take Necker seriously.

The primary source which provides the staple for political analysis in this study is the British embassy's record. These papers do seem to go some way towards filling the gap left by the absence of Cabinet Papers. They yield précises of Council meetings and give background intelligence to ensure that the reader can interpret the Council's decisions correctly. They even contain interviews with ministers on matters of French constitutional interest.

The embassy's staff's attitude towards political reportage is revealed in this remark made to the Secretary of State in St. James's, "It is my duty to acquaint your Lordship with everything one hears or sees more or less interesting"<sup>3</sup>. They had a vested interest in recording accurate and objective information. They wrote for an intelligent but uninformed audience, so that institutions and individuals taken for granted by French commentators were described and explained. By comparison with memorialists, members of the embassy staff on occasion seem to have been better informed than even some ministers on the Council. Their only real faults were an occasional tendency to confuse rumour with fact (eg. on forthcoming ministerial appointments), and an obsessive fear of Choiseul's return to power after 1770. The embassy's papers are supplemented by the records of the Under Secretary of State's network of agents who operated through the embassy. This included espionage reports, although these are a surprisingly disappointing source for future historians.

The two potentially most important recent publications on this period are: Professor Egret's 'Necker, Ministre de Louis XVI' (Paris 1975), and Henri Grange's 'Les Idées de Necker' (Paris 1975). Professor Egret's book also bases its analysis on Véri, and as a result fails to provide any deeper insights into Necker's place in the regime in his early ministerial years. Henri Grange's magnificent treatise is not designed to place Necker in any wider context or to examine his ministerial action. It also makes a fundamental assumption, that Necker's ideas on provincial reform were sui generis and fully formed when he took office. It will be one of the objects of this study to describe the background to these provincial reforms and to show how Necker borrowed from theorists such as Letrosne.

The material in the thesis has been organised to progress systematically outwards from a close scrutiny of the monarchy and central institutions to the provinces and their institutions. In a similar way, the study extends enquiry from the existing institutions and conventional theories of the regime into areas of contemporary speculation on reorganisation. The first chapter established the structure of the regime as a whole. This provides a context for the institutions, reforms, and political activity studied subsequently.

Chapter II examines the focal point of the regime: the monarchy and the monarch himself. The information on Louis XVI as Dauphin had not previously been integrated into the ministerial context of the regime. With almost the sole exception of Girault de Coursac's work, secondary sources followed the old stereotyped patterns too far to be of value. The chapter relied heavily on primary sources to provide, firstly, the *dévo*\* and more general intellectual background to Louis in 1774, secondly, reactions to his kingship actually written 1774-8, and, thirdly, speculations about new means of exploiting and strengthening the institution.

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\* In the context of this study, the term *dévo* is used both generally, to indicate a "devout" Catholic, and specifically in a political sense. This second meaning embraces the first, but also includes those who used the defence of institutional religion as a political weapon against the Choiseulists and philosophes.

Chapter III considers what have always appeared to be the principal institutions of the regime: the parlements. Although many useful works have been written on the parlements themselves, we still know comparatively little about contemporary reactions to them on a systematic basis. Primary sources have been used to discover these. The concern of this study is to research the narrow field of the parlements' "constitutional" role, and how this was interpreted at the time. One of the findings of the study will be that the parlement after 1774 was being squeezed out between the reforming monarchy, the call for an assembly of the States General, and the trend towards devolution of power to the provinces - which will form a major theme of this thesis. For these reasons, the recent work on the parlements by Drs. Doyle and Rogister has not been regarded as directly relevant <sup>4</sup>.

Chapter IV looks at the assemblies of States. An account is given of the "constitutional" position of the States General in the long period when they were not convoked. It is shown that great interest was displayed in them during the century, to the point where it can be argued that they underwent a hypothetical constitutional evolution. The chapter then looks at the surviving assemblies of States in the peripheral provinces. They are integrated into a wider view of the regime, and shown as a source of encouragement and inspiration to reformers who were concerned to preserve the essential qualities of the regime while eradicating its abuses and inefficiency. Secondary sources here have been used as *précises* of local research, but the more important evaluations have relied on primary material.

Chapter V explores contemporary speculation about new structures, ideas, and directions in politics and society. The guidelines for selecting material were that it should contribute either to the general political climate of opinion or be available to (and be noticed by) ministers of the period. The ideas and schemes presented show a cross section of the political talent and speculation which the ministries could - and did - draw on. It will also be evident that a great many of these ideas were to be taken up by Necker, and in particular the theoretical background to his provincial reforms is examined in some depth.

In chapter VI we see the working out in reality of many of the ideas from previous chapters during Necker's first two years in office. This draws together the various themes in the study. Necker attempted to identify the strongest elements of existing structures and the most practical suggestions for reform. He wanted to unite these with new social groups and with new provincial institutions to re-establish the monarchy on firmer foundations. He generated controversy of an historiographical nature as early as the 1780's, and this dispute is evaluated. The existing secondary studies of Necker have tended to be either biographical or intellectual, but the approach in this study has been to place Necker back into the context of the 1770's, and to watch his interaction with the politics and institutions of the day. Exceptionally in this chapter, one incident from outside the period has been brought forward and integrated into the pattern of earlier events: the *Compte Rendu*, which is analysed in this very limited context. The conclusion reached is that Louis as king and Necker as reforming minister had succeeded in taking the regime to a new point of departure. Successful experiments had been conducted in reformed provincial administration. Public opinion had been mobilised to support the ministry. The Control General had been reorganised, and gave the appearance of operating with smoothness and efficiency. New institutions and social groups were being invited to join with the monarchy to regenerate the kingdom.

Appendices have been added to give greater depth to the study. The first reassesses the political scene itself 1768-1778, largely in the light of the "Cabinet Paper" type of evidence provided by the British embassy. The second examines one individual's experience of the regime, and his reactions to it. This was the turbulent barrister Linguet. The overall picture of patronage and political allegiance is provided in Appendix III, and a glossary is added to provide the reader with definitions both of the regime's technical terms and institutions, and of words used in a special way in this period. At various points maps and diagrams have been inserted to amplify or demonstrate points made in the text, or to unburden the text of factual description.

Any study of the late old regime must take into account the Revolution. As background to this study, Cobban's view of the Revolution has been accepted. Greatly simplified, this account says that the financial crisis of the 1780's provoked a political crisis 1787-9, which caused three separate revolutions: of the aristocracy 1787-9 (the "pre-revolution"), of the middle classes in 1789, and of the peasantry at the same time in 1789. It was only the latter peasant revolution that had the depth, scope, and shock to destroy the regime, and it was the burning of the châteaux rather than the storming of the Bastille that issued in a new political and social order. Ideologically, however, this peasant attack on the regime was aimed at putting the clock back to the time before capitalist means of exploitation (especially those disguised as feudalism) had penetrated the country-side. It bore little relation to its ultimate result - the creation of a society which looked to middle class liberal democracy and capitalism for its ideals<sup>5</sup>. Leading back from this interpretation of the Revolution, we can reappraise the rest of the eighteenth century along the lines laid down by Behrens in her 'Inaugural Lecture for the British Society for Eighteenth-Century Studies'. Reduced to its basics, this reappraisal frees the ancien regime from teleological interpretations and establishes it as a phenomenon in its own right, as worthy of study as the Revolutionary society which followed it<sup>6</sup>.

Was there a chance, however, for reform to succeed? If such a chance did exist, it was at the accession of the new king in 1774. The prophets of doom were drowned out in the clamour of hope, enthusiasm, and acclaim for the king. The British ambassador wrote at the onset of Louis XV's final illness, "Many I suspect secretly wish a new reign. Few, very few, seem to dread it". Six weeks later he reported widespread hopes of, "...halcyon days, and a new golden reign"<sup>7</sup>. At the least historiography had judged 1774 "a fleeting moment of real opportunity", where the regime had an even chance of survival<sup>8</sup>. New options seemed to have opened up<sup>9</sup>, and over the summer of 1774 something of a public debate was allowed to take place on the directions the new reign should follow<sup>10</sup>. In September Horace Walpole wrote, "Think, how contemptible the end of Louis the Well Beloved (XV), how bright the dawn of Louis XVI"<sup>11</sup>.

The focal point of this study is to examine the options opened up at the accession and to follow them through. The time span taken has been the decade 1768-78. 1768-74 defined the situation Louis XVI faced at his accession. The years 1774-8 were those of real opportunity. 1768 is a convenient starting point, for it was the date of Choiseul's first ministerial crisis which gives the opportunity both to study Choiseul's "system" and the alternatives to it. 1778 was a watershed for the regime. Necker had settled into power as a successful reforming minister, but France had embarked on the last war of the old regime. The war caused further reform to be postponed and created a hopeless disruption of finances, which resulted in a wholly different political environment. Consequently, we cannot accept the orthodox judgment "The history of France from the death of Louis XIV to the end of the Seven Years War was really part of a larger period which culminated in the outbreak of the Revolution..."<sup>12</sup>. The period 1715-89 was highly structured, and, whatever long-term factors can be discerned, the political break-down of the regime can only be dated from 1781 at the earliest, and perhaps even as late as 1787.

There were five themes in political life in 1774. The first was the potential resurgence of the monarchy (as opposed to powerful ministers) under a young, conscientious, and determined king. The second was the development of an institutional conservatism. The third was the desire for a greater devolution of power to the provinces, this had as many motives as manifestations but was a major reforming impulse. Fourthly, a new generation was emerging which rose to the challenge of a reforming monarchy. The fifth theme was the changing structure and balance of the nobility. These themes are followed through to their exploitation by Necker.

The last four of these themes are integrated into the study, but the first stands out as requiring some preliminary explanation. The leading ministers in the seventeenth century had seemed at times to exercise unbridled power, but had created the "Administrative Monarchy", where the king enjoyed an absolute control over politics and administration on a day to day level. None

of the eighteenth-century commentators examined for this study advocated powerful ministers per se to solve France's problems - most actively denounced them. They had very definite ideas about the specific qualities to be possessed by ministers, but always limited their competence by circumscribing their jurisdiction either under an active monarch or within a constitutional structure. Maupeou's example reinforced this climate of opinion.

Consideration of ministerial power in the ancien regime begs the questions of how great that power was, and how effectively it was used. Stereotyped interpretations of the regime's administration show it to possess such inertia and corruption, that no constructive use could be made of it. France did possess an enormous, sophisticated, but very diverse political and administrative machine which generated its own logic and inertia. This machinery did inspire men to seek to dominate it for the sheer exercise of power, but the opportunities for political advancement with this motive were limited by the practice known as "survivance". This practice allowed high office to become legal property which could be willed to a successor. Maurepas, for example, never needed to struggle for ministerial power, he inherited it at the age of fifteen and it became a way of life. Such men had no motive to do more than safeguard the status quo; many did, though, genuinely seek to serve the crown at the risk of personal political discomfort and hard work. Such men (eg. St-Florentin) formed the ministerial and administrative bedrock of the regime, against which both Maupeou and Turgot could be judged.

The "machine" also inspired those who wished to capture it and use it to redirect French politics and society. These men were not concerned to serve quietly, or to survive by trimming. Their careers were, therefore, briefer and more turbulent. One of the questions the late regime poses is whether such a minister ever enjoyed security. If the king, or dominant minister, did support and co-operate with a reformer, then no resistance could seriously impede him. But by having to rely on outside support, a reformer could not act independently, and thus the really powerful ministers who survived tended to be those who did not have any wider vision or ideology. Such men left no monuments, and enjoyed no great reputation even in their own life-times. The powerful minister, therefore, tended not to strengthen the monarchy but to let it drift. The most interesting figures in this study

will prove to be the men who saw themselves as true servants of the crown, and were prepared to play that role, and rely, for example, on the king managing Council to support policies.

Taking Louis XVI's desire to intervene directly in politics in 1774, we find that very much the same situation had obtained in England a decade earlier at George III's accession. Under George I and II the Whig oligarchy had produced able ministers, but ones who had neither sought reform nor needed to rely on the crown for day to day support. George III then stepped into the political arena and reasserted royal authority in Parliament and Cabinet. This royal initiative produced the symptoms of a succession of weak and transient ministries. In France the same symptoms emerged under Louis XVI. The political process which operated to produced these symptoms was for the king to manage his Council directly. This could be done either by changing the personnel to find men willing to follow a particular course of action, or by regulating attendance to exclude opponents of any given policy until it had been accomplished.

This did not guarantee support for a policy in other institutions, but it does demonstrate that the king and reforming ministers could hold the political initiative whenever they desired. Louis XVI did choose to exercise that initiative, and did choose reforming ministers. It is bearing these factors in mind that we should not assume that the monarchy was weakened and losing the initiative during the ministerial "interregnum" of 1768-78; far from it - ultimate control rested with the crown, even if vacillating policies betrayed indecision.

Space has not allowed the full exploration of all possible relevant topics. The study has had to be strictly limited to political institutions and reforms with an institutional base; and areas touching on the social, economic, or cultural side of the regime have had to be given at best the briefest treatment. These areas include: the development of a political consciousness among the "classe" of "militaires", institutions exploited by the Court nobility, the Enlightenment as it affected politics, and the changing structure of agriculture and estate management.



FOOTNOTES

1. P. Viollet 'Le Roi et ses Ministres...' Paris 1937.  
P. Girault de Coursac 'L'Education d'un Roi: Louis XVI' Paris 1972. J.M. Roberts 'The French Origins of the Right' (Transactions of the Royal Historical Society 1973).  
A. de Tocqueville 'The Ancien Regime and the French Revolution' (first published Paris 1856). C.B.A. Behrens 'The Ancien Regime' London 1967. A. Cobban 'Social Interpretations of the French Revolution' Cambridge 1965.
2. J.D. Hardman 'Ministerial Politics from the Accession of Louis XVI to the Assembly of Notables 1774-1787' Oxford Thesis to PhD. 1974.
3. Public Record Office, State Papers, Series 78 (France), vol. 276 p. 53.
4. J. Rogister 'Conflict and Harmony in Eighteenth-Century France: a Reappraisal of the Nature of the Relationship between the Crown and the Parlements under Louis XV (1730-1771)' Oxford Thesis to PhD. 1971-2. W. Doyle 'The Parlements of Bordeaux and the End of the ancien Regime' London 1974.
5. A. Cobban: 'The Beginning of the French Revolution' (History 1945), 'The Age of Democratic Revolution' (History 1960), 'Social Interpretations...' op. cit., 'Aspects of the French Revolution' London 1968. It would be unfair to assume that Cobban is the sole proponent of this interpretation, but his work is a land-mark in our understanding of the period.
6. Reprinted in 'Studies on Voltaire and the Eighteenth Century' ed. T. Besterman. Geneva 1955- . vol. lxxxvi (1971).
7. S.P. 78. 292 pp. 27-8, 191.
8. M.J. Sydenham 'The French Revolution' London 1965 p. 18.  
E. Faure 'La Disgrâce de Turgot' Paris 1961 p. 8.
9. D. Dakin 'The Breakdown of the Old Regime in France' (New Cambridge Modern History VIII) ed. A. Goodwin. Cambridge 1965. p. 606. G-F. Letrosne 'De l'Administration Provin-

- ciiale et de la Réforme de l'Impôt' 2 vols. Basle 1788. I p. 170.
10. S.P. 78 293 pp. 84-5 (10 August 1774).
11. 'The Letters of Horace Walpole' ed. P. Toynbee. 16 vols. Oxford 1903-05. VIII p. 452. Walpole had travelled extensively in France, and knew most of the leading political figures. Through his correspondence with Mme. du Deffand, much of the information coming out of the British embassy, where another Waplole was secretary, was channelled back to Paris.
12. J.O. Lindsay 'Introductory Survey' (N.C.M.H. VII) Cambridge 1957. p. 57. Or Capefigue's remark that the eighteenth century "...ne fut qu'une grande démolition..." M. Capfigue 'Louis XV et la Société du 18<sup>e</sup> Siècle' 4 vols. Paris 1842. I p. ii.

THE FRANCE OF 1774

Any study of the old regime must start with definitions; there is too much that cannot be taken for granted. The single most basic and useful definition is Méthivier's that it was: Catholic, Corporate, and Customary - three qualities destroyed by the Revolution <sup>1</sup>.

Geographically France was not a unified kingdom; half the provinces possessed some degree of autonomy passed over by the seventeenth-century centralising absolutism. There were, however, more important and wider divisions which assumed increasing importance in the late century. Initially the division was between the oceanic and continental provinces. The provinces defined as oceanic were those which lay within the economic spheres of the great sea ports. Easy access to water transport and the Atlantic commercial community dictated their economic forms. The geography of France meant that the upland regions - the Massif Central, the Alps, and the Pyrenees - which we would expect to be the least interesting politically, formed the oceanic provinces' hinterlands. They looked to the oceanic provinces, therefore, rather than the central lowlands for political structures. It will be seen in chapter IV below that, except for the north-eastern provinces which formed a category of their own (see below), all the existing provincial States fell within the oceanic provinces. More significantly, all those oceanic provinces without States were the subject of political action or speculation about their creation. The greater economic strength of the oceanic provinces had enabled them to retain all or part of their medieval autonomy, as opposed to the agricultural central provinces which had been brought more firmly under centralised control.

The old regime's military and postal road system was not suitable for bulk transport, and left much of the lowland central area remote. The economic activity of the two areas was diametrically opposed: the oceanic based on commerce with the outside, while the continental economy was localised and agricultural. A free market economy worked well in the oceanic provinces because of the nature of their commerce and the speed with which large quantities of goods could be transported. In the continental provinces the paucity of communications made a controlled economy essential, the law of supply and demand causing interrupted supplies and fluctuating prices. Government policy under the Bourbons fluctuated between the inspiration of the central and of the oceanic provinces. With Colbert predominating, the period 1660-1750 saw the attempt to co-erce the oceanic

provinces into continental patterns, after 1750 interest centred on the oceanic provinces, with the attempt to impose a free market in grain and to create assemblies in all provinces <sup>2</sup>.

A subsidiary division not immediately founded on economics was between the continental provinces and those in the east acquired since the middle ages. This latter category, including the duchy of Burgundy, had retained its political institutions while remaining largely agricultural, though with pockets of manufacturing in the Rhineland area <sup>3</sup>. A fourth division must be accounted the Court and capital, linked inextricably by politics, economics, and culture, the Court in its isolationist arrogance called itself "ce pays-ci" as opposed to the rest of the realm "ce pays-là". This area was the focal point of all activity in the regime, particularly political and financial. The élite of the nation resided there for at least some part of every year, and many were in permanent residence. This, as shown below, was reckoned to be a debilitating influence on political life, the realities of the country could be ignored and the power of vested interest was unbridled. Duclos saw the capital as an island of sophisticated civilisation a century ahead of the surrounding country-side <sup>4</sup>. The Court and capital were noted for their frivolity, and their thirst for novelty, as expressed by a greater interest in fashion than in politics. Mercier devoted a detailed study to the capital, and decided that despite a veneer of political awareness, it in fact bred an enervating indifference, as witnessed by a lack of vigorous pub-brawls <sup>5</sup>. The bureaucracy below ministerial level, equally, lived in an isolated world which led them to delay, distort or discount information from the provinces <sup>6</sup>. The classic analysis of bureaucracy, that it causes "...anaemia in the extremities and apoplexy at the centre" <sup>7</sup>, applies to the old regime. Yet we have already seen that France lacked uniformity or cohesion, and was therefore suffering from the administrative defects of both centralisation and decentralisation; this paradox formed one of the bases of Tocqueville's analysis of the regime, and he extended this concept of paradox to embrace the whole regime.

These divisions show the remarkable persistence of developments set in motion over a thousand years earlier,

when the Franks colonised the central-northern areas leaving the south and west to the Burgundians and Visigoths, which in turn allowed these areas to be more susceptible to Roman Law coming up from the Mediterranean. In the north, Brittany and Normandy were separate nations founded on separate invaders. In the east the third group of provinces, with the exception of Alsacè-Lorraine, were all part of the medieval state of Burgundy and had inherited the institutions of the Holy Roman Empire confirmed by the dukes of Burgundy and then the Habsburgs. This digression leads us back to Tocqueville's second major contribution to our understanding of pre-Revolutionary France and Europe, that all political institutions and social structures were only intelligible in terms of these ancient influences. This was no abstract concept for the eighteenth century, but a very real choice between the Germanic and Romance heritages of the regime; the Renaissance and Bourbon absolutist monarchies had emphasised the Latin over the Teutonic, but in the regime's final century Boullainvilliers, reinforced by Montesquieu, created a climate of opinion favourable to the reassertion of Germanic values. The point was made forcefully and emotively by the comte de Buat-Nançay, "...je ne suis ni Grec ni Romain, je consens qu'on me nomme barbare, et recueille avec vénération les débris de l'antiquité..."<sup>8</sup>.

The choice of heritage became institutionalised in the noble and royal theses. The noble thesis held that Clovis and the Franks invaded Gaul as pagan conquerors who formed a new ruling class whose descendants were the eighteenth century aristocracy, which was, accordingly, genetically distinct from the rest of the population. The royal thesis held that Clovis had invaded as a Christian ally of Rome, and that there had been a smooth de jure transfer of sovereignty from the Roman Empire to the Frankish monarchy, which should lead eventually to a politically and socially integrated state. The noble thesis's genetic argument may have been misconceived and the historiographical irresolvable, but they exercised a hold over the imagination transcending logic or empirical analysis. An important twist to the noble thesis was the parlement of Paris's assertion that the Frankish annual military assembly - the Champs de Mars - had evolved not into the States General but into the parlement, and was in either case a consultative institution limiting

the monarchy. This twist enabled the robe to share in the noble thesis where otherwise it might be limited to nobility of race<sup>9</sup>. This dispute ramified throughout politics and society, and forms an intellectual background to the decline in absolutism in the eighteenth century.

The trend towards segregation in society which Palmer develops as a prerequisite of the aristocratic reaction<sup>10</sup>, was reflected in politics in the trend towards devolution. Both trends began to crystallise in the 1750's as Louis XIV's absolutism, kept alive by Fleury (1726-43), began to decay and to fail to meet the regime's needs. (Behrens puts this date at 1748, the treaty of Aix-la-Chapelle, after which the regime tried and failed to adjust to the consequences of military defeat, but Linguet gave 1750 as the date the regime itself recognised as a new point of departure, and Puysegur dated recognition of the old regime's problems and the urgent need to solve them, at Machault's ministry<sup>11</sup>). The Mirabeaus' biographer described 1750-87 as witnessing the triumph of decentralisation, and the movement has been described as essentially aristocratic<sup>12</sup>. Administratively the decentralisation recognised the greater success, particularly economic, of the peripheral provinces. An important feature of devolution was the transfer of allegiance by local authorities, notably intendants and parlements, from defending the interests of the government in the provinces to representing the interests of the provinces to the government<sup>13</sup>.

Financially the divisions were between Court and capital and the rest of France, and between those provinces with some degree of local fiscal determination and those exposed to the full force of the fiscal bureaucracy in Paris and the tax farms. All provinces resented the Parisian tax collector, an arbitrary and remote figure with immense power<sup>14</sup>, and the continental provinces' history of over-taxation and fiscal mismanagement left them chronically impoverished relative to those provinces able to bargain for better treatment. The economic prosperity of the early century glossed over these contentions, but once the economic climate began to change a clear division of interests arose between the provinces and the central authorities, which led to the full-scale implementation of provincial reform in

1787 and the unilateral setting up of some States Countries in 1788 <sup>15</sup>. Unfortunately the old adage that the Bourbons learnt nothing and forgot nothing blighted these reforms by the government's failure to come to terms with them and reform appropriately elsewhere. The scope of government increased during the century, causing a provincial reaction in itself and building up the vested interest of the bureaucracy in the centre. The increasing tax burden caused greater questioning of the use of the money and the efficiency of the government. The capital became regarded as an abyss into which any amount of money could be sunk without trace <sup>16</sup>. One reaction to this was the reawakening of interest in local customs and culture sometimes to the extent of xenophobia <sup>17</sup>.

A useful guide to the type of administration practised in the old regime is provided by Armstrong, who proposes five criteria for "pre-modern" bureaucrats <sup>18</sup>. Although the object of his study is the intendants, his remarks are of relevance for all the administrative personnel in our study from bishops to subdelegates. The pre-modern period presents the distinctive feature that those fulfilling the role of bureaucrat are also the political élite. Within this élite we should watch for: "bureaucratic regression"; characterised by, "recruitment... through family connections", "in service-training", and the, "minimisation of training required for entrance"; the autonomy of the office; the absence of a career structure; and the, "attachment to a specific locality". Arguing largely from Gruder's research, Armstrong proves the case for intendants, showing how any regulations imposed by the government were relaxed out of existence. At two points, however, the old regime intendants display "modern" features family connections were declining during the century, and a definite career structure existed. The problem of career structure was of great importance in the late century as the conventional practice of appointing intendants to high office was mitigated by ministerial recruitment from the peerage, the governors, the administrative bishops, and the parlement. Recruitment to high office was also an important indication of the changing social balance within the regime as the Great reasserted themselves and a new group, in part composed of erstwhile robins, the militaires, began to act on the regime. (Belle-Isle's breakthrough to a Secretaryship of State in

1758 illustrated most aspects of this changed recruitment he was a Great, a militaire, but of robin origins <sup>19</sup>). The changes in the regime, of which changed ministerial recruitment was a symptom, will form the themes of some subsequent chapters.

At the head of every structure of administration was the king. Absolutist theorists started from the premise that "Les rois sont la plus vive image de Dieu sur la terre", and answerable only to God. More secularly Séguier declared, "Le roi et la loi ne font qu'un". The philosophe 'Encyclopédie' gave this definition of the crown's competence, "Le pouvoir de faire de nouvelles ordonnances, édits, ou déclarations, de les changer, modifier, n'appartient en France qu'au roi, dans lequel seul reside tout le pouvoir législative". The crown reserved to itself the ultimate initiative in all spheres <sup>20</sup>. "En France", commented Linguet, "le roi est ce qu'il y a de plus grand, après Dieu, aux yeux du peuple, et même avant, a ceux des courtisans. Au nom du roi, tout marche, ou tout s'arrête; rien ne se fait que de la part du roi, tout rayonne autour de lui du faste le plus éblouissant..." <sup>21</sup>. There was an edge of satirical bitterness in Linguet's words, because the sovereigns after 1715 were unable to provide the necessary inspiration from the centre to "animate" the regime as a whole and unify it behind the monarchy <sup>22</sup>. The dévots, however, denied the very existence of the problem, Proyart said that being destined to be king precluded human fallibility - a belief Louis XVI held <sup>23</sup>. A classic dévot statement of the monarchy was made by Séguier in 1771, "Les rois sont les images de Dieu sur la terre, et la Divinité ne craint pas d'être importunée par les prières" <sup>24</sup>. The king, however, was neither above the law nor free from obligations. Réal and Choiseul both made out the case for an absolutism within the law, but the most interesting comment was made by Bertin, who, when asked to intervene in the case of an imprisoned British merchant, spoke of, "...the impossibility of the king's interposing his authority, to over-rule any legal decisions... were he to make that use of his power, he would not be a monarch but a despot" <sup>25</sup>. Of obligations, Réal insisted that the king be just and reasonable, and was obliged to protect and feed his people, and to uphold the rule of law, religion, and justice - Turgot's apparent breach of the second and



fourth stipulations was a foundation of the opposition to him. Réal accorded the monarchy absolute competence over; legislation, appointments, war and peace, justice, currency, and taxation <sup>26</sup>.

The concept of mores formed an integral part of the regime and its thinking. Réal and Moreau both proposed that states fell more from moral decay than from any more obvious factors, and the converse was argued <sup>27</sup>. Moving on from Montesquieu's geographical determinism, Duclos defined mores as a country's "natural" traditions and customs <sup>28</sup>. The great fear in the second half of the century was that mores were in decline, a process highlighted by Maupeou's riding rough-shod over every political convention. One commentator even attributed the deterioration of finances to a decline in mores <sup>29</sup>. A foundation of the regime's political mores was the ignorance of the people. The dévot attitude was that public debate fuelled by up-to-date information was inherently bad, an attitude parodied by Malesherbes as administration as a "mystery", and the recognition of grievance as incitement to revolt <sup>30</sup>.

The crown itself recognised no limitations on its power except religion and custom. This custom took the form of a code of political mores forbidding the crown to infringe on the so-called fundamental laws. This illusion of limitation was recognised as important. Maurepas told Augéard, "Il faut bien que le roi soit maître du parlement, mais que personne ne le croie, sans cela tout serait perdu", and Regnaud wrote, "..pour que les peuples en effet soient

heureux, l'exercice de cette autorité doit toujours être tempérée<sup>31</sup>". Grimm, Lévis, Buat, and Sénac de Meilhan saw the monarchy as limited by mores, and Lévis believed that freedom was safer protected by mores than by institutions<sup>32</sup>. A specific convention had grown up that while the monarchy might encourage a corporation to lapse, it could not abolish one. The dispute of 1749-54 with the clergy and parlements encouraged this belief when the government capitulated.

The majority of political commentators, however, had a much more definite idea of a limited monarchy. This idea centred on the fundamental laws of the monarchy, which Linguet defined at the time as, "...des coutumes devenues respectables par l'antiquité"<sup>33</sup>, and which have been dismissed subsequently as shadowy relics of the medieval monarchy without substance or any possibility of enforcement<sup>34</sup>. For all this, we have already seen that the monarchy seemed prepared, from political expedience, to acquiesce to these fundamental laws and customs. A case in point was the decision to create a peerage for the archbishop of Paris in 1690. Louis XIV did not feel that he had the constitutional authority to create a seventh ecclesiastical peerage as the original six still functioned, and he contented himself with the creation of a lay peerage. Even Réal, an absolutist, could write, "Quelque auguste que soit le pouvoir des rois, il n'est pas au-dessus de la loi fondamentale de l'état", and that the king enjoyed an "heureuse impuissance" when it came to this law<sup>35</sup>. This phrase "felicitous impotence" was to be much bandied about in the pamphlets of the late century.

If the British constitution was unwritten, the French was also unspoken. There was no coherent account of fundamental laws, but a list can be put together. The first, and most important, was the Bourbon succession by Salic law. A second was the preservation of French territorial integrity, whereby the king could not treat the whole realm as *domaine royale*. A third was the upholding of established religion. Fourthly, the States General should be consulted when the succession was in dispute. A fifth, which had the most important implications for political life, was that the king, as an absolute and not despotic ruler, could not alienate the lives or property of his subjects<sup>36</sup>. The structure of office holding put most of the magistracy under the protection of the fifth law. It was thus that Montesquieu could set up the magistracy as an autonomous corporation limiting the monarchy.

The problem of the king ignoring fundamental law was not discussed in the eighteenth century. The debates of the sixteenth and seventeenth centuries had never resolved it in the face of political realities. Rousseau's 'Contrat Social' was one last outpost of contractualism in a new century. Political thinking in the late century diverged between representative democracy - as practised in the United States of America - with its institutionalised defences against despotism, and a belief in the primacy of force as the basic political reality. This latter belief arose out of the *dévo*t critique of Rousseau - the fear that once the Enlightenment had removed religion from politics there would no longer remain even moral barriers to despotism. It was developed as a coherent *dévo*t philosophy by the Old Dauphin (see Chapter II) and as nihilism by Linguet (see Appendix II).

Lemaire, the historian of fundamental laws, shows that they were an important and evolving part of eighteenth-century politics. The two major developments of the early century were the "rehabilitation" of the States General by Boullainvilliers and the promoting of the parliament as the institutional basis of a constitution by Montesquieu. In the mid-century Rousseau introduced ideas of popular sovereignty, which he labelled a "social contract". Introducing this concept into the debate over medieval institutions finding a new role in the eighteenth century greatly confused it. On top of this Rousseau's discussion of total democracy in the context of a city state was - mistakenly perhaps - transferred into the mainstream of French political culture.

Throughout the century absolutists made out defences of the monarchy, culminating in Gin, who was as royalist as Bodin (see Chapter II). The most radical and synthesising account of fundamental laws was to be found in 'Maximes du Droit Public Français' (Anon. Amsterdam 1775).

This brought the social contract and national sovereignty into fundamental laws, and listed them as: the first and second of our list above, thirdly the prerogative of the States General to assemble (if necessary without the crown's permission) and be consulted by the crown, security of tenure for officers in the magistracy, full parlementaire prerogatives of registration, and the parlements' prerogative of limiting the monarchy as an intermediary corporation<sup>37</sup>. This book lent heavily on Rousseau, Boullainvilliers and Montesquieu, and posed most of the constitutional problems of the late century.

While Montesquieu was not primarily a fundamental law theorist, his influence dominated the century, and he laid down most of the lines of thought other political theorists, of all shades of opinion, would have to follow. Where his ideas affected politics Montesquieu was neither as original a thinker as Rousseau nor as legalist as Maupeou. His achievement was to shift the whole emphasis of French political thought away from subservience to seventeenth-century absolutism. He looked to classical republics - motivated by "Virtue" - for inspiration, but recognised that monarchy was the regime of the day in eighteenth-century north-western Europe. Monarchy was motivated by honour, but Louis XIV's absolutism had undermined honour in politics, and threatened to turn monarchy into despotism, which was government based on fear and lacking in mores. To combat this Montesquieu raised the presumed constitutional position of the institutions of the "limited monarchy" into fundamental laws. These institutions Montesquieu defined as: the Church, the nobility, and the parlements. The Church could exercise spiritual and political restraint over the crown; the nobility - through exercise of justice - could limit the monarchy; and the parlements - through control of law - could achieve a consultative role in the state as an intermediary body between king and people.

Montesquieu never mentioned the States General, and this must be accounted the major political flaw in his thought for it not only ignored what all other constitutionalists regarded as a basic reality, but also opened the door to parlementaire theorists usurping States General's prerogatives. This threw

the constitutional conflicts of Louis XV's reign off balance, and then left the magistracy without guidance 1788-9 on the States General from a writer who had acquired the stature of an Old Testament prophet. Montesquieu is best remembered for his eulogy of the British constitution and its separation of powers. Montesquieu carried two ideas from Westminster across the Channel: that liberty can be based on legislation, and that the king's true role was as head of the executive. Montesquieu was writing a commentary on political and legal practice, but he was taken up as a handbook of political action and this was to pose the regime difficulties it could not solve <sup>38</sup>.

The parlementaire theorists did indeed claim for themselves the consultative capacity of the States General. Without the parlement strong enough to limit the monarchy, "Chaque citoyen ne peut élever sa voix; sa résistance à la volonté du prince est révolte, le parlement réduit à juger les contestations entre les particuliers, la tête appesantie sous le joug de la ruine des peuples, en promulguant les volontés absolues d'un souverain aussi injuste qu'impérieux" <sup>39</sup>. Against this Maupeou convinced Louis XV in 1771 to exert his fullest prerogatives in abolishing the venal structure of the parlements, thus violating the fifth fundamental law; the same happened in 1776 when Turgot persuaded Louis XVI to sanction the abolition of the guilds and again in 1777 when Necker was allowed to dissolve the intendants of finance. Maupeou's incursion, however, was the more serious, threatening the whole delicate relationship between ruler and ruled - "l'harmonie heureuse de notre constitution" <sup>40</sup>. Croÿ told Maupeou that he had made Louis XV "monarque si absolu, qu'il n'avait plus de bornes" <sup>41</sup>. Thévenau de Morande, in words reminiscent of Darigrand's, defined Maupeou's France as, "...un état, où le prince a le droit de vie, et de mort sur tous ses sujets, ou il est propriétaire de toutes les fortunes de son royaume..." <sup>42</sup>. Reality was rather more prosaic, but Morande described not so much the actuality as the mythology of old regime politics, and people reacted to Maupeou from Morande's assumptions. The principle Patriot organ, the Journal Historique, called Maupeou's reform a, "renversement des lois fondamentales de l'état", and saw in it the potential for the dismantling of the corporate,

Catholic, and customary structure of the regime <sup>43</sup>. This period is described as the "authoritarian monarchy" <sup>44</sup>.

What is shown is a keen awareness of some sort of constitutional basis for royal authority which both confirmed it as absolute and limited it from being despotic. Maupeou's breach of this nascent constitutionalism was the signal for interest in a fully constitutional monarchy, and the failure to achieve this was the central theme of Louis XVI's reign before the Revolution. Having examined the crown, we must now move across our diagram to see how the various overlapping and parallel structures of administration worked and interacted.

The Church was the oldest structure in the regime, pre-dating the Frankish conquest, and was an important administrative adjunct to the monarchy. There were some 135 sees and 35,000 parishes, though only 31,000 curés. Estimates of the clergy ranged from 190,000 to 130,000, but all authorities agree that the numbers declined during the century, dramatically 1766-70 when the Commission of Regulars closed down lax convents and monasteries containing up to 9,000 celibates. The division between pastoral and non-pastoral clerics was 70,000 : 60,000 <sup>45</sup>. Administratively the Church operated at the diocesan level, with pastoral letters instructing on matters which frequently infringed on the civil sphere, and at the parochial level where instructions on almost any aspect of local affairs could be delivered. In the late century the government began to exploit the curé as the most local agent of authority. The parish, ideally, contained 500 souls whose needs were ministered to by a curé and a vicaire <sup>46</sup>. There was, however, a chronic shortage of curés, as revealed by a grievance from Provence that several communities no longer had enough priests to cope with baptisms, marriages, confessions or burials, and that one remote parish had not seen a priest for forty years <sup>47</sup>. An inquiry into the constitutional position of the Church in 1751 confirmed a strongly Caesero-Papalist relationship with the king, though only the absolutist Réal saw fit to comment on this <sup>48</sup>.

The social composition of the Church displayed the sharpest divisions of the regime as a whole. The episcopate was almost exclusively aristocratic under Louis XIV, but by Louis XVI's reign the bishops were more noble quantitatively

and qualitatively, of the 99% noble composition only 24% were from families of less than 100 years nobility <sup>49</sup>. Further-more, those nobles entering the Church retained all their privileges of the Second Order, and were known as the clergy of the Second Order. The Church was the single most effective bastion of aristocracy, and the episcopate, "hors de pair dans le royaume" <sup>50</sup>. The Church as land-owner defended the feudal structures remaining in society. On the other side of an uncrossable juridical divide were the curés, one example of whose composition was 25% noble, 60% middle-class, and 35% artisan or laboureur <sup>51</sup>. It is evident immediately that the middle-class was the back-bone of the pastoral clergy, and, as will be seen when we look at the Church's political role below, were an impoverished and disenfranchised group.

The Court as known in the eighteenth century was a product of Louis XIV's reign, the "gilded cage" to keep the nobility in check. This stereotyped image is partly modified by Marmontel's analysis of two separate societies within the palace, one displaying all the extravagance, vices, and ambition generally associated with the Court, but the other an unpublicised world of hard, unremitting, but rewarding labour <sup>52</sup>. The real interest in the late century passed to those who were trying to break down the Court and return the nobility to the provinces. The Court was a world all of its own with its own career structure from young courtier to colonel via the regiments attached to the King's Household, and from Great Officer of State to minister. The Great Officers of State enjoyed the privilege of communicating directly with the king, and accordingly could influence ministers and measures; this was to become unexpectedly important under Louis XVI with political battles being waged around the Grand Chamberlainship in 1775 and a mismanagement of high office by the Inspector General of Coasts in 1777 <sup>53</sup>.

Moving down to the provincial level, the governors and their deputies had several military and administrative functions, more in the peripheral than continental provinces - the map of the gouvernements (qv.) is a more exaggerated version of the geo-economic map. Although it was a subject of some dispute, the internal police force, the maréchaussée (mounted constabulary or marshalcy) came under the jurisdiction of the governor. This force was

largely composed of army veterans and was efficient but pathetically inadequate, there being only 3,883 of them throughout the kingdom <sup>54</sup>. Although the most important, the marshalcy was only one of many police forces. Troops undertook many of the larger tasks, such as escorting grain convoys and controlling crowds. The various courts maintained staffs of serjeants whose tasks infringed on policing. In the seigneurie some aspects of public safety, such as the control of wolves, were the responsibility of the seigneur, though this was a sharply declining role in the eighteenth century. The General Farms, finally, maintained their own police to control customs and excise, and to catch smugglers.

The States General and provincial will be dealt with in their entirety in a separate chapter, but it should be noted here that they were providing the most comprehensive alternative system of administration <sup>55</sup>.

It was the parlements, however, which attracted the most public attention, because they had their focal point in Paris. The parlement of Paris had three functions: to be, firstly, the Court of Peers, in which capacity the peers sat in the Grand Chamber as counsellors, and matters pertaining to the peerage could be judged. The parlement, secondly, was the final court of appeal. Thirdly, the parlement was the depositary and interpreter of law, in which capacity it had the prerogative of registering royal edicts (but only edicts), of issuing remonstrances, and of debating and issuing rulings on "grands objets". The process of registration was mostly concerned with checking new legislation against old to prevent inconsistency, and only a very few measures received more than the briefest attention.

The procedure for remonstrance was for a committee to examine the edict in question, and prepare a resolution with two alternatives for debate. In the debate speaking was in order of seniority, giving the youngest and most junior magistrates the last word. If remonstrance was decided on, the first president had to draft the protest himself and deliver it to the king. (Usually this was a hasty and tense occasion, involving only a few people, but Louis XVI sanctioned the full panoply of a Grand Deputation of magistrates travelling to Versailles for an audience with the king). Normally the government rejected the remonstrance, and issued jussive



letters to force registration. If the parlement refused to acquiesce and reiterated its remonstrance the crown brought its full weight to bear on the court in a lit de justice. In the lit de justice the king or a viceroy, with ministers princes and peers, would address and instruct the assembled chambers; the matter usually rested there. If more protest followed, the government replied with lettres de cachet exiling the recalcitrant magistrates and setting up ad hoc machinery to cope with the situation, as in 1754 or 1771<sup>56</sup>.

The parlement's structure varied according to its function, but the important chambers were the Grand Chamber, various criminal law chambers, three Chambers of Inquests, and two Chambers of Requests. The parlement's counsellors controlled their offices through "survivance ("la soeur cadette de la venalité"<sup>57</sup>, whereby an officer could will his post to whomsoever he desired, either at his death or during his lifetime. This autonomy of office was so compelling an idea that it began to creep into almost every post before the end of the seventeenth century, the provincial government posts had established a tradition of survivance by the late eighteenth)<sup>58</sup>.

Magisterial office prices fluctuated over the century. No one parlement can be representative, but the history of prices in Bordeaux serves to illustrate prices and the market forces operating on them. Between 1710 and 1734 prices doubled, from 1734-1770 they fluctuated around this level, but were halved by Maupeou's reform, and were depressed by the policy of more aristocratic recruitment in the late century. In 1774 a provincial counsellorship would cost around 20,000l. The political importance of an office went in inverse ratio to its value, because of the fear of exile or confiscation. Presidences tended to cost four or five times more than counsellorships. In theory the venality of office did not affect the entrance qualifications (age and training), but in practice magistrates tended to enter the courts underage through familial patronage, and to gain legal experience only when in office. There was still plenty of room, however, for advocates to work their way up the legal profession and buy their way into the chambers. By the eighteenth century all offices in the sovereign

Courts were ennobling, thus ensuring that no man need be judged by his juridical inferior <sup>59</sup>. By the mid-century some 100,000,0001. were tied up in offices, and this level of capital was maintained <sup>60</sup>, though transferred after 1774 from counsellorships in the parlements to King's Secretaryships. The power these offices gave was enormous, to the point of effectively limiting the monarchy. The parlements, Sénac de Meilhan commented, played the right role for the wrong reasons <sup>61</sup>.

Dependent upon the crown were the "gens du roi", the advocate(s)-general, procurator(s)-general, and clerk(s) of the court. Most important of all, the first president was a royal nominee. Almost without exception the 'king's men' identified with the magistracy as a whole, and at best the government could hope to use them as informal channels of communication. The advocates formed a separate corporation independent of both crown and parlement, and were the group who bridged the gap between nobility and bourgeoisie. In all there were some 2000 lawyers associated with the parlement of Paris and, some 1,100 élite of counsellors across the kingdom. These were the single most aware and active members of the political nation. Below the men associated directly with the parlements came the "bourgeoisie de robe", defined and studied by Dawson, these fell into four categories: notary, procurator, advocate, and judge, the two latter of lower courts. These were the "hangers-on" of the legal profession, susceptible to political and economic vicissitude, and who transformed themselves into the Revolutionary élite 1787-9 <sup>62</sup>.

Separate but dependent on the parlement were the Courts of Aids, Accounts, and Moneys, which dealt with cases of fiscal appeal. These courts were generally in decline in the century, although the Court of Aids began to reassert itself after 1750, and under Malesherbes (first president 1750-71, 1774-5) it did much to alert public opinion to the abuses in old regime administration. Below the provincial level came the mass of lower courts; bailiwick, seneschal, provostal, consular tribunals (dealing with commerce), constabulary courts (dealing with local criminal offences), and courts covering specific jurisdictions such as the admiralty courts or the tribunals of the waters and forests. At the lowest level was the seigneur's jurisdiction over the feudal

rights in his demesne, which could impinge on civil or even criminal law. Separate but independent of the parlements were the Grand Council and Presidential courts, a structure of non-venal officers directly under the control of the Chancellor. It was of no real relevance to the administration of the regime, but its inclusion in our diagram is required both because 1768-70 and 1774-89 it was deliberately maintained as a possible substitute for the parlement if it went on strike, and because it became regarded as the potential foundation for a reformed judiciary, and because there was a growing trend towards the recruitment of intendants from it.

The inspiration for reform from the Grand Council and Presidential courts was realised in full under Maupeou, when it was hoped to bring in the peers to create the structure of a Chamber of Peers in Paris and Superior Councils in each province. This was only partially implemented 1771-4, but even so it formed a distinctive phase of the monarchy, the "authoritarian monarchy" <sup>64</sup>.

We next come to the heart of the monarchy, the conciliar and provincial structures finalised by Colbert. Directly beneath the king were the four Secretaries of State (five 1763-80) who directed the Departments of State. The Control General was not, theoretically, a Department of State, but for all practical purposes it can be treated as one and the Controller General had all the political competence of a Secretary of State. The principal council was the Council of State (or conseil d'en haut) known to contemporaries as "the Council" which was analogous to the British cabinet, and was run by a prime minister 1726-43, 1774-81, 1787-8. The king in Council was the highest legislative, executive, and judicial authority. Louis XV allowed himself to follow only policies approved by a majority on Council, but Louis XVI relegated the institution to a consultative function. It is difficult to attribute specific competence to the Secretaries and their Departments because of the confusion in the system, a confusion whose resolution was one of the themes of ministerial politics in the late century, but generally the competences of the Secretaries of Foreign Affairs, the War Office, and Admiralty were self-evident, while the Secretary for the King's Household regulated the Court and

capital, and the Controller General dealt with all fiscal matters. Each of these five men supervised a fifth of the generalities and each had various other spheres to deal with which did not readily fit into a category. (Bertin was unofficially Secretary of agriculture and communications.)

Below the Council came the councils of: Dispatches (*Dépêches*) which dealt with the intendants, of Finances (also known as *Conseil de Direction*) which dealt with taxes and public works, and the Private Council (*conseil privé* or *conseil des parties*) which was a court of executive appeal. The councils controlled a mass of bureaux which were directed by masters of requests. The conciliar system was the heart of the administrative or absolute monarchy<sup>65</sup>, not only because of the flow of information to the king and the consultative and deputising influence on authority from the crown, but also because of the fiction they preserved of a limited monarchy obeying fundamental laws. Maurepas presented an eloquent defense of the system: "L'habitude d'un conseil ôte l'ombre du despotisme, c'est à dire de l'arbitraire d'un seul. Elle présente au citoyens lésés un ressource contre l'oppression d'un ministre que craindra les plaintes qu'on aurait droit d'adresser à d'autres que lui. Elle met, finalement ce ministre en considération pour ne pas proposer des opérations ses confrères pourraient critiquer en presence du souverain"<sup>66</sup>. This was a veiled attack on Maupeou, and what Maurepas was saying was that the coup d'état of 1771 was made possible only by a partial break-down in the conciliar system.

There is evidence for a definite change in the nature of the councils between the time of Maurepas's first period in office (1716-45) and his second (1774-81). Under Louis XIV ministerial posts were becoming susceptible to survivance like any robe office - Maurepas himself assuming ministerial office at the age of fifteen - while the 1750's and 1760's saw the triumph of patronage over patrimony. The Private Council became wholly dependent on ministerial patronage<sup>67</sup>. The important appointments, therefore, became the secretarial posts, whose policies were rubber-stamped by the politically committed councils. By the 1770's the Private Council, "...à l'apparance de décider de tout, mais dans le vrai, il ne fait qu'approuver ce que proposent les ministres"<sup>68</sup>. Louis XVI was to succeed only in replacing ascendant minis-

ters with prime ministers by 1789.

Below the councils and ministers came the intendants, "par excellence l'homme du roi et de son Conseil" <sup>69</sup>. Ever since Tocqueville reinforced Law's comment, "Believe it or not, the French kingdom is ruled by thirty intendants. Your parlements, States, and governors simply do not enter into the picture" <sup>70</sup>, historiography has accepted the predominance of the intendant. The most definite recent statement of this belief is Sagnac's of the administration 1763-70. "Les intendants des généralités sont des hommes dévoués, travailleurs, pénétrés des nouvelles idées d'utilité sociale ou même des doctrines économiques que leur ont inculquées les physiocrates et les philosophes. Leurs bureaux, aux chefs-lieux des généralités, sont à cette date, bien organisés, pourvus d'un personnel hiérarchisé, sous les ordres d'un secrétaire général à demeure, blanchi sous le harnais, qui seconde l'intendant, le supplée à l'occasion, et qui correspond avec les nombreux subdélégués des villes secondaires de la généralité. A cette époque, le système monarchique est parvenu, dans les provinces, à son apogée. C'est un mécanisme au rythme régulier que se perfectionne, d'ailleurs entre les mains d'un Turgot ou d'un Caumartin, étant mis en mouvement par une juste intelligence des besoins de la société, et non plus par la seule routine" <sup>71</sup>.

The intendant's duties were defined by Réal: to maintain harmony, law and order, to keep the government informed of the state of the province, to represent its interests, to ensure that justice, administration, and taxes were run equitably, to act as a local appeal judge, and to uphold religion and mores <sup>72</sup>. With more of an eye to administrative detail, historians had added; poor relief, public works, food and prices, militia, municipal government, parish administration, liaison with local institutions, supervision of the detail of fiscal administration, public health, veterinary services, agricultural research and development, commerce, manufacturing, communications, dissemination of governmental technical information, and acting as a local ombudsman <sup>73</sup>. These two lists, however, reflect the intendant at the height of his power, prior to 1750; in the second half of the century several changes occurred in the nature of the post. The emphasis began to shift from the intendant down to the subdelegate as the generality became more a bureaucracy and

less a royal commission, and the intendant became the province's representative at Versailles. These trends are confirmed by both Ardasheff and Bordes in their studies of the intendants <sup>74</sup>. A third trend in the post was away from its political attributes towards its legal competence as an appeal judge for cases arising out of administration <sup>75</sup>. This last function recognised that the intendant was still a magistrate as a master of requests, and in general the masters of requests began to identify more closely with the parlement than the crown <sup>76</sup>.

One special area of administration was that of Paris which enjoyed a unique system. The city was run by a lieutenant of police whose powers were a cross between those of a minister and an intendant. Paris in effect had a separate Department of State sub-divided into bureaux with a separate police force. The areas the administration concentrated on in the late century were: food distribution, public health engineering (including street lighting), and political control of the populace. Food distribution was largely well run, but the failures of 1775 and 1789 were spectacular. Political control was efficient in ordinary times, but failed to cope with emergencies. Illegal assembly, the carrying of weapons, and censorship of newspapers were well controlled, but the fundamental problem of economic distress and political discontent - sometimes exploited by parlement or the Palais Royal - lay beyond the scope of the most comprehensive system of spies or informers <sup>77</sup>.

The recruitment of intendants was a political subdivision of the wider social problem of the recruitment of the magistracy (see below). Intendants were exclusively recruited from sovereign courts, either from the masters of requests or Grand Council. In the late century 80% of intendants had passed through the parlement of Paris, but this figure had declined from Louis XIV's time. Nonetheless there was a strong feeling that the intendant was an outsider from the capital imposed on the province. Gruder has found that only 19% of late century intendants were following their father's careers, as opposed to 50% in 1700; thus survivance was dying out by default in this area. This falling off of dynastic interest in the post reflects its decreasing desirability as its political role changed. The intendant was

falling between the two stools of the nascent local magistrates and corporations and the development of the subdelegate; the Espion Dévalisé wrote, "Les subdélégués en France se trouvent dans le fait les véritables intendants" <sup>78</sup>. The famous intendants of the late century only served to reinforce this observation, Turgot as a super-subdelegate or Etigny as a stand-in for the absent governor (Richelieu). Furthermore, the recognised career structure of intendant to Secretary of State was under pressure by the late century, the intendant was facing for the first time the prospect that had always faced the subdelegate, that his first promotion would be his last in a job that would have to be its own reward.

The late century saw a mounting campaign of hostility to the intendants to some extent based on a decay of the institution towards the abuses of other branches of administration. These abuses included: appointment by patronage, shorter training period, closer connections with the province compromising loyalty to the crown, younger appointments, and a relaxation of the regulations meant to move the intendant around from one province to another. The intendant was following in the footsteps of the government's staff, and his change of role from the extirpator to the perpetrator of provincial abuse was a decisive one for the regime in the countryside. Bordeu shows how even under Louis XV the intendant consistently lost ground to local institutions, added to this the duke of Burgundy's circle's criticisms, reinforced by Mirabeau, were being taken increasingly more seriously. In 1756 Goudar accused the intendant of dereliction of duty in agriculture, and in 1765 Argenson's papers portrayed the intendant as a viceroy under whose administration the people had been alienated from the government and decay had ravaged the countryside <sup>79</sup>. The physiocrats had won over several intendants to their way of thinking but generally it was the other local authorities who gave them the greater help.

The attack on the intendant under Louis XVI expanded to include the personnel. The appointment of Terray's nephew as intendant of Montauban in 1773 was an archetype of abuse founded on nepotism, compounded by inexperience, the waiving of most regulations, and incompetence <sup>80</sup>. The previous year

Aubusson had laid the foundations for the later attacks on the post, accusing the intendant of playing God in his generality and passing consistently partial judgments. He expressed surprise that people were prepared to tolerate so abusive a system <sup>81</sup>. Bachaumont was constantly reporting anecdotes about the personal vices of intendants, as were other periodicals to a lesser extent. The strongest attack on the intendants came from the Espion Dévalisé who still interpreted the intendant as the "key" of government <sup>82</sup>. Of the thirty-three intendants in 1782, only ten were of any worth, "Tous ont ou l'esprit tortu, ou une inapplication, légèreté, présomption, insolence, idées gauches, etc. pires qu'une nullité absolue". He described the existing generation of provincial administrators as "lost", and could hope only for a long-term change in recruiting policy. He analysed each intendant and his faults, using such terms as "brute", "incapable", "imbecile", "abhorrant", "idiot", "rogue", or "inexperienced" <sup>83</sup>. This attack was the finale to Necker's offensive against the intendant, and the robe in general <sup>84</sup>, and demonstrated how low the esteem of the intendant had fallen. Yet up to 1787 the intendant, however discredited, remained the primary agent of royal authority in a majority of the provinces.

Taxation was the principal concern of the councils and the intendants, and, under the Control General, by 1788, came thirty-eight bureaux containing 256 men <sup>85</sup>, to whom the substructure of elections, generalities, and subdelegations were responsible. Prior to 1776 a hierarchy of venal officers controlled the flow of money up to the Treasury based on the election, the administrative unit prior to the generality. Although there was intent to fiscal reform under Turgot, it was not until Necker's Direction General that the amateur officer began to be replaced by the salaried bureaucrat. The élu collected taxes through a council, "une compagnie de bourgeois ignares", who were supposed to negotiate with parish assemblies for the highest viable amount of taxation <sup>86</sup>. Both systems were breaking down by the eighteenth century, and needed all the help the generality's administration could give them. The taxes were: the taille, the "tribut ordinaire", which was levied on people from medieval tax rolls in the continental provinces, and in the periphery



on income from land from up-to-date tax rolls - respectively the *taille personnelle* as opposed to *taille réelle*, while both observed privilege the latter tended to be less abusive <sup>87</sup>, the *capitation* which was founded in 1695 and was the first attempt at fiscal reform, was a poll tax based on twenty-two classes each paying an appropriate tax, but the *privilegiés* managed to opt out of the tax, and after Machault's failure to make it universal 1749-51 it decayed into an adjunct of the *taille* <sup>88</sup>; the *twentieth* which was based on Vauban's plan for a "*dîme royale*", a 10% tax on income, was a sporadic tax imposed to pay for the wars of the century, and re-ratified by the *parlement* every four years, (from the Seven Years' War onwards there were always two *twentieths* in operation); this tax had a separate and more efficient machinery of assessment <sup>89</sup>. (The respective contemporary British names for these levies were: land-tax, poll-tax, and *twentieth penny* <sup>90</sup>).

These above taxes were direct, but the indirect taxes, customs and excise, internal customs, colonial taxes, and taxes on salt and tobacco, had been hived off to private enterprise. This private sector was run by, "a syndicate of financiers", organised into five General Farms, who contracted to pay the government a fixed sum from the taxes raised. (It was these General Farmers who formed the backbone of the "Financiers", that is those whose vested interest in finance made them powerful in politics) <sup>91</sup>. By the end of the regime some sixty tax farmers employed 30,000 people (the largest single group outside the Church or army) to collect 250,000,000l. The tax farms were more tightly organised than the royal bureaucracies, and were not so fragmented at the centre, but to offset this the farms were devolved into each province with far more competence at this level than the direct taxation agencies. The internal customs barriers divided France between those directly subject to the tax farms, those "reputed foreign", and those "foreign". Each area paid a varying sum, from the heaviest burden at the centre to a redemption (*don gratuit*) paid by Languedoc to keep all tax farmers out of the province. The repeated failure to reform this irksome and abusive system was a microcosm of the failure of reform in general <sup>92</sup>.

The *Gabelle*, the salt tax, was similarly organised with

the economically and politically powerful periphery able to buy off this tax, while the continental provinces suffered a crippling burden from it. (Salt was a vital necessity for the mass of the population who depended on it to preserve perishable foods)<sup>93</sup>. The Gabelle is like Morande's or Sade's political commentaries in that it allows us to see the regime's political mythology in action. The peasant reacted to society not in terms of Turgot's vision of a free market economy as the means of solving France's ills, but in terms of real or imaginary injustices reaching down to him. The motive force of the jacquerie was abuses and fears magnified out of all proportion.

As an example of this mythology and these fears we can look at a reconstruction of Revolutionary street drama, where the Gabelle is portrayed in its most melodramatic light as the single harshest, most abusive, and cruellest of the regime's impositions. In one reconstruction, a "...salt-merchant claimed to own the sea. Also he had it guarded by brigands". He is drowned by a peasant woman trying to take some fish and salt water for a stew. In another even more emotive scene a peasant tries to write out "Gabelle" in the petition of grievances for the States General using a handkerchief, a freshly plucked feather, and his own blood for writing materials. He is cheated even of this redress by his own illiteracy and by the curé's abrogation of his rights<sup>94</sup>.

Other taxes were the seigneurial dues, which, though not necessarily heavy, were particularly immediate and irksome. In the Garonne region Forster has found that they accounted for only 5% of landed revenue<sup>95</sup>. An adjunct to feudal dues were the banalities, whereby the seigneur monopolised milling, grape-pressing, or baking in the seigneurie. This privilege was sometimes contracted out to townsmen, and the proceeds taken out of the countryside altogether.

The Church still possessed the right to take its tithe from the peasantry. This tax was not always so universally applied or so onerous as its name implied. Other taxes paid by commoner land owners were occasional impositions such as 'lods et ventes' (paid on property transfers), the 'cens' (quitrent), or the 'marc d'or' (paid by a commoner buying noble land). Specific taxes were levied on the inhabitants of the domaine royale.

A final subdivision of the royal bureaucracy was the Régie Générale, which swept in all the odds and ends left over from other structures. All old regime fiscal administration shared the vices of links with vested interest - very close links with the

Court in the case of the General Farms, of accounting chaos with no budget and book-work two years in arrears, and institutionalised abuse beyond any ability to reform it <sup>96</sup>. Furthermore, in the provinces the cumbersome structures of fiscal privilege allowing one region monopolies over another were fiercely defended by the local commercial middle-classes who benefited from them, thus preventing any unity of interest emerging in this group before 1787 <sup>97</sup>.

The course of eighteenth-century finances was stormy starting with the collapse of Law's system of paper currency backed by colonial commerce in 1720. This was followed by the economic recovery of Fleury's period, which created an oasis of solvency. The European and colonial war of Austrian Succession 1741-8 exhausted the Treasury and forced firstly, the unsuccessful experiment by Machault to raise taxes and attack fiscal privilege, and, secondly, the appointment of Controllers General friendly towards vested financial interest <sup>98</sup>. The Seven Years' War 1756-63 caused the total depletion of cash and credit and the appointment of a succession of Controllers General whose sole task was to find some solution to approaching bankruptcy. Their approach was either economic or political: Invau, Turgot, and Necker believed the answer lay in pushing through long-term economic reform in the face of short-term political opposition, relying on eventual solvency. The problem here was that credit dried up and the Court became hostile at the first hint of reform; Invau fell at the financial hurdle, while Turgot fell to the Court opposition. Laverdy, Terray, Clugny, Taboureaux des Reaux, and, again, Necker (who believed in trying every option simultaneously) preferred to create an environment of financial credit in the hope that if politics were correctly managed the finances would look after themselves. This approach was both more realistic and more successful; Terray was the only Controller General of the late century to even appear to halt the slide towards bankruptcy. Laverdy fell to an unforeseeable change in the economic climate, Terray because of Louis XV's death, Clugny because of his own death, Taboureaux because of competition from Necker, and Necker, finally, fell because of the financial problems of the War of American Independence and his attempt to foist a budget on the

regime through his 'Compte Rendu' <sup>99</sup>.

Cogent analyses of French finances can be found in the papers of the British embassy. Lord Harcourt had established close relations with Choiseul and Bertin; he reported a conversation with the former who had explained the options open to Terray in February 1770, "The Controller-General may by a bankruptcy, raise the revenues to be equal to the King's expenses; but he (i.e. Choiseul) foresaw that if the King should hereafter happen to stand in need of a loan, nobody would ever advance a livre upon the public faith". In June 1771 Lord Harcourt analysed Choiseul's financial record, "...to the general corruption and want of economy that have prevailed here of late years. The Duke of Choiseul was supposed to have a very moderate knowledge of the finances: his chief attention being turned towards the means of gratifying his own ambitious pursuits. The people on whose skill and knowledge he chiefly relied frequently proved unworthy of the confidence he reposed in them and the very frequent changes of controller generals, occasioned as frequent alterations in the system of finances, as each Controller General adopted some favourite scheme of his own. Thus the debts and distresses of government have been gradually increasing since (the Seven Years' War)". A final crushing remark came in March 1774, the "evils" of financial mismanagement, "...are so deeply rooted in this country, and depend upon such a variety of causes, that one may fairly say they do not admit of a cure" <sup>100</sup>. This remark is so crushingly accurate because the period after 1763 saw the regime struggling to avoid breaking the basic rules of public finance accounting, namely the paying off of loans and interest charges and the paying of salaries from new loans instead of from revenues. This set up an accelerating slide towards indebtedness which could only be solved by declaring a state bankruptcy. The problem was that once a bankruptcy had been declared no loans could be raised, which meant that all the regime's commitments would have to be met from its immediate revenues. The changes and reforms required to achieve this were so frightening and far-reaching that muddling through towards inevitable disaster seemed preferable. Turning this round, reformers who proposed schemes to make the regime self-sufficient on its Revenue Account could never defeat the combination of vested interest and

apprehension it raised up.

A problem of eighteenth-century administration, which made itself most felt in finance, was the lack of an institutionalised bureaucracy. Necker was the first minister to begin building machinery which would function automatically irrespective of political changes or the quality of personnel. On a higher level the same line of thought lay behind the plans for a mechanistic monarchy.

Fiscal reform was the single most urgent task facing the regime, but it remained the most difficult. The regime could not hope to balance its books while some of its poorest subjects were paying up to 50% of their income in taxes <sup>101</sup>. By the late century 4,500,000 of the poorest families were paying the bulk of direct taxes <sup>102</sup>. Moheau described the taille as the worst of all possible taxes because it fell most heavily on those least able to pay, and could be most easily avoided by those best able to pay it <sup>103</sup>. The most obvious solution was the implementation of Vauban's *dîme royale*, but an impenetrable nexus of vested interest - May's "Mur d'Argent" - stood between the taille personnelle and the *dîme royale* <sup>104</sup>. There was a host of other schemes for reform <sup>105</sup>, but destructive criticism of the tax farms was easier and less demanding. From Darigrand's 'Anti-Financier' in 1764 to Malesherbes's Court of Aids remonstrance in 1775, Glannières could comment, "Après avoir examiné les différents projets sur la réformation des finances, on n'y trouve que de vaines déclamations contre les Fermiers Généraux..." <sup>106</sup>. The point the defamers of the tax farms were making was that corruption, privilege, and inefficiency represented a pool of wealth which if released, by a process Necker labelled "bonification" <sup>107</sup>, could solve all the regime's problems. This bred a fatal complacency, and the longer reform was delayed the greater store was set by this eventual panacea. This complacency was expressed in Puysegur's observation that while everyone recognised the need for reform, no one recognised its urgency or scope <sup>108</sup>. The other side of this coin was the sense of permanence and stability experienced in the regime, a sense which pervaded all commentators <sup>109</sup>.

Even at the time some dissenting voices doubted that the privileged classes were in reality escaping all fiscal

obligation. Lotrosne believed that by the time taxes had been paid by tenant farmers, fiscal privilege only cost the Treasury 4,000,000<sup>1</sup>. on the taille (or 1% of an official estimate of revenue) <sup>110</sup>. Behrens has found that the French nobility was the most heavily taxed in Europe; this is confirmed by Meyer in Brittany, and in Languedoc Forster quotes a tax bill of 8% on noble income <sup>111</sup>. Privilege, furthermore, was not absolute, and was not always exercised. A case in question arose in Auvergne in May-June 1775, when local people sequestered a knight of St. John's property against a debt of 300,000<sup>1</sup>. While the Order could claim absolute legal immunity, "...il faut donc concilier ces mêmes loix (ie. local civil jurisdiction) avec nos privilèges particuliers" <sup>112</sup>. We are left with the paradox that the privilèges loudly announced exemptions, which might occasionally be glaring, but which were and were non-existent compared with other European countries, It came easier to be hated for privilege than to admit that there was no cause of this hatred.

We come finally to the plans for a mechanistic monarchy. This was a political theory unique to the 1770's and 1780's, and only one small part of it was implemented before the Revolution. This "institution" is explored in depth in chapter V below. Its essential element was the construction of an administrative machine based on: rationality, checks and balances, devolved (partly democratic) power, and a career of talents open to all. The machine would be self-regulating, and would reflect in administration the physical universe described by Galileo or Newton. The king would play the role of hereditary president of the executive - having powers analogous to the U.S.A's president. Sovereignty would reside in some national assembly. An able king could lead and direct the administration very positively. The system would fully mobilise France's resources while eradicating abuse and injustice. It implied more a reorganisation of the political nation than an expansion of it.

In the practical politics of the regime positions were defined by the process rather than the content of political activity. This was demonstrated above all by Maupeou where the process compromised all the reforming intent of 1771-4. The mechanistic monarchy sought to establish a basic political content beyond the reach of day to day political activity. The crucial change in thinking was a new role for the king as hereditary president of the executive. One very distinctive feature of this new system was an institutionalised career structure bringing talent up from the lowest to the highest level; no where else did the regime have any concept of a career of talents <sup>113</sup>.

An informal structure of administration, which had attracted attention, is that by notables. The government resorted to this system in 1787 when Calonne convoked an assembly of notables; it proved a bitter disappointment by calling for the States General <sup>114</sup>. A detailed study of the origin and function of government by notables was made by the Ephémérides in a eulogy of Sully <sup>115</sup>, thus this type of administration was part of the regime's political currency. The idea of an informal structure of administration in the provinces remained alluring, and the term "notable" occurs in the writings of most provincial reformers. As far as the concept of administration by notables can be tied down, it was informal co-operation between the intendant and the seigneurs, though it also has implications of administration through an "élite" (see below) without reference to formal office or status.

The political dominance of nobility in the late century was absolute in that the nobility and the political nation were almost identical. The only significant exceptions were small pockets of bourgeois municipal privilege which were none too secure (see below Chapter IV). From a political point of view, therefore, we need only concern ourselves with the nobility in terms of social composition and role. Other groups, however, operated on politics in the background, and require some preliminary account.

The middle-classes were the most integrated group outside the nobility, but were essentially apolitical before the late 1780's. Their attitudes of respect for throne and altar, belief in social structure, concern for marital virtue and family life, and pursuit of money, careful management, and stability made it impossible for them to be a revolutionary group until the regime showed signs of collapse and of threatening their every interest 1787-9. The Journal Encyclopédique distilled out a political message from 'Les Causes du Bonheur Public' (Abbé Gros de Besplas. 2 vols. Paris 1774), a book directed to preserving the middle-classes from philosophie, "La tranquillité publique est la souveraine loi". Rouston places their intellectual position as a narrower version of Voltaire's <sup>116</sup>. Bosher concludes that to call the middle classes revolutionary prior to 1789 is, "...irreconcilable with the evidence", and Cobban's advice is to look to the aristocracy for the inspiration of all

major old regime political activity - these observations are confirmed by Young's at the time <sup>117</sup>. The problem the middle classes faced before the Revolution was that while they may have felt an internal sense of identity, they had no external reality. The middle classes were just any other commoners in the juridical hierarchy. The British embassy made only one direct political mention of the middle class, when the Parisian commercial classes were displaying extreme discontent against Choiseul's and Laverdy's mismanagement of the economy <sup>118</sup>. It was still the commercial back-bone of the regime, and ministries thought twice before antagonising this interest. In the country-side, the Physiocrats were advocating the development of a rural middle class of men producing a surplus of food and trading in it to exploit the benefits of a free market economy. The middle class, therefore, formed one of the objective realities of the regime. During the century we will see their progressive disenfranchisement by the nobles, leaving it without any political voice.

If the middle-classes had no objective sense of identity, the peasantry lacked even a subjective identity in the regime. The peasantry was the fundamental "problem" of the regime, and the problem whose failure to be solved ultimately destroyed the regime <sup>119</sup>. This "problem" was caused by the peasants' inability to produce a surplus of food or cash. This led to high food prices, occasional shortages and famines, lack of resources for agricultural improvement or innovation, higher demands on government and charity while revenues were in slow but chronic decline, and the growth of discontent and despair among millions of economically depressed peasants. The reasons behind this were varied, but the single most important was the conservatism of the country-side, whether caused by absentee land-lords who instructed their agents to raise revenue to the exclusion of all other considerations, or by the peasants' refusal to relinquish their communal rights (eg. vaine pâture or parcours) and general structure of economically unviable small holdings. This situation was made worse during Louis XVI's reign by a jurisprudential climate of opinion which held that this conservatism was socially desirable, and was the peasants' bastion against exploitation by bourgeois or feudists <sup>120</sup>.

The peasant problem made itself felt in the 1770's by rebellions - jacqueries - in 1773 and 1775 (see Appendices I and II). Croÿ claimed to have heard the catch-phrase, "Les chiens de laboureurs n'auront plus le dessus et les pauvres indigents l'auront à leur tour" <sup>121</sup> - it was the laboureurs whom Turgot hoped to use as the social base of physiocrat reform. The regime defined the jacquerie as an "émeute", an unarmed and unpremeditated attack on private targets, for which the recommended punishment was exemplary executions rather than mass arrests. The parlement of Paris put this



attitude into operation in 1770 when it resolved to treat leniently refugees from high grain prices, who had moved into its jurisdiction, if they committed crimes as a result of their plight <sup>122</sup>. The commonest form the jacquerie took was for an "atroupement" of peasants (of both sexes) to invade the local market. There they would requisition the foodstuffs and sell them off at a low price, but then return the money to the merchants; this was "taxation populaire". In May 1775 the whole of Paris was placed under a regime of taxation populaire for a few days to reverse the effects of physiocrat high grain prices. Violence was obviously latent in such situations, but generally remained covert unless the authorities offered resistance - which they rarely did - or unless there was some specific score to be settled - which there generally was. This was the last apolitical revolt of the regime. Both Rudé and Faure show that 1775 was the watershed for peasant action in society. By 1789 the government reacted to any disaffection as ideologically motivated, and the peasants for their part attacked what they saw as the causes and not just the symptoms of their distress. In 1775 they commandeered market stalls; in 1789 they burned the châteaux <sup>123</sup>.

The problem of the peasant was recognised at the time and must be remembered as a constant background factor in all political activity. In the preface to his political history Regnaud explained to his future readers that the economic straits of the peasantry reached up through society and the economy to force expedients on the Control General to find money where none existed, the failure of these expedients caused political and ministerial instability <sup>124</sup>. Pursuing the same point 'Les Vues Simples d'un Bon Homme' (anon. Paris 1775/6) warned that society would collapse from the bottom upwards were the peasant problem not solved. The Mercure de France stated that the misery of the people was the greatest obstacle to reform <sup>125</sup>. This last remark reveals the cruel paradox of the political problem of the peasantry: in order to initiate the firm administration and reforms needed to help the peasantry stable government had to obtain, but stable government could not establish itself until the peasantry became prosperous thus affording it a solid base for political and social action.

We must now return to the nobility. Here, in a socio-logical sense, we face the problem of definition because pre- and post- Revolutionary methods of social analysis and cate-

analysis has been to place the liberal, capitalist, revolutionary middle-class against the conservative, landed aristocracy (supported by the monarchy), but this analysis can not be supported by recent reappraisal of the late regime <sup>126</sup>. A number of new options are opened up; the most basic suggestion, put forward by Mousnier, is that we should take the old regime's juridical divisions at their face value as the crucial factor, and political behaviour in the States General would support this, particularly the way that the clergy divided between noble and commoner. Mousnier calls the nobility the only true Order with an internal sense of identity, and bound by bonds of honour and of loyalty to the crown <sup>127</sup>. This is useful as a first step, but the breakdown of the system of Orders - where the nobles fight, the clergy pray, and the people work - without the development of a recognisable class-system was the background to many obvious socio-political problems in the late regime (as described by Siéyès). In his study of the problem Richet says that the society of Orders had broken down by 1560, and that society divided up into élites thereafter <sup>128</sup>.

The analysis of society by élites is taken up by Lucas, who starts with the initial division between the vast majority who had to work with their hands - even if only by begging - and the minority who did not have to. Within this minority the division was between those who traded and those who could live off landed income, even if at one or more removes. The trading élite was united by obvious economic interests. The landed élite was united by the land itself, privilege as social superiority, and, by and large, a relatively recent origin. Another élite was that of the professions arms, law, medicine, or office-holding. In all these categories Lucas shows how the possession of nobility was irrelevant. The hobéreaux were a distinct pressure group of nobles forced to work with their hands who were pressing to enter the élite of the profession of arms. Equally there were bourgeois "vivant noblement" who had more in common with the landed aristocracy than the urban middle-class, and conversely the anobli who continued trading shared the political, social, and economic interests of the middle-classes. Within this schema social mobility took the form of moving

from trade to land, a process which might or might not go hand in hand with the acquisition of nobility <sup>129</sup>.

Lucas then states that by the end of the old regime the differences between robe and sword had diminished to meaninglessness following on the major restructuring of society under Louis XIV <sup>130</sup>. This brings us to the one blind spot in the analysis by élites, that neither Richet nor Lucas has examined in any detail; how the concept of Orders reacted against that of élites to try to give juridical force to new social divisions, and bring them back into line with the old regime's traditional classifications.

Lucas's analysis forces him to re-examine the crisis of 1787-9, and the conclusion he reaches is that the crisis was political rather than social, immediate rather than chronic, and that the bourgeoisie was made by the Revolution and not vice versa <sup>131</sup>. This analysis, however, of the old regime's politics operating only at a juridical level applies to the whole century, and it only shocked those 1787-9 who had been brought into political life for the first time - namely the hitherto disenfranchised Third Order and curés. If we return to the landed élite, those bourgeois members of it must be accounted a submerged group in the old regime, wherever land is concerned with politics, eg. representation in local States (see Chapter IV ). Within an élite, therefore, there is the politically potent noble group and the submerged roturiers - nowhere is this clearer than in the legal profession where the noble counsellors dominate the mass of legal bourgeois without necessarily denying them nobility. In Linguet, the subject of Appendix II, we find a man at the interface of submerged and enfranchised groups moving through the regime at this level and reacting violently against it. If we are to make any sense of the old regime's politics, as opposed to its social and economic structure, we must come back to the nobility as the one group that matters. It was not till 1787-9 that people within the regime challenged this concept and found it wanting.

A crucial element in the nobility's hold on politics was its conservative view of society, which was accepted by all but a few reformers and renegades. One aspect of this con-

servatism was sanctioned by antiquity; when hearing that Séguier had defended the corvée because it was, "consacrée par l'ancienneté", Horace Walpole exclaimed against such abuses, "...thus the length of their pedigree renders them respectable!"<sup>132</sup>. A far more important aspect was Miro-mesnil's famous contention that, "Chacun (des) Ordres a ses droits, ses privilèges"<sup>133</sup>. This contention led to the belief that the interests of one Order could not be compared or juxtaposed with those of another because political and social activity should be internal to each Order. Following on from this was a well thought-out rejection of equality. The conventional late century position was given by Chenaye Desbois, "Dans le droit naturel, les hommes sont égaux; mais la force et la vertu ont fait les distinctions de la liberté et de l'esclavage, de la noblesse et de la roture"<sup>134</sup>. This account takes note of Rousseau while arguing that social and moral factors invalidate him. The standard philosophe interpretation of society was Caraccioli's, "Les hommes par des distinctions souvent chimériques et des prétentions encore plus ridicules, ont mis une si grande disproportion entre les uns et les autres, qu'on les croirait presque d'une espèce différente", but if required by social function or sanctioned by antiquity, the juridical divisions of society remained justified<sup>135</sup>.

Standing almost alone was the abbé Jaubert's 'Eloge de la Roture' (London 1766), which looked back to a hypothetical past when the monarchy had recognised the true worth of commoners and not allowed them to be oppressed by their privileged superiors. The gap between Jaubert and Siéyès (both abbots given a political training in the Church) was the difference between political quietism and revolutionary discontent. This discontent was itself generated by a hardening of juridical barriers in the closing decades of the regime. The need to stress old over new nobility was as old as the institution itself, but in the late eighteenth century it became translated into action, especially apparent in both theory and practice in provincial States<sup>136</sup>. Over and above this some writers believed that only by increasing the number and rigidifying the structure of Orders could social stability be guaranteed<sup>137</sup>. There was also some realisation by the parlements that the juridical structure of society could be harnessed to serve the regime's interests as a

basis for institutional conservatism (see Chapter III).

Although theoretically undifferentiated, the nobility was highly structured. At the top came the royal family and Princes of the Blood, below them the peers, the Grands d'Espagne, the ducs-non-pairs, marquises, counts, viscounts, and barons. Baron was specified as the lowest title needed to sit in the Second Order of several local States. Below baron came the untitled nobility. Courtesy titles in this group were chevalier or écuyer. These were the divisions in rank - the divisions in time were primarily between the nobility of race, whose origins were lost in the deeps of time (or at least predated 1400), and the nobility of birth whose nobility could be traced to some specific date after 1400. Within this latter category came three further subdivisions: the first generation of nobility (ie. the man who has bought an ennobling office) could call himself an "anobli", his son could call himself "noble", but only his grandson could call himself "gentilhomme". Given roughly a twenty-five year gap between each generation the great-grandson a century later would at last be eligible for the fullest prerogatives of the Second Order such as preferential treatment in the Church and army, a seat in the Second Order in local States, or entry into the prestigious lay Orders such as that of the Holy Ghost <sup>138</sup>. This last division was largely an innovation of the late eighteenth century to cope with the influx of 10,000's of new men into the nobility, roughly doubling the nobility over the century to 400,000 by 1789. <sup>139</sup>.

The privileges shared by all nobles were: some fiscal exemption, notably from the taille personnelle, wearing a sword, displaying a coat of arms, rights of hunting, fishing, and game keeping, definite exemption from militia, road-building and billeting soldiers, preferential treatment in law, in entry to approved careers, and in social relationships (eg. special pew in church) <sup>140</sup>. There were several methods of acquiring a title, the most prestigious was by direct order of the king, particularly for bravery in action. Several careers, notably military and legal, led to automatic ennoblement at a specific rank. A method which had been made illegal in the eighteenth century, but which was still practised, was to buy a noble estate, and take title from that <sup>141</sup>. This was the classic example of a "false

title". A back-door method of certifying dubious or false titles, which had to be given the full force of law in Corsica, was when twelve proven nobles signed affidavits for the appropriate parlement that their protégé was himself noble. (This was the established method of proving nobility for the royal military school or for a Lay Order, accurate documents being rare <sup>142</sup>.) The commonest means of ennoblement was by purchase of office, mostly in the law courts, but some in royal or municipal administration. Municipal ennoblement was a declining institution in the eighteenth century, as against the politically safer King's Secretary (a sinecure) which gained ground over the counsellorships and presidencies in the sovereign courts. Necker's total of 4,290 ennobling offices has been accepted as the most accurate estimate <sup>143</sup>.

The problem of tensions within the nobility became acute during the century. Meyer describes the King's Secretary as the means of ennoblement, "...le plus connue, le plus moqué, le plus vilipendé, mais aussi le plus sollicité et plus efficace" <sup>144</sup>. The diarists, journalists, and chroniclers of the Parisian scene were forever recording anecdotes of the "gens de qualité" (ie. Court nobility composed of the nobility of race, and those of the more recent nobility who had managed to be presented at Court) or the militaires snubbing robins <sup>145</sup>. At the same time the greatest tension of all occurred where the nobles separated themselves from the middle-classes, and this was deteriorating during the century <sup>146</sup>. Turgot's resounding phrase, "la tâche de la roture" illustrates this tension and gap <sup>147</sup>. The custom re-bridging the gap between noble and commoner was derogation, which was demotion from noble to commoner for behaviour unbecoming to a noble. The classic cause of derogation was trading, (or retailing after 1767), but this was a myth, the only publicised case of derogation in our period was one du Luc d'Andilly, a Picardois militaire, who lost his title for cheating at cards in November 1778 <sup>148</sup>. Force des choses meant that as the numbers of the nobility increased so the scope of their activities widened, so that by the 1770's nobles were dominating through direct involvement, or by providing the necessary capital investment: metal industries, glass, mining, civil engineering, shipping, and manufacturing <sup>149</sup>.

Indeed by the end of the régime there was a trend towards the élite in every sphere becoming noble, thus excluding the middle-classes entirely. We thus have a pro-

gression from the British model of the nobility as a peerage, to the early century's French model of nobility as aristocracy, to the late century's pointers towards nobility as élite in the sociological sense <sup>150</sup>.

Some remarks above tend to contradict the picture painted by Ford of the nobility as a socially and politically unified group showing a united front against Louis XIV's absolutism, a picture accepted by almost every subsequent commentator <sup>151</sup>. The explanation is simply that those sharing this unity of outlook in 1715 continued to do so through to 1789, but took pains to differentiate themselves from the 200,000 or so anoblis of the century <sup>152</sup>. While the old distinctions were blurring - old robe and militaires becoming differentiated only by function and no longer by birth <sup>153</sup> - there were new ones coming in to replace them. If Bluche can make out a case for continued upward social mobility into the magistracy, which is accepted across the breadth of society <sup>154</sup>, he does not necessarily prove that these men were accepted with good grace by their new peers. The nobility, however, can be taken as a single group as the political nation, or "oligarchy of notabilities" <sup>155</sup>. Implicit in all contemporary writing was the knowledge that nobility gave entry to the political world as a birthright <sup>156</sup>. Taking up the point reviewing Mably in 1776, the Journal Encyclopédique complained that the political nation did not reach down to embrace those whose industry supported it, thus presaging Siéyès's lament that the Third Order was everything but counted for nothing <sup>157</sup>.

The essential problem for an eighteenth-century noble was birth <sup>158</sup>, but money could not be ignored. Money was the prerequisite for political ambition and for any successful career - without it he might never be presented at Court, he might never receive a post or a pension, neither entertain patrons, nor buy protégés, nor equip a regiment <sup>159</sup>. Within the nobility fortune ranged from the fabulous in the case of the house of Orléans to abject destitution among younger or bastard sons <sup>160</sup>. The norm of noble wealth was the small well-managed estate which kept the family solvent but which did not give scope for wider action in society <sup>161</sup>. Of great assistance to the nobility in general was the enormous

rise in land values during the century, caused by a land-famine, the spare cash to chase the land, and the need for new building land around the expanding towns.

The robe was the wealthiest section of the nobility, and its money came from two immediate visible sources: the *épices*, institutionalised bribes paid by both plaintiff and defendant, and the office itself, which represented a pool of capital to draw on in need. In his study of robe money Bluche analyses three categories of wealth: finance, marriage, and good management/<sup>of</sup>resources. The first category covered a wide range of investment and enterprise, which ties in with Meyer's observation that the nobility in general was beginning to dominate the economic scene. This point, however, covers the bulk of robe wealth which was tied up in land. This opens up two of the most important problems of the late regime, that much land (and hence many peasants) were managed by men who knew how to squeeze all possible revenue out of their estates without being concerned in investing capital or in technical improvement in return, and that the robe was a major landed interest in its own right thus extending its position in society from the towns into the countryside<sup>162</sup>. It was important, however, to recognise that money was regarded wholly as a means to an end by the nobility and neither as an end in itself nor as any measure of moral worth<sup>163</sup>.

A discussion of society and the nobility must lead to the phenomenon of the aristocratic reaction. The very concept of this reaction, however, must be qualified by the nature of the regime in the late century and the effect that Louis XIV's restructuring of society had had a century later. The Sun King's legacy was a social and political predominance of the robe; Sénac de Meilhan quoted one of Louis XIV's political maxims as, "...de ne confier l'exercice du pouvoir qu'à des magistrats"<sup>164</sup>. In the seventeenth century, and briefly again under Maupeou, the robe was used as the principal agent of royal absolutism, but the periods 1715-70 and 1774-89 saw the magistracy itself evolving towards a very different appreciation of its role. Inspired by Montesquieu, the magistracy saw its role as that of limiting the monarchy through dominance of law and administration, moving eventually towards the Venetian model eulogised by



Gibbon as, "...wise and jealous aristocracy, which reduced the doge to a pageant, and the people to a cipher" <sup>165</sup>.

To understand this we should look to the *Encyclopédie's* definition of magistrate, which covered all those who were involved in the conciliar administration, all involved in the law courts (including the peerage), municipal administration, and down through all administrative personnel to the curé and seigneur <sup>166</sup>. The magistracy, then, covered all types of nobility and up to 1% of the population. The failure of the regime to create a separation of powers meant that the administration en bloc had to be regarded as part of the magistracy - loyal to the crown, rather than its own esprit de corps only by choice. Soulavie defined the regime as dominated by fifty robe dynasties, "...et telle était la forme et la régularité des habitudes, qu'un esprit juste suffisait pour conserver nos antiques institutions intactes. Ces cinquantes familles avait d'ailleurs, en administration, un ton de timidité et une crainte des innovations qui en conservait l'esprit" <sup>167</sup>. This was an important analysis which contributes much to our understanding of the inertia which gripped the regime. Another analysis of the robe's grip on society was made by Coquecreau, "...par ses alliances avec la plus haute noblesse, par ses relations avec les diverses Ordres de l'état, par ses membres repondues dans chaque province du royaume (elle) formait de sa propre calamité une calamité générale" (of 1771) <sup>168</sup>. The most succinct comment was made by the *Ephémérides* refuting Rousseau in 1767, "...les magistrats, cet état si recommandable par la sainteté de ses fonctions, qui ne doit point être un Ordre dans la société, puisqu'il en est l'élite, par les lumières et par la droiture" <sup>169</sup>. Finally, the advocate-general of the parlement of Aix called the magistracy, "Ce corps indivisible de la constitution salique, essentiellement charge du dépôt de la loi du contrat entre le peuple et le souvain ... le magistrat considéré selon toute l'étendue de l'expression, est un juge, pontife, législateur..." <sup>170</sup>.

The conclusion we must draw is that the robe was the basic conservative force in society, the old regime's political, social, and administrative bedrock. The most basic socio-political theme of this study will be the attempts by various groups or individuals to break this robin grip on

society, whether feudal magnates or middle-class radicals. Conversely, the robe's political behaviour over the century, from the claim to form an aristocratic senate to the pretension to be guardians of a Rousseauist Social Contract, was the attempt by an already dominant élite to retain its position against attack. The conventional interpretation of the robe as a "liberal" force set against the "conservative" monarchy creates far more problems than it solves; the kind of political divisions and outlook it implies, also, are inapplicable to the old regime. Equally unhelpful is the suggestion still being made that the robe was a fifth column of Revolution <sup>171</sup>; any change in the status quo could only harm the robe. "La magistrature", writes Méthivier, "se dresse contre le courant du siècle" <sup>172</sup>. The true position of the robe in society was described by Condorcet writing to Turgot in the autumn of 1774. The recalled parlement would block legal reform because the existing "cruel", "oppressive", and "secret" laws benefited the judges' position in society against the judged. No independent tribunal could be established to act on grievances against the robe. Fiscal reform and essential financial policy would have to be dropped because of the power of parlementaire opposition. Ministers would find public opinion inflamed against them and reform would be subverted. The government would then be seen to be weak; impartial justice and administration would be abandoned; the Frondeur, and gothic attitudes of the past would reappear; and finally the robe would exploit its power to prevent the militaires from challenging its position <sup>173</sup>. This was an extraordinarily important analysis which described the pattern Louis XVI's reign was indeed to take.

An aristocratic reaction has long been assumed for the late eighteenth century <sup>174</sup>, a reaction implying that commoners were excluded from posts in favour of nobles. For such a reaction to have taken place, however, assumes that the France of Louis XIV had not been aristocratic. This assumption has been made on the basis of St. Simon's memoirs. More recent research, however, has shown it to be a myth; both Gruder for the masters of requests and Ravitch for the episcopate have shown that the same groups of people were as noble in the seventeenth century as in the eighteenth. Yet to dismiss an aristocratic reaction is not feasible because there is too much evidence that contemporaries were behaving

as though an aristocratic reaction were taking place <sup>175</sup>. The problem only unravels itself when we stop regarding the aristocracy as a unified group sharing the same interests and outlook and using the parlements as its spokesmen.

An illustration is the episode of a proposed "aristocratic reaction" in the French Knights of St John. This shows not only the pressure for such a reaction, but also shows how the regime was unable to satisfy it because of a clash of interests within the aristocracy. During the late 1760's opinion was canvassed around the knights on changing the existing entry qualifications which, along with all other such Orders, were 100 years or four generations (on the male side) of nobility. The knights in Malta submitted their own plan to the "justice knight", which would have meant that future applicants would have to prove fourteen quarterings or 200 years of nobility on both sides, and furthermore prove that no ancestor had ever been a commoner. The avowed aim was to, " ... porter à l'avenir à un plus haut degré d'élevation la noblesse de vos membres," and "... de n'avoir dans votre corps que de la plus pure, et saine noblesse " <sup>176</sup>. (This phrasing is reminiscent of that of the marquis de Crénolle in a letter to Choiseul in 1764, asking for the officer corps to be composed of, " ... la partie la plus pure de la nation ... " <sup>177</sup>).

The justice knight was doubtful as to the viability of the scheme, but his deliberations were overtaken by a veto from Choiseul. This was on 14 December 1770 and Choiseul's argument was that it was too important a regulation to meddle with and that the old regulations were the best of all possible regulations because they were the old regulations - a classic old regime ploy <sup>178</sup>. Choiseul never had an opportunity to discuss the matter further, but the debate on the regulations in the Chapter of Provence fills in the social and political background for us. The Chapter rejected the proposals unanimously, but on grounds of political expedience. The Chapter had noted a growing hostility towards its exclusive and privileged position from the parlement of Aix, and it feared the introduction of any new measure which might further antagonise the robe, who would, of course, have been excluded from the Order by these regulations <sup>179</sup>.

It is clear from the foregoing description of the regime that the crown had lost the initiative after 1715. The last years of Louis XV and the first years of Louis XVI saw a series of attempts by the monarchy to regain this initiative within ministerial politics. In the longer perspective, none of these enjoyed success, and we should look now at some of the salient reasons for the monarchy's weakness vis-à-vis its own political system.

Firstly, the robe had usurped the role of guardian of political orthodoxy. This had the effect of isolating the monarchy from the political process. From this position of strength, secondly, the robe's political culture after the mid-century acquired a logic and evolution of its own, best seen in the dissolution of the Jesuits <sup>180</sup>. This was an event of cultural significance, which seemed to undermine the Christian foundations of the regime in the eyes of both philosophes and dévots. It caused a shock equalled only by the Revolution <sup>181</sup>. This was because the Jesuits had controlled the education of the young and the confessionals of the Great, and had been a leading force in the intellectual world. Removing their guiding hand seemed to disarm institutional religion in the face of attack by the philosophes, Jews, Protestants, and the masses. What made this disarming so shocking was the government's apparent connivance in it. Christian apologists felt that they could no longer see the Church as an invulnerable bulwark. It encouraged philosophes to believe that an officially condoned demise of organised religion might be at hand.

Following the dissolution, politics polarised between those who had allied to destroy the Society, and its defenders <sup>182</sup>. This latter group was in the political wilderness except for the period 1771-4. The uneasy alliance of parlements and philosophes dominated the 1760's under Choiseul's loose guidance. Philosophie

became the cultural orthodoxy. Two elements of instability existed in this environment: the falling out of previous bedfellows and the cycle of attack and counter-attack between dévots and Choiseulists in the ministries 1768-70. In this struggle the wider interests of the regime were enlisted into day to day factional politics. Politics seemed to be dominated by the parlements in their pretension to be a force equal to the monarchy; Choiseul generally received the blame for this style of politics<sup>183</sup>.

During this period the magistracy set up the theory of the *unité des classes* as a rival to the monarchy's absolutism. Three quotations serve to sketch in the essentials of the theory: "Il n'est qu'un seul unique parlement de France divisé en plusieurs classes absolument égales quant à leurs fonctions, attributs, droits, et prérogatives, et qui, sans prééminence entre elles, ne connaissent qu'une même origine, un seul principe, un centre unique de la personne du seigneur roi" (parlement of Grenoble). *Unité des classes* "...ce corps indivisible de la constitution salique, essentiellement chargé du dépôt de la loi, du contrat entre le peuple et le souverain..." (parlement of Aix). "Il faut donc un corps représentant la nation; elle a choisi le parlement..." (Darigrand)<sup>184</sup>. Building on these constitutional pretensions, the parlement of Paris issued this arrêt 7 January 1771 in extremis; the court claimed competence over, "...la direction des faits par lesquels est policée et entretenue la chose publique (du) royaume, dont ils sont les ministres essentiels comme membres du corps dont (le roi) est le chef..."<sup>185</sup>.

One reason why the monarchy did not feel able to challenge the magistrates within the normal framework of politics was its financial weakness. Cobban quotes a figure of the national debt being 93,000,000l. in 1774 rising to 300,000,000l. by 1789, but a leak from the Control General in 1768 was summarised thus, "Thus the debts and distress of government have been gradually increasing since (the Seven Years War), and by the mismanagement of M. de Laverdy while he was Controller General, the debts of the crown, as I have been assured were increased to the amount of 900,000,000l., which is considerably more than two years income of the crown."<sup>186</sup>. The structure of the national debt,

the structure of finance in general, and the added discouragement of economic recession after 1768 all combined to ally every vested interest against reform or experiment.

The Enlightenment can be seen as a lost opportunity for the monarchy. Both in 1771 by Lebrun, and in 1774 by Breteuil, it was appreciated that the Enlightenment and the talent it represented should be harnessed to the monarchy <sup>187</sup>. In the event, the Enlightenment diverted its energies into either defending the institutions in the tradition of Montesquieu, or into undermining the regime in the tradition of Sade with materialism, cynicism, or pornography. The Enlightenment led into democracy (in its modern sense) either in theoretical speculation or directly in the revolutionary American context.

The Enlightenment clearly stamped the politics of the period 1774-8. Philosophes themselves took office. This was the culmination of a trend extending forward from the 1760's. Under Turgot and Necker the concept of a bureaucracy of talented men steeped in the Enlightenment began to emerge. The quality and intellectual talent of the regime's administrative personnel improved greatly in the last few decades of its existence. It was disappointing, though, that they directed their main energies towards defending the aristocratic institutions, and working to ensure the continued survival of a society based on privilege and inequality. They did make the administration both more humane and more efficient. Even these limited reforms were enough to alarm conservative opinion, and alert it against further reform.

Following on from the mid-century turning point, the regime began to alienate various groups so as to deprive itself of support by the time of the Revolution. One example is the Huguenots who were patronised by Turgot, but rebuffed by Louis XVI in a familiar late regime pattern of hopes being raised and then left unrealised<sup>188</sup>. Another example is the *militaires* who became disaffected with a regime that had suffered military disaster, allowed its educational system to collapse, had made its armed forces a battle field for ministerial faction, and allowed corrupt parvenus to undermine old virtues in all areas of public life. As a result of this disaffection groups such as the marshals sometimes tried to improve their position with independent initiatives. These were generally interpreted as a threat to the monarchy and suppressed<sup>189</sup>. As a result groups able to act in society on behalf of the monarchy were transformed into its enemies, or at best discouraged from helping it. On an individual level the provincial governors found themselves acting as bulwarks of the monarchy and central government while being treated with hostility and mistrust by most ministries and bringing odium upon the monarchy when they were successful<sup>190</sup>.

The Church ought to have been a pillar of the monarchy, but in practice it was a millstone around its neck, and this must be explored. The Church was a perennially easy target for the philosophes both for the faults of its individuals and for the abuses of the institution (eg. the early age at which holy orders could be taken<sup>191</sup>).

At the bottom the curés were disaffected having seen their economic, social, and cultural position eroded since the mid century<sup>192</sup>. What help was forthcoming was too little too late to prevent expressions of discontent being publicised. In 1775 the curés, "Cette classe d'ecclésiastiques si maltraitée, met sous les yeux du roi son extrême indigence, et intéresse l'humanité, ainsi que la religion, à venir à son secours, par les détails où ils entrent de leur misère"<sup>193</sup>. In the same year the curés of Dauphiné submitted a detailed complaint to the Secretary of State for Foreign Affairs asking for a guaranteed 1,500l. a year to maintain a standard of living which would enable them to dress well, keep a servant, keep a horse, buy books for religious instruction, eat meat

every day, and offer accomodation to travellers (eg. Arthur Young) <sup>194</sup>. It was at this period that Turgot and Malesherbes were recruiting the clergy into the administration as the most local agent of royal authority, as had been pioneered in Limousin <sup>195</sup>. The eventual result of the failure to redress grievance on the one hand and the involvement of the curés in the political process on the other was to politicise them, and they came to see their true role in society as to champion rather than to control the oppressed.

The parts of the Church inside the political nation were the episcopate and the General Assembly of the Clergy. The Assembly had competence over not only obvious spiritual matters - including the continual if sometimes disingenuous attacks on philosophes and Huguenots - but also over the internal financial, administrative, and judicial direction of the Church. The power and autonomy this conferred on the Church caused it to be likened to a state within a state <sup>196</sup>. The Church ranked with the armed forces and the tax farms as great privileged corporations, but it was also an Order in its own right, and in its élite an adjunct of the nobility. For these reasons the magistracy could often deflect attacks onto the Church by claiming it alienated a third of the realm from its king and force him to negotiate for his fiscal due <sup>197</sup>.

The organ of this autonomy was the quinquennial Assembly. It was composed in half of bishops, who invariably dominated the proceedings; the other half were generally abbots and clerics of similar rank, generally of noble origin, and never included curés <sup>198</sup>. There were lesser intermediary sessions with an even higher proportion of bishops, these met to debate the don gratuit. The don gratuit averaged 4,000,000l. a year <sup>199</sup>. The Assembly was a power to reckon with after its victory over Machault's attempt to destroy its fiscal autonomy. Its influence pervaded the political nation through the ecclesiastical peers in the parlement, through Great Officers of State at Court, through philosophe bishops in the capital, and through bishops in the provinces exercising important functions in assemblies. It controlled fiscal income, large amounts of land and property, and acted as a bastion of aristocratic privilege. At the same time a Christian monarchy could not disown its Church, or even be seen to attack it too strongly. The faults of the Church reflected also on the monarchy.



Sénac de Meilhan reckoned that their political autonomy allowed the clergy to pay only half the taxation that even privilégiés would expect to<sup>200</sup>. This caused bitterness and contention in society because there were also complaints that the Church was not pulling its weight in charity and poor-relief<sup>201</sup>. This produced one of the most compelling myths of the late regime, that the Church represented a vast untapped pool of wealth which, if released, could pay off the national debt<sup>202</sup>. The wealth was indeed there, but only as land and property, not as liquid capital. The Church's lands, furthermore, had been mismanaged to the point of chronic and irreversible indebtedness. In 1772, "The debt of the clergy amounts to about 130,000,000l.; their revenue as a body corporate is something more than 3,000,000l., which not being sufficient to answer these demands, all deficiencies must be made good by an assessment that affects the ecclesiastical benefices". By 1784 the debt had risen to 134,000,000l. and the cost of financing it 5,860,000l. a year<sup>203</sup>.

The Church was faced with the nightmarish situation of its revenue being insufficient even to stabilise its liabilities - the old regime's finances in microcosm. This situation, however, affected the 'ordinary' revenue, and to raise the extra funds needed to pay the balance of the debt charges and the don gratuit. A 'decime' to raise the 6,000,000l. or more was levied most heavily on the lower clergy, added to their economic distress and political discontent<sup>204</sup>.

Civil and ecclesiastical authority were closely linked. The Gallican Church was an adjunct of the "police" of H.M.C.M.'s realm. The bishop Lefranc de Pompignan stated, "... les peines ni les recompenses temporelles ne suffirent pas pour graver dans le coeur de l'homme la vénération due aux loix"<sup>205</sup>. In his circular letter to bishops pacifying the provinces affected by the Flour War Louis XVI wrote, "Le maintien de l'ordre public est une loi de l'Evangile"<sup>206</sup>. Fréron commented that the much reprinted 'Des Causes de Bonheur Public' (Abbe Gros de Besplas) showed, "... dans le clergé l'union intime du ministère des pasteurs avec l'ordre public"<sup>207</sup>. Some of the more dévot parlementaires responded to this call, most notably Séguier who hoped to build a 'throne and altar' ideological base for the monarchy. The judgment against Ség-

uier was that he, "... sets up the odious interests of the nobility and clergy against the cries and groans of the poor"<sup>208</sup>. Loss of faith in the Church and its religion, and the exposure of its abuses and its bias in favour of the nobility weakened one of the monarchy's main supports.

Royal authority as transmitted down through the administrative structures was fatally flawed by the phenomenon known as ministerial despotism. This meant in practice that the crown had lost its day to day grip on government, and never regained it<sup>209</sup>. Ministers acted with the full and explicit authority of the crown, sometimes to settle personal scores, but without ever having to account to the authority they operated under. Lettres de Cachet were the most glaring example of this abuse. The crown had to carry the opprobrium for events it knew nothing about. Much of the bitterness generated in Breton politics in the 1760's derived from the suspicion that Aiguillon had abused royal authority.

The realm Louis XVI inherited suffered from three major flaws. The most obvious to the young king was that the crown had lost the initiative, and much of the rest of this study will concern the attempts to regain it. The second problem, only tentatively recognised at the time, was the vast increase in the number of nobles at the top of society, and the various pressures, imbalances, and conflicts this set up. Lévis warned of a disintegration in the political nation, "Les militaires s'occuperaient d'administration, les magistrats abandonneraient les procès et rêvaient politique, les gens de lettres voulaient faire les lois, les abbés parlaient finance, et les femmes de tout"<sup>210</sup>. The third problem was the crushing poverty of the peasantry, "Plus de deux tiers (du peuple) vivent dans une infortune qui fait gémir le gouvernement", and the relationship between this and government insolvency was recognised<sup>211</sup>.

We must credit Louis XVI with an awareness of these problems and a desire to solve them. There was room at many points in the regime for reform and development within the existing frameworks, and Louis was to try to exploit these especially through Necker's Control General.

SUMMARY

This chapter has provided definitions of the regime as a base of data from which to present subsequent lines of enquiry. In this chapter some aspects of the regime are reappraised very broadly: its geopolitical and economic divisions, the pressures for devolution, and the changes taking place within the nobility.

The structure of government and administration shows how the relics of a medieval constitution co-existed with new forms being introduced during the eighteenth century. It is shown that a constitution can be said to have existed, which throws new light on the opposition to reforming ministers to be examined in following chapters. The study of the political élite leads to the discovery that the robe had become the basic "conservative" force in society. Changes in the structure of the nobility meant that in France the "aristocratic reaction" took place within the nobility as a process of readjustment to the influx of tens of thousands of new nobles since 1715.

The crown in 1774 faced four broad areas of challenge: to regain the initiative in ministerial politics, to harness the energies of changes within the nobility, to establish a more constructive relationship with the institutions, and the "peasant problem".





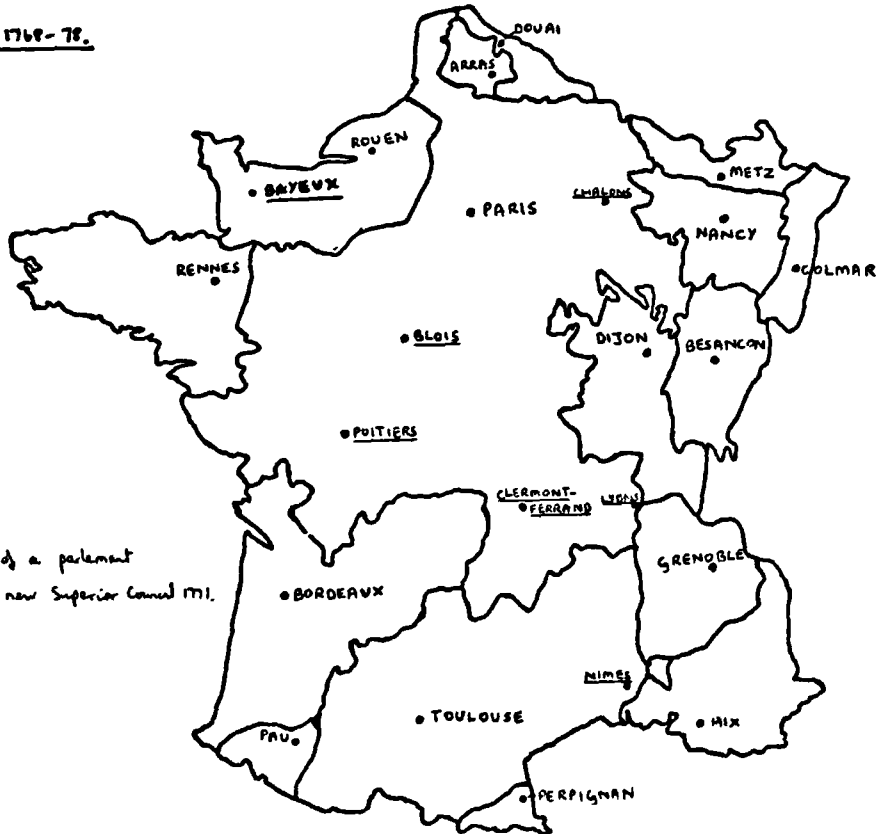
MAP IV

GENERALITIES.



MAP V

PARLEMENTS 1768-78.

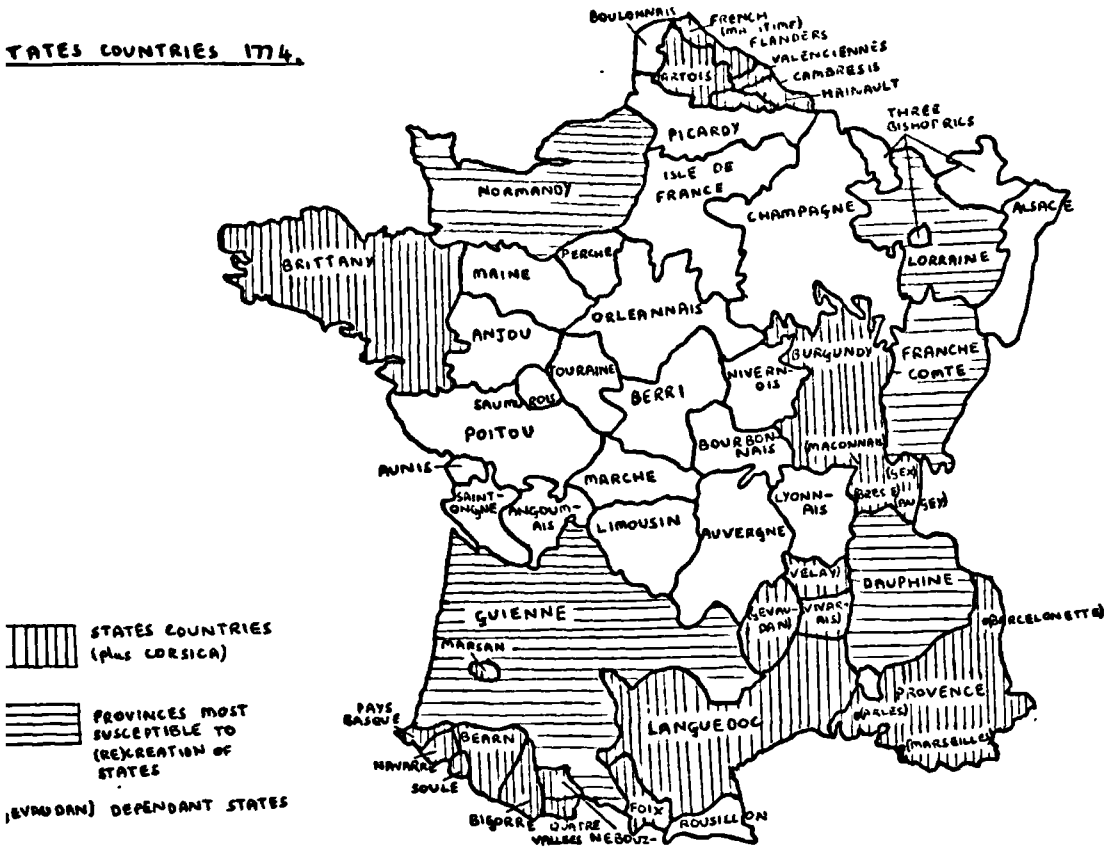


◻ TOULOUSE : seat of a parliament

◻ BLOIS : seat of a new Superior Council 1711.

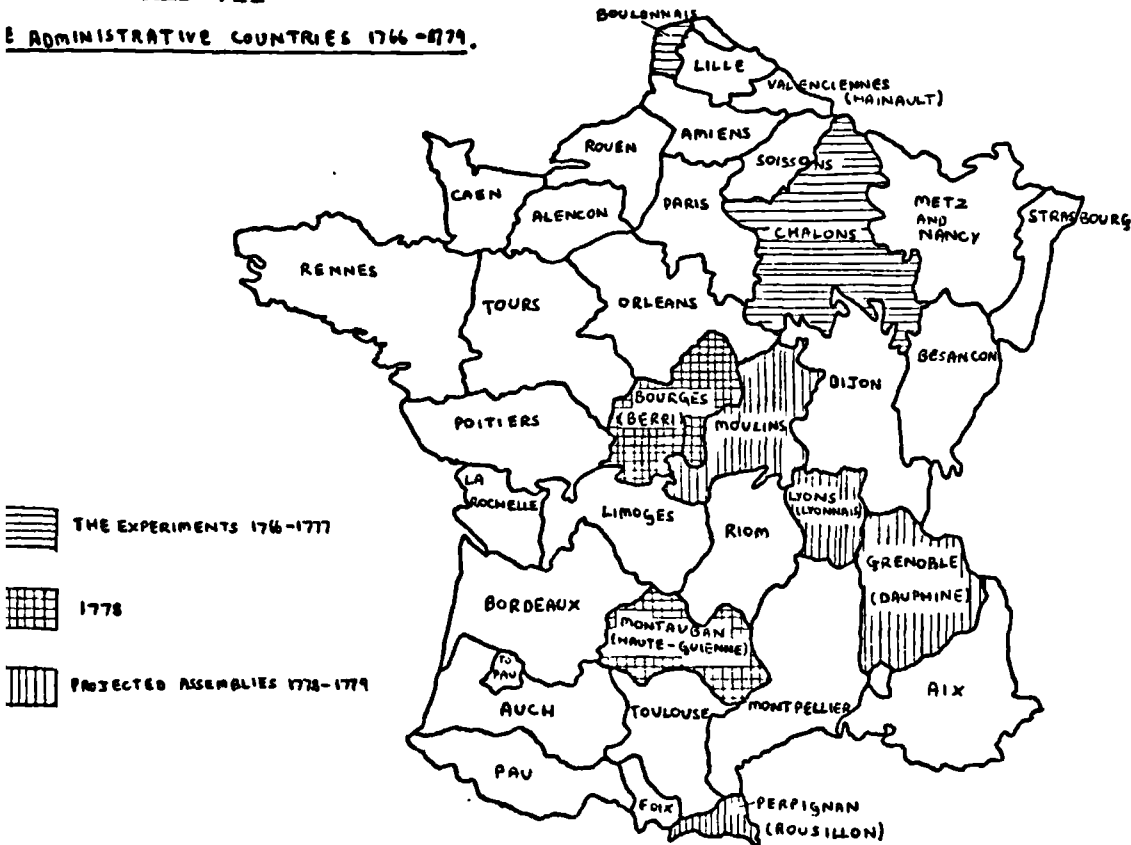
MAP VI

STATES COUNTRIES 1774.



MAP VII

ADMINISTRATIVE COUNTRIES 1766-1779.



FOOTNOTES

1. 'L'Ancien Régime' H. Méthivier. Paris 1964. pp.5-7.  
This is the most useful starting point for a study of the old regime.
2. 'History in Geographic Perspective: the Other France'. E.W. Fox. New York 1971. This study is exclusively economic, and does not bring in political factors. The same criticism applies to 'The Ancien Régime, French Society 1600-1750'. P. Goubert. London 1973, which follows the same line of thought in the divisions of France. 'The Age of Democratic Revolution' R.R. Palmer. 2 vols. Princeton 1959 (all references will be to Vol.1 'The Challenge').
3. 'Histoire Economique et sociale de la France' ed. F. Braudel and E. Labrousse. 2 vols. Paris 1970. (Vol II 'Des Derniers Temps de l'Age Seigneurial aux Préludes de l'Age Industriel 1666-1789'. E. Labrousse et alia) p.226.
4. 'Considérations sur les Moeurs de ce Siècle' C.P. Duclos (6th edn.) Paris 1772. p.13. (see Chapter V for a study of Duclos).
5. 'Tableau de Paris' L-S Mercier. 2 vols. London 1781. I pp. 27, 36-7.
6. 'The Ancien Régime and the French Revolution' A. de Tocqueville. London (Fontana edition) 1966. (First published Paris 1856). pp. 98-107. This remains the classic study of the period, and the yardstick against which all others are measured.
7. quoted in 'Royal Commission on the Constitution 1969-1973' 2 vols H.M.S.O. 1973 (Cmd. 5460-1) (The Kilbrandon Report) I p.87.
8. 'Eléments de la Politique, ou Recherches des Vrais Principes de l'Economie sociale'. Comte de Buat -Nançay. 6 vols. London 1773. II p. 391 (in context of Frank-fief).
9. The two theses are précised in 'The Attack on "Feudalism" in Eighteenth-Century France' J.Q.C. Mackrell. London 1973. pp. 20-7, and 'Le Siècle de Louis XV' H. Méthivier Paris 1972 pp. 79-86. 'Dissertation sur l'Origine et les Fonctions Essentielles du Parlement, etc.' Cantalauze de la Garde Amsterdam 1764. pp. 103-4.
10. Falmer I pp. 73-4.



11. 'The Ancien Recime' C.B.A. Behrens. London 1967. p.16.  
This study is a starting point for recent historiography of the old regime. This view of the regime is also held in 'Europe in the 18th Century'. G. Rudé. Suffolk 1972 pp. 2, 73, 89. 'Annales Politique, Civiles, et Littéraires du Dix-huitieme Siècle'. S-H-N. Linguet. The Hague 1777-90. I p.445. 'Pièces Détachées relatives au Clercé séculier et régulier'. Maquis de Puysegur. 3 vols. Amsterdam 1771. I p.21 (second "pièce").
12. 'Les Mirabeau' L. de Loménie. 5 vols. Paris 1889-91. II pp. 132. 'La Réforme de l'Etat au 18<sup>e</sup> Siècle'. F. Piétri Paris 1935. p. 11, although a substantial work, Piétri searches too overtly for the origins of the Third Republic.
13. 'Les Intendants de Province sous Louis XVI' P. Ardascheff. 3 vols. Paris 1904-09. (only Vol. I is of use) I pp. 85-6, 109-36. Ardascheff remains the only comprehensive study of Louis XVI's reign as a separate phase of the monarchy.
14. 'Louis XV et l'Opposition Parlementaire 1715-74' J. Egret Paris 1970. pp. 103-9.
15. 'Le Farlement de Dauphiné et les Affaires Publiques dans la Deuxième Moitié du 18<sup>e</sup> Siècle'. J. Egret. 2 vols. Paris 1942. II p. 140 (Egret provides a brief bibliography of the trend).
16. 'Mémoire sur les Etats Provinciaux' (undated, unsigned). Archives Nationales. K. 680. p. 37. This manuscript appears to be a comprehensive précis of Mirabeau's work for the government's use.
17. 'La Noblesse Bretonne au 18<sup>e</sup> Siècle' J. Meyer. 2 vols. Paris 1966. II p. 1083.
18. 'Old Regime Governors Bureaucratic and Patrimonial Attributes' J.A. Armstrong. (Comparative Studies in Society and History Vol. 14. 1972) (evidence taken from 'The Royal Provincial Intendant : a Governinc Elite in 18th Century France'. V. Gruder. Cornell 1968).
19. 'L'Espion Dévalisé' London 1782 p. 211. (the name on the title page is A.L. Baudouin de Cuemadeuc, but L. Guimbaud 'Un Grand Bourgeois au 18<sup>e</sup> Siècle Aucet de Montyon 1733-1820'. Paris 1909 p. 115 asserts that the author was Mirabeau). This was one of the most incisive, and reliable, even if outspoken, accounts of the late regime

- it deserves to be taken very seriously.
20. 'La Science du Gouvernement' Curban de Réal. 8 vols. Aix-la-Chapelle. 1761-5. I pp. xii, 309. 'Opinions, Rapports, et Choix D'Ecrits de Charles-François Lebrun (duc de Flaisance)' Paris 1829. p.195 (quoting a speech by Maupeou). (Lebrun's memoirs were dictated on his death-bed, and while reliable in this context, are not always accurate; though they may be inaccurate on details and chronology it is unlikely that any of their important content is fabricated.) 'Nouveau Mémoires du Maréchal duc de Richelieu 1696-1788' ed. Lescure. 4 vols. Paris 1869-71. IV p. 277. These memoirs are a reconstruction from the duke's papers, and while not authentic, are too interesting to be ignored. Séguier quoted 'Du Plus Heureux Gouvernement' S-H-N. Linguet. (Vol. I of 'La Théorie des Loix Civiles' 6 vols. London 1774) I p.6. 'Encyclopédie, ou Dictionnaire Raisonné...' ed. D. Diderot et alia. 17 vols. Paris 1751-1765 (under "Ordonnance").
  21. Linguet, Annales II p. 26. Much bitterer comments in the same vein appeared in 'La Gazette Noire par un Homme qui n'est pas Blanc' Thévenau de Morande (Paris ?) 1784 pp. 3, 34.
  22. "Animate" was a popular word in the political currency of the period (eg. 'De l'Administration des Finances de la France' J. Necker. 3 vols. (Paris ?) 1784. I p.lxxv. .
  23. 'Louis XVI Détrôné avant d'être Roi' Abbe' Proyard. London 1800 (an expanded version of a pamphlet published in 1774) pp. 171-2.
  24. 'Mercure Historique et Politique' The Hague 1771. I p.93. 2 vols. a year. Founded by Bayle, the Mercure maintained a high standard of political reportage. (In the political context of this speech, Séguier's prayer went unanswered).
  25. S.P. 78. 292. p. 169 (15 June 1774).
  26. Réal I pp. xii, 309, IV pp. 119 (quoting Loyseau), 709-10, 723, Chapter II and Appendix I.
  27. Réal VI pp. 167-8, 'Leçons de Morale de Politique, et de Droit Public', J-N Moreau. Versailles 1773. p. 175 (in a letter to president Hénault). 'Combien le Respect pour les Moeurs Contribue au Bonheur des Etats' Abbe' le Moy. (reviewed Mercure de France 1777 II pp. 101-14). Similar views expressed 'De la Législation ou Principes des Loix'

- Abbé Mably. (Vol. IX of 'Collection Complète des Oeuvres de l'abbé Mably', 15 vols. Paris Year III (1794-5), first published 1777). p. 41. 'Journal de l'Abbé Véri' 2 vols. Paris 1928 II p.22. These are regarded as one of the most important sets of memoirs of the period, Véri was a friend of Turgot, Malesherbes, Champion de Cicé, Loménie de Brienne, and Maurepas. They are, however, flawed by an uncritical adulation of Turgot.
28. Duclos pp. 5-6.
29. 'Réflexions Philosophiques sur l'Impôt'. J. Tifaut de la Noue. Paris 1775.
30. Mercure de France 1769 VII p.871. 1773 IX p. 112. (The Mercure, 16 vols. a year, was, "the periodical of the fashionable world" (Mackrell p. 38) it was the most read periodical and its position was slightly to the radical of orthodox). 'L'Année Littéraire' 1777 VII p. 218. (The leading dévot monthly, the Année was edited by Fréron father and (1776) son, it recruited the bulk of the regime's conservative literary talent). Malesherbes quoted 'Gazette de France' 1774 p. 909. (the May 1774 Court of Aids speech). Superficially a Court circular, the Gazette could run to solid political reportage.
31. 'Mémoires Secrets de J-M. Augéard' Paris 1866 p. 81. 'Histoire des Evénements Arrivés en France 1770-75'. Regnaud. 3 vols. Bibliothèque National Manuscripts Français 13733-5. II p. 164. Both these sources were close to Malesherbes, Augéard as a Court financier and friend, Regnaud as an attorney and disciple.
32. 'Correspondance Littéraire, Philosophique et Critique, Addressée à un Souverain' F-M. Grimm. 17 parts Paris 1812-14. I pt. III p.4. 'Du Gouvernement, des Moeurs, et des Conditions en France avant la Révolution'. Sénac de Meilhan. Hamburg 1795. pp. 14-16. 'Souvenirs et Portraits 1780-89' duc de Lévis. Paris 1813 p.11. Buat, Eléments II passim.
33. Linguet, Du Plus Heureux Gouvernement II p. 56.
34. Behrens pp. 96-8.
35. Réal IV p. 130.
36. Archives Etrangères, Mémoires et Documents France 153. 'Extrat de l'Etat Politique de la France 1777' pp. 19-20 'Nouvelle Description de la France'. Piganiol de la Force. 15 parts. Paris 1752-4. I pt.I pp. 515-28.

- Réal passim. In 'Dictionnaire des Institutions...'  
M. Marion. Paris 1923. Marion, who is hostile to the  
concept of fundamental laws, would agree with this list,  
with the reservation that only the first and second were  
universally held and not relative to any particular  
period.
37. 'Les Lois Fondamentales de la Monarchie Française'.  
A. Lemaire. Paris 1907. pp. 209-16, 259-60, 241-3.
  38. 'Montesquieu, a Critical Biography'. R. Shackleton.  
Oxford 1961. pp. 272, 268, 277-81, 284-5, 291.
  39. 'L'Antifinancier' Darigrand. Amsterdam 1763. p.6.
  40. Regnaud II p. 164.
  41. 'Journal inédit du Duc de Croÿ 1718-1784' 4 vols.  
Paris 1906. II p. 509. Along with Lévis, Croÿ was one  
of the few Great to leave comprehensive memoirs hostile  
to Choiseul.
  42. 'Mélanges Confus sur des Matières fort Claires' Thévenau  
de Morande (Paris ?) 1771 p.2.
  43. 'Journal Historique de la Révolution opérée dans la Con-  
stitution de la Monarchie Française...' Pidansat de  
Mairobert and Mouffle Dangerville. 7 vols. London 1774-5  
I pp. 5, 70. This journal's detailed - and accurate -  
political reportage marked a new level of public  
awareness and interest in politics.
  44. Egret, Opposition Parlementaire p.227.
  45. 'Economic and Social Conditions in France during the 18th  
Century' H. Sée. New York 1935. p. 10. 'Louis XVI ou  
la Fin d'un Monde' B. Faÿ. Paris 1961. p. 126. Faÿ  
draws on Aranda's papers in Madrid, and is, therefore,  
one of the most interesting recent accounts of the  
period - once away from Aranda, however, Faÿ is unpro-  
fessional and unreliable.
  46. Réal II p. 18. The problem of secular and ecclesiastic-  
al jurisdictions overlapping was recognised and discussed  
in 'Code Ecclesiastique'. J-B. Coudert de Clozel. 2 vols.  
Paris 1775. ('Journal Encyclopédique'. monthly Bouillon  
established 1754. 1775 VII pp. 203-4).
  47. A.E. M.D. Fr. 1740. Provence 1764-1776 'Délibération  
de la Communauté de Gignac' (11 September 1768) pp.2-3.
  48. Réal. II p. 32.
  49. 'Sword and Mitre' N. Ravitch. The Hague 1966. pp. 69-71

50. 'L'Autonomie Administrative de l'Episcopat Français à la Fin de l'Ancien Régime' L. Levy-Schneider (Revue Historique 1926). p.6.
51. 'Le Clergé Faroissial dans le Diocèse de Reims à la Fin du 18<sup>e</sup> Siècle'. D. Julia (Revue d'Histoire Moderne et Contemporaine 1966) pp. 206-7.
52. 'Memoirs of Marmontel' 4 vols. London 1805. II p.8.
53. See Chapters II , VI , and Appendix I.
54. S.P. 78. 276 pp. 242-3. Marion, Dictionnaire des Institutions...
55. 'Le Roi et ses Ministres pendant les trois Derniers Siècles de la Monarchie' F. Violet. Paris 1912. p.573. Despite its age, this is still the most solid reference book on administrative detail.
56. The specific information on internal procedure is found in S.P. 78 276 p. 227. 'The Parlement of Paris' J.H. Shennan. London 1968.
57. 'L'Alambic Morale' Aubusson. Maroc 1773. p. 512. (The various works which will here be attributed to "Aubusson" are generally catalogued under Rouillé d'Orfeuil, the problem of authorship and the important ideas in these books will be explored in Chapter V .
58. Officially recognised gubernatorial survivance recorded in 'Gazette de France' 1770 pp.135 (Roussillon), 460 (Brittany, Franche-Comté, Boulonnais).
59. 'Les Macistrats du Parlement de Paris au 18<sup>e</sup> Siècle' F. Bluche. Besançon 1960. pp. 50, 57-8. Gruder pp. 69, 83. 'Le Prix des Charges Anoblissantes à Bordeaux au 18<sup>e</sup> Siècle'. W. Doyle. (Annales du Midi 1968).
60. 'Noncapitalist Wealth and the Origins of the French Revolution' G.V. Taylor p. 477. (American Historical Review 1966-7).
61. Sénac de Meilhan, <sup>du Gouvernement</sup> pp. 76-84, 95-100.
62. Bluche, Parlement de Paris p. 49. Gruder p. 47. 'A History of Modern France' A. Cobban. 2 vols. London 1961 (2nd Penguin edition) I p.62. 'Aspects of the French Revolution' A. Cobban London 1968 p.68. 'The Bourgeoisie de Robe in 1789' P. Dawson (French Historical Studies 1965) p. 2.
63. 'Malesherbes, Premier Président de la Cour des Aides' J. Egret. (Revue d'Histoire Moderne et Contemporaine 1956)

- pp. 97, 112-13. Gruder p.48. 'Le Parlement de Paris' E. Glasson. 2 vols. Paris 1901. II pp.335-40.
64. See Chapter II and Appendix II, term coined by Egret. Opposition parlementaire p. 227.
65. 'Le Conseil du Roi sous le Règne de Louis XV' M. Antoine Geneva 1970. pp. 123,178, and passim.
66. Maurepas addressing the Council 19 July 1774, quoted Véri I p. 134.
67. Espion Dévalisé p. 215.
68. 'L'Alambic des loix' Aubusson. Hispaan 1773. p. 268.
69. Violet p. 528.
70. quoted Tocqueville p. 65 (Law to Argenson).
71. 'La Fin de l'Ancien Régime et la Révolution Americane' P. Sagnac. Paris 1941. pp. 119-20. Similar judgment in 'Ephémérides du Citoyen'. Paris 1767-1773 monthly. 1771 IX p. 170. The Ephémérides was the leading physio-ocrat journal to which most of the économistes contributed. (Most articles were anonymous, and a consistent editorial policy (of agricultural innovation under a reforming monarchy) was followed; individual articles, therefore will not be given detailed references. This practice was adopted at the time by the Année Littéraire (1768 III p. 248) ).
72. Réal IV p. 785.
73. Violet pp. 525-8. Behrens 99-101. 'Turgot and the Ancien Regime in France' D. Dakin. London 1939 pp. 28-9. 'Government Assistance in 18th Century France' S.T. McCloy. North Carolina 1946. passim.
74. Ardascheff opp. cit. 'Les Intendants de Louis XV' M. Bordes (Revue Historique 1960).
75. 'Les Jugements de l'Intendant de Paris en tant que Commissaire du Conseil' H. Spitteri (in 'Questions Administratives dans la France du 18<sup>e</sup> Siècle'. J. Phytillis et alia Paris 1965) pp. 189, 195.
76. Gruder p. 47.
77. 'The Taking of the Bastille' J. Godechot. London 1970 pp. 70-86.
78. Espion Dévalisé p. 235.
79. 'Les Intérêts de la France Mal-entendus' A. de Goudar 3 vols. Amsterdam 1756. I p. 83. 'Considération sur le Gouvernement Ancien et Présent de la France' Argenson. Amsterdam 1765, pp. 161, 183.

80. Gruder p. 90.
81. Aubusson, Alambic Morale pp. 284, 356.
82. quoted and discussed in 'The Administrative Noblesse of France during the 18th Century, with Special Reference to the Intendants of the Generalities' G.J. de C. Mead 2 vols. (unpublished London Ph.D. thesis 1954) I p. 6.
83. Espion Dévalisé pp. 216-28.
84. See Chapter VI.
85. 'French Finances 1770-95' J.F. Bosher. Cambridge 1970 p. 49.
86. Thévenau de Morande, Gazette Noire p. 59. 'The Ancien Regime, a Manual of French Institutions and Social Classes' F.C. Green. Edinburgh 1958 p.17.
87. 'Les Impôts Directs sous l'Ancien Régime' M. Marion. Paris 1910. p. 1. Goubert, the Ancien Regime pp. 91-2. (Behrens defines and analyses taxes in her glossary pp. 195-201.)
88. Marion, Les Impôts Directs. pp. 49, 51-2.
89. 'Une Enquête sur les Vingtièmes au Temps de Necker' G. Lardé. Paris 1920. pp. 1-7. British Museum Additional Manuscripts 34412-34462 'The Auckland Papers' 50 vols. III p. 456. ("inside" information from Paul Wentworth on an agreement between Terray and the parlement in 1771 to allow consultation on taxation). (William Eden was an Undersecretary of State at the Foreign Office. The correspondance from some of his agents continues where the official embassy papers leave off. Wentworth on 15 May 1777 (II p. 458) described an introduction from Stormont as, "... a key that unlocks many important secrets at Versailles". The papers also contain many important intercepted American dispatches). Dakin, Turcot p. 57.
90. 'The Gentleman's Magazine and Historical Chronicle' ed. (pseud.) Sylvanus Urban. London monthly. 1771 V p. 283.
91. Green p. 19. 'The Coming of the French Revolution' G. Lefebvre. New York - (undated Vintage Books edition of R. R. Falmer's translation of '1789' G. Lefebvre. Paris 1939). p. 36 defines "financiers" more closely.
92. 'The Circle Duty Project' J.F. Bosher. London 1964 pp. 5, 7, and passim.
93. The General Farms described Behrens p. 196. Bosher,

- French Finances and Single Dity Project passim. 'The Royal General Farms in 18th Century France' G.T. Matthews. New York 1958.
94. '1789' pp. 14, 21-22 ('1789' by the Théâtre du Soleil, script reprinted in full in 'Gambit' (International Theatre Review) 1971.
95. 'The Nobility of Toulouse in the 18th Century; a Social and Economic Study' R. Forster. Baltimore 1960. pp. 38-9. The area around Toulouse experienced very specific problems and socio-economic structures, and many of Forster's findings can not be generalised. For all this Forster's study is one of the most important we have.
96. Green pp. 20-1.
97. 'Oeuvres de Mr. Turgot' 8 vols. Paris 1808-11. V p. 265 (a scathing attack on the commercial middle-class of Angoulême in 1769). 'Mémoires' duc de Choiseul. 2 vols. Paris 1790 (first published Chanteloup 1778). I p. 204. (comparing commercial interests of Bourges and Bordeaux). (There are two editions of Choiseul's memoirs, both authentic, the Chanteloup edition was published to vindicate Choiseul in terms of what had happened 1770-78).
98. Mead I pp. 240-1.
99. See Appendix I.
100. S.F. 78 280 p. 65, 282 pp. 250-1, 291 p. 183.
101. Linguet, Annales I pp. 36-7, 41.
102. Dakin, Breakdown of the Old Regime p. 600.
103. 'Récherches et Considérations sur la Population de la France' Moheau (pseud. for Montyon) 2 vols. Paris 1778 II pp. 116-118.
104. Réal VI pp. 150-1. 'L'Ancien Régime devant le Mur d'Argent' L-P May. Paris 1935.
105. see Chapter V.
106. 'Plan d'Imposition Economique et d'Administration des Finances' R. des Glannières. Paris 1774 p. 3.
107. 'Oeuvres Complètes de M. Necker' ed. baron de Staël 15 vols. Paris 1820. II pp. 179-80.
108. Puységur I pp. 26,29 (second "pièce").
109. A feature of the regime made explicit by Linguet, Annales II p. 435. 'Mémoires Secrètes pour servir à l'histoire de la République des Lettres en France' 36 vols. London 1777-89. L. Petit de Bachaumont et alia. IV p. 322. (Bachaumont, a man of letters rather than philosophe,



- edited the first four volumes, he was succeeded by Pidansat de Mairobert who gave the memoirs a more political and pro-parlementaire tone.)
110. Letrosne, Administration Provinciale I p. 104, II p. 55 Chapter V.
  111. 'Nobles, Privileges and Taxes in France at the End of the Ancien Regime' C.B.A. Behrens (Economic History Review, second series 1963). Meyer I p. 429. Forster, Toulouse p. 34.
  112. Archives of the Order of St. John of Jerusalem (known as the knights of Malta inside France). Series 2. ('Liber Conciliarum') 158 (1773-7) p. 322. These extensive records contain information on almost every aspect of the regime from details of estate management to general political correspondence. In 1775 a French Grand Master (Emmanuel de Rohan-Polduc) was elected.
  113. See Chapter V for a full account of the mechanistic monarchy.
  114. Lefèbvre pp. 23-4.
  115. Ephémérides 1770 VIII pp. 24-6. (a mention of notables comes in Laval in 1770; after a total failure of the harvest the local notables were the first to take action. Journal Encyclopédique 1770 I p. 164)
  116. Journal Encyclopédique 1774 IV pp. 195-6. 'The Pioneers of the French Revolution' H. Roustan. London 1926. pp. 197-226. ('The Bourgeoisie, Catholicism v. Capitalism in 18th Century France' B. Groethuyser. London 1968. 'The Triumph of the Middle Classes' C. Morazé. London 1966. 'The Bourgeoisie in 18th Century France' E.G. Barber. Princeton 1955).
  117. Boshier, Single Duty Project p. 171. These observations underlie the first two chapters of Hampson, Social History of the French Revolution pp. 1-59, and 'The Beginnings of the French Revolution' A. Cobban (History 1945) pp. 92-5.
  118. S.P. 78. 276 p. 54.
  119. Behrens p. 25. 'The Origins of the French Peasant Revolution of 1789' A. Davies. (History 1954).
  120. ' Répertoire Universel et Raisonné de Jurisprudence' J-N. Guyot. 17 vols. Paris 1784-5. (first published 1776) II p. 112. 'Traité des Communs'. Anon. Paris 1777. quoted Journal Encyclopédique 1778 V pp. 14-25.

121. Croÿ III p. 155.
122. Journal Encyclopédique 1770 V p. 492. 'Lettres sur les Emeutes Populaires que cause la Cherté des Bleds'. Anon. Paris 1768. This area of society where peasants fell outside the economic pale of the regime explored 'Begging, Vagrancy, Vagabondage and the Law...' O. Hufton (European Studies Review 1972).
123. 'La Taxation Populaire de Mai 1775 à Paris' G. Rudé (Annales Historiques de la Révolution Française 1956). pp. 140, 174-9. The fullest contemporary record of the Flour War, which illustrates all these points is B.N. Mss. Fr. 'Collection Joly de Fleury' (1159. 'Grains et Disettes 1775'). Faure p. 318.
124. Regnaud I pp. 2-4.
125. Mercure de France 1776 III p. 126, 1770 I pp. 14-15.
126. 'Nobles, Bourgeois and the Origins of the French Revolution' C. Lucas (Past and Present 1973) p. 85.
127. 'Les Concepts d' "Ordres", d' "Etats", de "Fidélité" et de "Monarchie Absolue" en France de la Fin du 15<sup>e</sup> Siècle à la Fin du 18<sup>e</sup> Siècle'. R. Mousnier (Revue Historique 1972.)
128. 'Autour des Origins idéologiques lointaines de la Révolution Française. Elite et Despotisme'. D. Richet A.E.S.C. 1969 p.3.
129. Lucas pp. 87-8, 93, 94, 103-5, 115-16.
130. Ibid pp. 97-8.
131. Ibid pp. 120-6. 'Travels during the Years 1787, 1788, and 1789 in France'. A. Young. Bury Ct. Edmunds 1792 p. 262. An agricultural expert, Young's English outlook and accurate eye for detail provide one of our most valuable accounts of the late regime and Revolution.
132. Walpole, Letters IX p. 341.
133. Turgot VIII p. 245 (part of an open correspondence between Turgot and Miromesnil on the corvée).
134. 'Dictionnaire de la Noblesse'. Aubert de la Chenaye Desbois. 15 vols. Paris 1770-86. I p. iii.
135. 'La Langage de la Raison'. L.A. Caraccioli. Liège 1764 p. 95.
136. explored more fully Chapter IV.
137. 'Méthode pour Simplifier les Loix' V-J. Renoul ('Journal des Savants'). monthly. Paris 1768 VII p. 506). Aubusson, Alambic des Loix pp. 436-8, Aubusson, Alambic Morale p. 125. Mably pp. 231-3.

138. Chenaye Desbois I p. xii.
139. Gruder p. 177. 'La Noblesse de France et l'Opinion Publique au 18<sup>e</sup> siècle' H. Carré. Paris 1920. p. 18.
140. 'La Noblesse Commercante' L'Abbé Coyer. London 1756. passim. 'La Noblesse Militaire' Chevalier d'Arcq. Paris 1756. passim.
141. Meyer I p. 117.
142. 'La Code Corse' 3 vols. Paris 1778. II p. 82. St. John 2. passim.
143. Meyer I pp. 286-99. Necker, De l'Administration des Finances III pp. Chapter XIV. pp. 145-58.
144. Meyer I p. 230.
145. 'Correspondance Secrète, Politique et Littéraire' Métra 18 vols. London 1787-9. V p. 217. (Pesay against Caze de la Bove). The great "nouvelliste" of the late regime, Métra gathered and disseminated information on the steps of the Tuilleries. His work was printed in response to public demand for political information.
146. Meyer I pp. 430-3, II p. 1113. Marmontel I pp. 185-91 for an illustrative anecdote.
147. Turgot VII p. 67.
148. 'Correspondance Secrète Inédite sur Louis XVI, Marie-Antoinette, La Cour et la Ville de 1777 à 1792' ed. Lescure. 2 vols. Paris 1866. I p. 238. Although authorship is unknown, these letters can be taken as a supplement to Métra, with whom they frequently overlap. (If there were any other derogations, they went unnoticed.) The edict and subsequent arrêt on lifting derogation on wholesaling relevant to the late century in 'Recueil Général des Anciennes Lois Françaises' ed. Isambert et alia. 25 vols. Paris 1826-33 XXII pp. 468, 470-1.
149. Meyer I p. 151. G.V. Taylor 'Types of Capitalism in 18th Century France' (English Historical Review 1964).
150. 'Elites and Society' T.B. Bottomore. London (Pelican edition) 1967. pp. 7-20.
151. 'Robe and Sword, the Regrouping of the French Aristocracy after Louis XIV' F.L. Ford. Harvard 1953. Bluche, Magistrats pp. 1356-73. Coubert, Ancien Règime p. 188. Carré, La Noblesse pp. 34-55. 'The Social Origins and Privileged Status of the French 18th Century Nobility'. A. Goodwin (Bulletin of the John Rylands Library 1964-5) p. 392.

152. Carre', La Noblesse p. 3. (but Carre' did not see the implications).
153. Behrens p. 67.
154. by Goodwin pp. 393-5.
155. Sydenham p. 21.
156. Journal Historique II p. 187.
157. Journal Encyclopedique 1776 V p. 380. (This was the leading philosophe periodical, printed beyond the censor's reach under the duke of Bouillon's protection.) 'qu'est-ce que le Tiers Etat?' Abbe Siéyès (Paris ?) 1789.
158. Bluche, Magistrats p. 77.
159. Thévenau de Morande, Mélanés Confus p. 60.
160. 'The House of Taulx-Tavanés' R. Forster. Baltimore 1971 pp. 32-3
161. This is the picture built up by Forster, from which Goodwin (Social Origins pp. 390-1) proceeds to demolish the concept of hobéaux.
162. Bluche, Magistrats pp. 143, 150, 186-205, 212-16. Meyer I p. 163. ('Elites et Noblesse dans la Seconde Moitié du 18<sup>e</sup> Siècle' M. Reinhard (Revue d'Histoire Moderne et Contemporaine 1956)).
163. Made explicit St. John. 2. p. 83 (October 1773).
164. Sénac de Meilhan, <sup>du Gouvernement</sup> p. 94. 'Mémoires Autographes' A-M-L de St. Mauris (Montbarey) 3 vols. Paris 1826-7. III p. 247 (Montbarey was a limited and insensitive man, but his experience of high office makes his memoirs valuable).
165. 'History of the Decline and Fall of the Roman Empire' E. Gibbon. 7 vols. London 1854-6 (Bohn edition) (first published 1776-1787) VI p. 540.
166. Encyclopédie. 'Les Devoirs du Prince' J-N. Moreau. Versailles 1775 p. 112.
167. 'Mémoires Historiques et Politiques du Règne de Louis XVI' J-L. Soulavie (catalogued under "Giraud") 6 vols. Paris 1801. IV p. 21. Soulavie's assessment of the regime as a society corrupt beyond redemption has set the tone for much historiography.
168. 'Mémoires Concernant l'Administration des Finances sous le Ministère de M. l'Abbe Terrai' Coquereau. London 1776. p. 101.
169. Ephémérides 1867 XII p. 19.

170. Bachaumont II p. 268.
171. F. Rocquain 'L'Esprit Revolutionnaire avant la Revolution! Paris 1878 p. 298. S. Stelling-Michaud 'Lumières et Politiques' (Studies on Voltaire and the 18th Century. ed. T. Besterman. Geneva 1963) p. 1523.
172. Méthivier, Siècle de Louis XV p. 117.
173. 'Correspondance Inédite de Condorcet et de Turgot 1770-1779'. Paris 1883 pp. 201-3.
174. eg. M. Vovelle 'La Chute de la Monarchie 1787-92' Paris 1972 pp. 26-7.
175. Gruder pp. 189-90. Lucas pp. 101-2.
176. St John 2 157 pp. 44-5 (4 June 1770).
177. noted: D.G. Léonard 'L'Armée et ses Problèmes au 18<sup>e</sup> Siècle' Paris 1958 p. 175, and J.R. Western 'Armies' (N.C.M.H. VIII. Cambridge 1965) p. 204.
178. St John 3 272 p. 213.
179. St John 9 1236, Gaillard to Grand Master 12 May 1769.
180. A. Fliche et V. Martin 'Histoire de l'Eglise depuis les Origines jusqu'à nos Jours' (still in publication) Vol. XIX E. Préclin et E. Jarry 'Les Luttes Politiques et Doctrinaires aux XVII<sup>e</sup> et XVIII<sup>e</sup> Siècles' 2 parts. Paris 1955, II pp. 687-95.
181. Walpole, Letters IX p. 39. J-A-J. Cérutti 'Apologie de l'Institut des Jésuites' 2 vols. (Paris ?) 1763 I p. iii. Linguet, Annales I p. 5. Bachaumont I p. 67. 'Mémoires de M. le Comte de Montlosier 1755-1830' Paris 1830 pp. 5-8. L'Abbé Georgel 'Mémoires pour Servir à l'Histoire des Evénements de la Fin du 18<sup>e</sup> Siècle' 6 vols. Paris 1817-18. I pp. 88,92. Croÿ I p.99. J.M. Roberts 'The French Origins of the Right' (Transactions of the Royal Historical Society 1973) p. 45. All these sources show that the dissolution cast a shadow over the rest of the regime.
182. Journal Historique II pp. 99, 289. Thévenau-de Morande 'Le Gazetier Cuirassé' (Geneva ?) 1771 pp. 31-2. Croÿ II p. 455.
183. Cobban, Aspects of the French Revolution p. 77. J-N. Moreau 'Mes Souvenirs' 2 vols. Paris 1898-1901 I pp. 109, 128.
184. Egret, Opposition Parlementaire p. 180. Bachaumont II pp. 265-8 (whole speech reprinted). Darigrand p. 6.

185. Journal Historique I pp. 20-1.
186. Cobban, History of Modern France I p. 121. S.P. 78 282 p.251.
187. Lebrun p. 13. Baron de Breteuil 'Réflexions sur la Manière de Rendre Utiles les Gens de Lettres et d'Arrêter la Licence des Ecrits' (reprinted in Studies, Voltaire and the 18th Century 1965 pp. 125-131)
188. B.C. Poland 'French Protestantism and the French Revolution'. Princeton 1957. S.P. 78 299 p. 276.
189. S.P. 78 299 p. 240.
190. an example would be the Harcourt dynasty in Normandy, M. Veyrat 'Les Gouverneurs de Normandie du Quinzean Siècle à la Revolution' (Etudes Normandes, Quatrième Trimestre 1953).
191. S.P. 78 297 pp. 179-80.
192. Sée pp. 73-8. Hampson, Social History of the French Revolution p. 32.
193. Journal Encyclopédique 1775 V p. 563, similarly Bachaumont X p. 9.
194. A.E.M.D. France 1375 21 July 1775.
195. Albertas 'Journal des Nouvelles 1770-1783' B.N. Mss. Fr. Nouvelles Acquisitions 4386-4390. IV p. 2056.
196. L.S. Greenbaum 'Talleyrand, Statesman Priest' Washington 1970. p. 96.
197. This myth is set out by Grimm I pt. II p.257.
198. Ravitch pp. 154-6.
199. Ibid. p. 167.
200. Sénac de Meilhan, du Gouvernement p. 50 (and Ravitch p. 163).
201. Journal Encyclopédique 1777 VI pp. 558-60. Ravitch p. 171.
202. Two of the essays in Puysegur's 'Pièces Détachées' were: 'Projet pour un Edit ... pour le Clergé de France', and 'Du Droit Souverain sur les Biens-Fonds du Clergé et des Moines', which along with L-L-F. Lauraguais 'Les Récits de Frère Ecoute' (Paris ?) 1776 anticipated the assignat system. It is of interest that both these writers were militaires.
203. S.P. 78 284 p.172. Ravitch p. 168.
204. Greenbaum p. 39.
205. Lefranc de Pompignan 'Avertissement de L'Assemblée-Générale du Clergé de France' Paris 1775 pp. 78-9.
206. S-H-N. Linguet 'Journal de Politique et de Littérature' Brussels quarterly 1774-6, 1775 II p.10.
207. Année Littéraire 1768 III p. 321.

208. Walpole, Letters IX p. 340.
209. Antoine, Conseil du Roi pp. 22-3.
210. Lévis p. 99.
211. Du Tillet du Villars 'Précis d'un Projet d'Etablissement du Cadastre dans le Royaume' Paris 1781 p. 3.  
S.P. 78 282 p. 32.

LE PHILOSOPHE DEVOT: LOUIS XVI AND THE MONARCHY

Louis XVI called himself "Louis le Sévère" or "Le Restorateur des Moeurs", and the nation dubbed him, briefly, "Louis le Desiré". However ironic these titles now appear Louis showed more promise 1774-8 than he is usually credited with of living up to them and of creating a new distinctive era of the monarchy <sup>1</sup>.

Louis XVI can not be understood without reference to his father, the Old Dauphin, who laid down most of the patterns of thought Louis was to follow. The Old Dauphin was an ambiguous and shadowy figure who was an enigma even during his own life-time. There are two conflicting accounts of him. The first, from his dévot biographers, showed him to be an able, intellectual, pious man who regretted bitterly not being given the chance to rule France and restore her fortunes <sup>2</sup>. Most contemporaries held this view, and Louis XVI himself certainly did. Against this is Horace Walpole's account, via the usually reliable Nivernois. Horace Walpole credited the Old Dauphin with, "Good sense and ... freedom of ... sentiments". "he had a good understanding, had carefully, thought secretly, cultivated it, and was a modern philosopher in the largest sense of that term". (Walpole elsewhere defined a "true philosopher" as a "legislator" <sup>3</sup>.) While maintaining the outward forms of religious observance, he lacked inner conviction and was close to Hume in his private outlook. His failure to play any prominent public role was the result of a fear of arousing his father's jealousy, and hence it was partly by design that he remained anonymous <sup>4</sup>. If accurate, this account would be a rare insight into the private character behind the public façade. It does not, however, explain the Old Dauphin's dévot writings nor the dévot company he chose. The very fact that such divergent accounts of the Old Dauphin exist is indicative of his equivocal reputation.

Two detailed modern accounts of him are both unsympathetic. Padover's attitude is expressed in a remark by Louis



XV he quotes, to the effect that such were the Old Dauphin's political talents that he had better wish his father a long and healthy life. Padover judges him flawed by bitterness at a life of political impotence in the face of ministers and policies which were anathema to him <sup>5</sup>. More recently Girault de Coursac portrayed him as an obese, imperious, ungrateful and indolent man whose futile life was absorbed in austere piety, implying that as king he would have fared no better than his son <sup>6</sup>. Both accounts accept him as a *dévo*t.

The Old Dauphin's early career was in the army, where, as far as his *dévo*t biographers can be trusted, he distinguished himself. As the sole heir to the crown in the senior Bourbon line, however, he could not be allowed to risk his life, a point brought home even more forcibly by Louis XV's illness at Metz in 1744. Forced to live at Court, he spent some time on Council learning the art of kingship. The policies of 1754-8, however, caused him to withdraw from public life; he could not tolerate the capitulation to the corporations, the ascendancy of *philosophie*, the power of mistresses, the Austrian alliance, and finally Choiseul. Choiseul convinced Louis XV that his son was making the process of government difficult. The Old Dauphin allied himself with the exiled ministers: Maurepas, Argenson, Machault, and Bernis. In his last years he sank into depression which took the form of schizoid religious mania in which he was troubled by apocalyptic visions <sup>7</sup>. He became associated with a *dévo*t circle including: Beaumont, Muy, and Vauguyon; Sénac de Meilhan described this period of his life "...les *dév*ots s'empresèrent de le capter, et il se trouva ainsi, sans en avoir formé le projet, et même sans le savoir, chef d'un parti de Frondeurs, que le représentaient comme le protecteur des moeurs et le zélé défenseur de la religion" <sup>8</sup>. (This account goes part way to reconciling the *dévo*t with Walpole's.) The Old Dauphin died in 1765 of complications from a minor ailment in such a way as to suggest a loss of will to live.

The Old Dauphin was the ablest exponent of royalty in the period, bringing up to date the monarchism of Louis XIV and reconciling it with the duke of Burgundy's ideas. He defined the crown's prerogatives as: religious affairs, the

Councils, justice, and all fiscal matters. The crown reserved to itself the final decision on ministers and employments, war and peace, the Court, police, commerce, moneys, weights and measures, privilege, and social mores. It was also the king's duty to be his own Prime Minister<sup>9</sup>. Answerable only to God, the king's absolute power was limited only by the inviolability of his subjects' lives and property. To match the absolutism of his power the king should be possessed of inflexible resolution, "Je pense qu'une fermeté inébranable est le seul moyen de conserver et vos jours et votre autorité", he told Louis XV<sup>10</sup>. In another context he wrote, "La faiblesse dans un roi rend toutes ses vertues inutiles", and to temper resolution, "Tout bon gouvernement doit avoir pour base la justice et la raison". The monarchy was paternalist; the king must, "...se regarder comme le chef d'une nombreuse famille. Il doit aimer ses peuples, non comme un maître aime ses esclaves, mais comme un père aime ses propres enfants"<sup>11</sup>. He doubted, however, that any mere mortal could fulfil these conditions<sup>12</sup>.

From the vantage point of the royal family he analysed the constitution. "L'état monarchique est gouverné par un seul; mais les pouvoirs intermédiaires et subordonnés y sont nécessaires. Le premier et le plus naturel, est celui de la noblesse, non pour être le terme entre le pouvoir du prince et celui du peuple, mais pour être le lien de tous les deux. Le pouvoir du clergé y est très-convenable; il sert de bornes au despotisme sans y opposer de violence. Il faut encore dans une monarchie un corps de dépositaires des loix"<sup>13</sup>. The corporations were to reinforce and strengthen the monarchy not to be alienated from it. In this analysis the Old Dauphin has moved on from the duke of Burgundy to Montesquieu, but while the form of their respective constitutional ideas was similar, the content and underlying assumptions were very different. Where Montesquieu harked back in time to classical republics or across the Channel to Britain for political models, the Old Dauphin saw divine right absolutism as the French political ideal. Any corporation or political philosophy was a mere transient adjunct to the monarchy, and Montesquieu's ideas were apposite to the mid-eighteenth century.

The Old Dauphin was worried by the potential threat to the monarchy from philosophie. Referring in particular

to Rousseau he wrote, "Suivant les principes de nos nouveaux philosophes, le trône ne porte plus l'empreinte de la divinité: ils décident qu'il fut l'ouvrage de la violence; et que ce que la force a le droit d'élever, la force a le droit de l'abattre et de le détruire ... alors toutes les idées du juste et de l'injuste, de la vertu et du vice, du bien et du mal moral, seraient effacées et anéanties dans l'esprit des hommes: les trônes deviendraient chancelants, les sujets seraient indociles et factieux, les maîtres sans bienfaisance et sans humanité. Les peuples seraient donc toujours dans la révolte ou dans l'oppression" <sup>14</sup>. The same analysis was put forward by several devout writers including: Pinault, Fréron, and Réal; it anticipated Talmon's by two centuries <sup>15</sup>. It was also taken up by Linguet (q.v.) (whose ideas Louis XVI was known to have taken an interest in), but Linguet accepted this "violence" as the most basic reality of political science, and the justification for his proposed despotism of justice. Linguet was therefore to unite the presumed political "atheism" of the philosophes with the practical devout politics of the Old Dauphin and his protégés.

He took great interest in the detail as well as the ideology of kingship. Taxation was a particular concern; here he had been converted to the ideas of the duke of Burgundy's circle by Machault and claimed to know 'L'Ami des Hommes' by heart <sup>16</sup>. "Toute imposition sur les peuples est injuste lorsque le bien général de la société ne l'exige pas". Given, however, the need for taxation, the king's function was that of, "L'économe des revenus de l'état" <sup>17</sup>. Like the physiocrats, the Old Dauphin saw that the nation's prosperity lay with the laboureurs, to this end he patronised Agricultural Societies and refused to hunt over growing crops. An anecdote, which made him a hero of the peasantry, was that after accidentally killing a peasant he renounced hunting altogether. He was mourned by the people, as opposed to the Court and capital, and they believed, "Ce bon prince aurait diminué nos tailles" <sup>18</sup>.

The Old Dauphin's sense of social justice led to irreducible but unresolved conflict with privilege. On the one hand he believed that the nobility and clergy should be preserved in their true forms, recalled to their "moeurs antiques", and remain privileged in property and person <sup>19</sup>.

On the other hand he lamented that fiscal privileges, "... font retomber sur le pauvre peuple tout le poids dont la faveur soulage un petit nombre" <sup>20</sup>. Among his maxims were that a king should prefer to be loved by peasants than by courtiers, and that the simplest Catholic peasant should be able to confute the wisest heretic <sup>21</sup>. From such attitudes the Old Dauphin acquired the reputation of a potentially great monarch; he was remembered as the Germanicus of his day.

He wanted to set out his political philosophy in a didactic history of the French monarchy, a compilation of its accumulated experience since Clovis. This was to be the monarchy's equivalent of the Encyclopedia. The direct result of this plan was 'Principes de Morale de Politique et de Droit Public' J-N. Moreau (21 volumes Paris 1777-89), and an indirect one 'La Science du Gouvernement' Curban de Réal (8 volumes Aix-la-Chapelle 1761-5). These two works form a comprehensive study of the monarchy, and although Moreau did not begin publishing his work until 1777 he was able to impart its contents to the Dauphin as a protégé of Vauguyon. At the risk of repetition we must become acquainted with the ideas of this school of dévot philosophers not only because Louis XVI was to attempt to rule by their precepts, but also because of the more general contribution they made to the late regime's political culture through to Necker's use of their ideology.

Réal was more a dévot than a conservative - as Palmer imprecisely suggests <sup>22</sup> - but both he and Moreau went a long way towards reconciling the monarchy and the corporations, a process culminating in Gin's work. Réal dedicated his volumes to various members of the royal family and destined them to the education of their children. Réal acknowledged his debt to the duke of Burgundy and was attempting to bring that body of thinking up to date for the late eighteenth century <sup>23</sup>. One of his basic beliefs was that people should no longer be kept in ignorance of government but should be taught public law and thereby learn the virtue of "enlightened submission" rather than blind obedience <sup>24</sup>. This advice was taken to heart by Louis XVI, and the explanatory preambles to his edicts reflect one of Réal's maxims, "Il faut gagner les coeurs pour soumettre les volontés" <sup>25</sup>.

Réal's account of the monarchy and constitution was absolutist (but not 'despotic'). While the king should be guided by reason, he, "...n'a que Dieu au-dessus de lui" <sup>26</sup>, and his power was indivisible, inalienable, and divinely ordained by reason of its excellence <sup>27</sup>. Réal dismissed any contractual origin of government or society, and discounted any direct constitutional opposition to the crown, or even any true political autonomy for the corporations <sup>28</sup>. Society's three Orders were juridically dependent on the monarchy and, like the corporations, incapable of existence separate from it; when endowed with the fullest privilege, they were its pillars of support <sup>29</sup>. The crown's function here was to regulate the interaction of the different parts of society. Fundamental laws alone could limit the monarchy; in such matters as the Salic law it enjoyed a "felicitous impotence" <sup>30</sup>, and Réal followed Piganiol de la Force's analysis of the States' General function in the constitution (q.v.) (eg. succession) <sup>31</sup>. The king should impose such limitations on himself as to ensure his subjects' welfare, happiness, food, safety, justice, religion, and the sanctity of marriage and the family <sup>32</sup>. While unquestionable, taxation had to be just and fair <sup>33</sup>. Ministers had to be fully dependent on the crown and should be chosen for experience, loyalty, and integrity and should not be allowed to become indispensable <sup>34</sup>. The king should preside at his Council, and should not encourage a Prime Minister <sup>35</sup>. The king must be sure of a free and full flow of information to himself <sup>36</sup>. Réal hoped to see reform of taxation and of the law; for the first he recommended implementation of the duke of Burgundy's programme, and for the second he hoped for thorough rationalisation <sup>37</sup>, although he agreed with Montesquieu that the existing structure was the most suitable <sup>38</sup>.

Advising the monarch he wrote, "Heureux les peuples gouvernés par des rois qui consultent... (les) plus pures maximes de la raison, de la religion, et du droit" <sup>39</sup>, a remark echoed by Louis XVI to the Maréchal de Noailles, "Avec de bonnes intentions, de la justice, de la fermeté, de la religion, je ne crains ni Molinistes, ni Jansénistes, ni Encyclopédistes, ni économistes" <sup>40</sup>. Réal condemned the Court, and warned against its vices and dangers, though he

recognised it as a necessary evil to contain the Great <sup>41</sup>. Harking back to the Louis-quatorzième period he still feared the Great, warned against allowing Princes of the Blood to be ministers; he still saw the governors as a political threat - as did Mirabeau in his first pamphlet on provincial government <sup>42</sup>. All things being equal, however, the king should patronise higher birth above lower <sup>43</sup>. Réal's concept of the regime was rigidly aristocratic. The bulk of the populace were to be taught that disloyalty to the king was disobedience to God, but once secured this loyalty should be rewarded by ensuring the people's understanding of, and consent to, government <sup>44</sup>. He was wholly Gallican in areas where religion and state met, condemning the Jesuits for putting their first loyalty in Rome; he wanted education to be more secular <sup>45</sup>.

He did not fear, as did some dévots, that increased wealth would disrupt society, and urged the government to encourage commerce <sup>46</sup>. He did, however, fear that the monarchy could be endangered by this idea, and Moreau was to devote much thought to it. Louis XVI showed an appreciation of the danger of the moral rot in society, addressing Sartines at his accession he declared, "Chargez-vous, Monsieur, de la réforme des moeurs dans la capitale, et moi je me charge de réformer celles de la Cour" <sup>48</sup>. The bulk of Réal's work was information on war and international relations, the Church, and former political philosophers <sup>49</sup>. Réal was a jurist in the seventeenth-century tradition, and from this standpoint he attempted as near a sociological analysis of society as the method allowed. He distinguished three groups: the Great, the notables, and the people. The notables comprised the bulk of the nobility, the magistracy and office-holders, and the professional and commercial classes <sup>50</sup>. The Great were at Court and around the king, the people did not count in political life, so the notables were the group to whom government must be directed.

Moreau, described by Piétri as the "reactionary ultra" of absolutism <sup>51</sup>, was a generation ahead of Réal. Moreau had a background of the Parisian robe and had worked his way through the parlements as a barrister. He started as a Jansenist patronised by Choiseulists, but moved under dévot patronage 1761-2 after quarrelling with Praslin. His concern over the Jesuits brought him under Beaumont's and then

Vauguyon's patronage, and thence to the Old Dauphin's attention. Moreau's training and inclinations fitted him to become a government propagandist (for Laverdy) against the parlements. He pursued an active parlementaire career reaching its zenith in Provence in 1771 when he organised the reforms under Maupeou. From meeting the Old Dauphin Moreau was commissioned to write the didactic history of the monarchy, and he was successively appointed librarian to the Dauphine (1770) and, in a specially recreated post, historiographer royal (1774) <sup>52</sup>.

Realising that his magnum opus could not be completed before Louis XV's death, Moreau had published 'Leçons de Morale, de Politique, et de Droit Public' (Versailles 1773), which was a synopsis of 'Principes de Morale...' and set out all the major conclusions he would draw from French history. The conclusions were, in essence, that the monarchy served its interests best by working for social and political harmony through just and resolute absolutism. In a letter attached to a manuscript of the book Moreau wrote, "Feu Monseigneur le Dauphin voulut que dans l'éducation des princes ses enfants la politique et le droit public ne fussent jamais séparés de la morale" <sup>53</sup>. 'Les Devoirs du Prince' was a separate treatise on the monarchy in the eighteenth century. It reads as a blueprint for the reign of Louis XVI <sup>54</sup>. Addressing the Dauphin, Moreau described the book as, "Un ouvrage qui a pour objet de vous faire parcourir tous les cas dans lesquels vous serez obligé d'appliquer, à l'égard de vos sujets, les principes de justice que vous découvrirez dans votre coeur" <sup>55</sup>. The monarchy was absolute, "Les rois enfin sont revêtus d'une puissance absolue, dont ils ne répondent qu'à Dieu" <sup>56</sup>. The crown alone possessed legislative authority, and in this was the image of God on Earth <sup>57</sup>. "La parole des rois doit être sacrée comme celle de Dieu même" <sup>58</sup>, a more extreme statement than Réal's. Moreau countenanced no checks on absolutism, "Il est de l'essence de la monarchie française, que toute espèce de pouvoir reside sur la tête du roi seul, et qu'il n'y ait ni corps ni particuliers qui puissent se maintenir dans l'indépendance de son autorité" <sup>59</sup>. Louis XVI's relations with the parlement and the States General were to show his inability to recognise them as direct political threats.

The greatest ill for the monarchy was weakness, the same point the Old Dauphin had made, and it was the underlying cause of every ill in history. For all his absolute power, however, the sovereign had human limitations, "Il est impossible qu'un seul homme gouverne une nation par ses volontés particulières" <sup>60</sup>. The method of government which best overcame the difficulties without vitiating the king's power was conciliar, "Les conseils sont de l'essence de la monarchie, parce qu'il est de la nature de tout gouvernement de consulter la raison et d'interroger la justice" <sup>61</sup>. Councils, however, must advise but not rule, and to guarantee this their members must be carefully chosen from, "... des hommes justes, blanchis par les années, éprouvés de bonne heure par le travail" ...from, "des hommes éclairés et laborieux, mais justes et bienfaisants, et dont le public ait en lui-même occasion de connaître et de louer l'intégrité", from modest men not afraid of honest poverty in disinterested service <sup>62</sup>. This advice brought all Louis's early ministers to office, Maurepas, and Turgot above all fit Moreau's description of the ideal minister. The appointment of St-Germain was held to be a deliberate step towards the creation of a, "Ministry of men of general reputation, and avowed ability, but totally unconnected with any party, and free from Court intrigue" <sup>63</sup>. Like Réal, Moreau stressed the need for a constant and accurate flow of information, in return for which the king should treat his servants openly and justly <sup>64</sup>.

Society was a hierarchy of corporations each part guardian of the constitution and all strengthening the crown <sup>65</sup>. Confined to their true roles the parlements were wholly beneficial organisations; remonstrances were meant to be a consultative not participative part of government <sup>66</sup>. Moreau warned against the Great, and associated them with forces of dissention, if not kept in check <sup>67</sup>. Perhaps this advice caused Louis to upbraid Beaumont for being a force of discontent and unrest <sup>68</sup>. Moreau, however, gave one fundamental piece of advice against which all others must be judged: a strong king would find himself surrounded by allies more than enemies - Louis sincerely did believe he was resolute <sup>69</sup>.

Finance was the greatest problem posing three dangers:



negligence and deprecation (in which Moreau included over-taxation), the over-ease of loans, and the prodigality of State and Court expenditure. Any of these could cause a breakdown of government. The danger of loans was apparent, but to the immediate fiscal evil Moreau added the moral one that one generation should not burden the next with its debts <sup>70</sup>. Moreau did add that loans were justified if short-term expenditure, as in war, must exceed revenue, or if further current increases in taxation could not be tolerated <sup>71</sup>. Between this varied advice on finance Moreau opened up the appointments of Turgot and Necker, and his wider advice on ministers brought Clugny (erroneously) and Taboureaux des Reaux to the Control General. Expanding on the problems of taxation, Moreau maintained that fiscal privilege was both unjust and ruinous to the state with qualifications <sup>72</sup>. In the present and foreseeable scheme of things the cultivator would have to bear the brunt of taxation, which sapped the strength of the state, for Moreau followed the physiocrat thinking that for society as a whole to be affluent each individual in it must be prosperous, and that the necessary wealth could only spread from the soil upwards <sup>73</sup>. Moreau, however, parted company with the physiocrats on how to solve the problem. He suggested two answers, the first that the rich and privileged should renounce their exemptions and shoulder the "laboureur's" burden. The second was that indirect taxation should replace direct, being less vicious <sup>74</sup>. The argument here was that he who consumed most and handled the most specie would automatically pay the most tax and as the poorest tax payers rarely saw cash, and had little use for it, their burden would be relatively less than from the uniform taille. Once wealth and equitable taxation had been established, the crown, as protector of property, would in turn be immeasurably strengthened by the loyalty of grateful property owners <sup>75</sup>.

Moreau was an advocate, even more strongly than Réal, of the sanctity of marriage; the family was a foundation of social stability and it was the crown's duty to uphold the institution <sup>76</sup>. For Moreau, as for Louis XVI, women had the definite but subordinate role of being housewife and mother in total obedience to the husband and father <sup>77</sup>.

Louis was obsessed by the need for male dominance, even though in the 1780's he failed to live up to it. In May 1774 he told Marie-Antoinette that, "...women ought not to meddle with politics", and in August 1777 he quarrelled openly with her, laying down the law that, "This country can have but one master ET CE MAITRE MADAME CE SERA MOI" <sup>78</sup>. The reassertion of the woman's subservient role was characteristic of the period as a reaction both to the mistress politics of Louis XV's reign, and to the illusion of emancipation that the Enlightenment offered. Aubusson, Besenval, and Rétif de la Bretonne, amongst others, made it important parts of their critique of society <sup>79</sup>.

The 'duties' referred to in the title of Moreau's book can be reduced to one: justice, "La perfection de notre liberté consiste à devoir ses esclaves" <sup>80</sup>. A despotism of justice was the one point where Moreau and Linguet agreed. Echoing a point made by the Old Dauphin Moreau exhorted, "Rappelez-vous quelque fois qu'une partie de cet argent, que vous destineriez à payer ou la pompe d'une fête, ou le luxe d'un palais, fut peut-être arrachée des mains d'une veuve éplorée à qui le malheureux enfant demandait du pain" <sup>81</sup>. Perhaps this piece of advice prompted Louis to forbid pomp and ceremony at Mme. Clotilde's wedding <sup>82</sup>. Of war Moreau commented, "La défaite et l'humiliation de vos ennemis... pourraient-elles jamais vous consoler de la ruine et du malheur de vos sujets" <sup>83</sup>. This may well have prejudiced Louis in favour of Turgot's overtly pacifist policies.

Moreau did not just say that justice should pervade every aspect of royal authority, but went on to say that a combination of justice and resolution would enable Louis to overcome any obstacle. Given this combination no corporation would oppose him, no individual would not love him, "Soyez juste; Monseigneur, et soyez assuré que, sur le trône de France, vous serez et le premier, et le plus puissant et le plus aimé des monarques de l'univers" <sup>84</sup>. Moreau's advice was reinforced by Louis's mother-in-law, the empress Maria-Theresa <sup>85</sup>. Louis accepted this advice implicitly, "Un roi de France," he paraphrased Moreau, "s'il est toujours juste sera toujours et le premier et le plus puissant des souverains de l'Europe" <sup>86</sup>. Moreau casts one of the longest shadows over the early reign by telling Louis what he most

wanted to hear; it was Louis's tragedy that he accepted the flattery of Moreau's advice without implementing the substance: he gloried in the public acclaim at Turgot's appointment, but shrank from giving him support through thick and thin.

From his posthumously published exercise books it is obvious that Louis had absorbed all that his father, Réal, and Moreau had taught him. The pages are full of worthy maxims on the need for justice and resolution, most of which are inferior paraphrases of Moreau. Louis, however, read beyond the limits laid down for him by his tutors. One of the most important, and most underrated, moments in his development was the dismissal of Vauguyon in 1772. Louis had conceived it his duty to be informed of all shades of political opinion concerning Maupeou and had been found by Vauguyon reading patriot pamphlets. Vauguyon reprimanded the Dauphin, and was dismissed on the spot for exceeding his authority. The shock is said to have killed him<sup>87</sup>. The importance of this episode is that it forces us to take every book or pamphlet into account as having been read by - and perhaps even having some influence on - the Dauphin.

While every reformer addressed his work to the king (or Dauphin), there were some schemes which could not hope to attract ministerial patronage, whether because an appeal to mores rather than policies, whether too visionary, or whether because written by men too dangerous for any minister to patronise. Some of these schemes which could only hope to be implemented if directly patronised by the king will be examined here; the schemes more closely associated with ministries will be examined in Chapter V in detail, though mention will also be made of them in this context. An influential and noticed book was the Abbé Crillon's 'De l'Homme Moral' (Paris 1771), which described the private virtues to complement Moreau's public ones. It caught the anti-philosophe mood of 1771, and enjoyed a considerable vogue<sup>88</sup>. Crillon's virtues were: - beneficence, humanity, love, friendship, prudence, justice, courage, piety, modesty, and hope; his vices were: - fear, shame, weakness, self-love, vanity, pride, ambition, licence, anger, and irreligion. Religion was the prerequisite of justice, which in turn was, "L'Ensemble de toutes les vertus". Conversely, excess was

the culmination of all other vices and irreligion its hallmark. The greatest of all evils, Crillon called irreligion a, "...fléau redoutable qui bouleverse les états" <sup>89</sup>.

Whether by coincidence or emulation Louis tried at least to follow these precepts. In 1772 a companion volume, 'L'Homme Sociable', was published and which elaborated on the role of virtues in society <sup>90</sup>.

In 1773 Guibert's 'Essai General sur la Tactique' was overtly meant to foreshadow the coming reign. Guibert expressed his dream of a king who would be a synthesis of Louis XIV and Napoleon, "Un jour... il s'élèvera sur ton (France's) trône un prince qui... changera nos moeurs, il retempera nos âmes; il redonnera du ressort au gouvernement; il portera la flambeau de la vérité dans toutes les parties de l'administration " <sup>91</sup>.

Following on from Moreau several writers in the first years of the reign attempted to influence the young king. They fall into two groups. The first was the more philosophical and consisted of Holbach, Mably and Gin. Holbach's authorship of 'Systeme de la Nature' and his known atheism precluded his ideas being taken up directly by Louis XVI, but he hoped to exert influence through Turgot. He prefaced 'Ethocratie, ou le Gouvernement fondé sur la Morale' (Paris ? 1776), which was dedicated to Louis XVI, with the eulogy, "Les premiers moments du règne de Louis XVI ... semblent promettre à ce royaume, accablé par deux règnes très longs et très funestes, le retour d'un bonheur totalement inespéré Il n'est rien d'heureux que la nation française ne soit en droit d'attendre d'un prince rempli de bonte, de justice, d'amour et de la paix, de mépris pour le faste, entouré de ministres éclairés et vertueux...". This passage touched on every royalist philosopher from Fénelon to Moreau, and was well judged.

Holbach proposed an eighteen point political programme. This programme, for which 'Systeme de la Nature' and 'Le Bon Sens' had been prefaces, was disappointingly little more than a restatement of physiocracy. While it trotted out all the usual clichés of économiste reform, it did present a coherent programme of reform more radical and integrated than most of the genre. The programme included representative democracy based on the States General, educational

reform, changing the relationship between the armed forces and the state, the abolition of all privilege (including corporate autonomy and hereditary titles), legal reform, the disestablishment of the church, the emancipation of women, and complete fiscal reorganisation. His eighteenth point was a proposed "Tribunal de Censure" which would have had the two functions of safeguarding public mores and of limiting the power of the Great; it was a suggestion remarkably similar to Monsieur's Chamber of Forfeiture <sup>92</sup>. The programme was Holbach's belated attempt to regain the political limelight.

. The book was well received by Bachaumont, who commented dryly that it had been banned for being too good. Métra reviewed the book and found it non-revolutionary; it tended towards an aristocratic constitution by insisting on the right of political assembly without the monarch's consent <sup>93</sup>. Throughout it must be remembered that for Holbach politics were of secondary interest to philosophy, and were the means to the end of creating a secular society; it was therefore to be expected that 'Systeme de la Nature' would be the stronger of the two books. Another, and more cynical, explanation for the 'Ethocratie' is that Holbach was trying to atone for the savage reaction against 'Systeme de la Nature' by writing a placatory physiocrat work to curry favour with Turgot. Whatever his motives, however, Holbach had written a book in tune with the thinking of the day, and reinforcing many ideas appearing in Aubusson, Letrosne, Linguet, or Mably. Had he not made himself a political pariah in 1770, we might be regarding Holbach as a major source of political inspiration in the new reign.

'Ethocratie' influenced Mably, who started from Moreau's premises but tried to reconcile him with philosophie. Mably has attracted attention as a proto-Marxist philosopher, who pioneered concepts of equality and the abolition of property leading to a perfected social environment. Within the narrower context, however, he was taking Moreau's ideas a step further and suggesting that they could not be implemented without a far more radical, philosophe, but practical approach. He did not believe that Moreau's hope for a just and equitable society could be realised in an environment which encouraged avarice and made a necessity of vice <sup>94</sup>.

For Mably ambition and avarice were the fundamental political vices with their root in private property. In his final chapter Mably attacked organised religion in Holbachian terms, but unlike Holbach he remained resolutely deist. He stated that religion alone made men moral beings. His concept of men was one of the primacy of passions, where inherent morality and reasonableness were at the mercy of prejudice and ignorance <sup>95</sup>. The role of the legislator was to structure society to enable men to realise their higher qualities. While Mably was too extreme to receive official patronage, his insistence on religion kept him within the pale of the regime.

On more specific issues Mably was closer to Moreau. He condemned an expansionist foreign policy <sup>96</sup>. Paris he dismissed as a worthless political environment corrupted by money and corrupting the rest of society with idleness and extravagance <sup>97</sup>. Like the parlements he exhorted government to reduce not increase expenditure <sup>98</sup>. The greatest injustice was to make the poorest bear the heaviest fiscal burden. This injustice, and the other problems and abuses of society gave the magistracy the opportunity to interfere in government <sup>99</sup>. He wanted reform of the magistracy with higher standards of training, of disinterest, and of accountability <sup>100</sup>. The whole system, he claimed, was at fault, and would spread its vices through society in intensifying vicious circles; the need was to change the institutions not just the people in them <sup>101</sup>.

Mably was keenly aware of abuses - the *corvée* and *lettre de cachet* for example <sup>102</sup>. He championed the poor who were excluded from the political nation by the mystification of government, and who were oppressed by the rich to such an extent that society was punishing them for the situation it had forced them into <sup>103</sup>. This same point was made by Thévenau de Morande in 'Gazette Noire', Morande also made a point which lay behind most of the writing which attacked abuse, that publicising the problem was the first step towards curing it <sup>104</sup>. Mably, however, did not go on from this critique to suggest government by the people; he feared that Rousseauist democracy would break down the last barriers against "passion" and allow the masses to overwhelm reason <sup>105</sup>.

Unlike Linguet, however, who had come to the same conclusion, Mably did not succumb to nihilism.

To create the perfect society all inequalities between men had to be abolished. By removing the barrier of property all men would perceive that their true interests lay in service to the community instead of to self <sup>106</sup>. The state would best be served by representative democracy which balanced political stability with popular participation <sup>107</sup>. In the traditional style of the old regime Mably looked back to a mythical past for inspiration, he claimed to be recreating Charlemagne's empire which had been a federation of a hundred autonomous republics (ie. States Countries) <sup>108</sup>. In this ideal society laws would be few and simple, penalties mild and increasingly redundant, and its mores the cement of society <sup>109</sup>. Like Guibert and the small late 1760's school of civic virtue writers, Mably looked to the development of civic spirit, possibly inculcated by compulsory military service <sup>110</sup>. In many of these points Mably comes close to militaire thinking, and to some of Louis's own ideas - for example on the need for government to be understood.

The Année Littéraire saw Mably not as a revolutionary but as a latter-day plagiarist of Plato. "Il faut convenir du moins," sneered Fréron, "qu'il était difficile de rajeunir avec plus d'art et d'esprit un système antique et suranné". The Journal Encyclopédique was more charitable, claiming to see it as an up to date version of Montesquieu, and as good as any other of the new systems <sup>111</sup>.

Mably was refuted by Gin in 'Les Vrais Principes du Gouvernement Française!'. Antoine groups Gin with Moreau and Réal as the most effective apologists of absolutism <sup>112</sup>. The "true principles" were those of the Louis-quatorzième monarchy, as opposed to the republican fanaticism of Mably. Gin, like Linguet, attacked British institutions for their failure to ensure political and social stability. On jurisprudence Gin rejected Montesquieu's political analysis but equally insisted that only an hereditary closed caste of magistrates could prevent laws becoming trans-ient and relative. Although Gin could admit of only moral restraint on the king, he hoped the magistracy could have a softening effect on absolutism <sup>113</sup>. Gin made a concession to Louis

XVI's style of government that freedom of the press was beneficial to the monarchy, "On n'a rien à craindre sous un gouvernement qui sait que le bien ne peut naître que de la réunion des lumières; que les fausses vices et les erreurs ne peuvent être écartées que par la contradiction; et que les vrais principes ne peuvent acquérir l'autorité qu'ils doivent avoir, que par la discussion publique, libre et impartiale" 114.

In return the Mercure de France declared that Gin's discussion of political institutions could not but strengthen the monarchy by the self-evident truth of his assertions. The Année Littéraire was not so enthusiastic about making so much information public, but approved an attack on Mably in particular and the philosophes in general 115. This was in contrast to Moreau who was receiving neutral or even hostile reviews at this date. The Journal Encyclopédique accused him of pushing the monarchy too far towards despotism 116. The reason for this different reaction to similar ideas was that Gin had captured the political spirit of the reign. While he believed in free speech and in institutional conservatism he used them to reinforce the monarchy. Moreau may have been Louis XVI's Bible, but Gin interpreted him for the nation in a way of which it approved.

The second group of writers who hoped to influence or describe Louis XVI's reign were those more closely associated with the ministry: Turgot, Albon, Letrosne and Necker. The first two were writing as physiocrats hoping for the enlightened despot who would implement their programme; the two latter were more interested in the mechanistic monarchy, and both their ideas, and the wider school, are examined as a separate political tradition in that context (Chapters V and VI). Turgot's ideas on the monarchy were made clearest in his memoir on the municipalities, "Vous êtes forcé de statuer sur tout, et le plus souvent par des volontés particulières, tandis que vous pourriez gouverner comme Dieu par des loix générales; si les parties intégrantes de votre empire avaient une organisation régulière et des rapports connues" 117. Writing directly under Turgot's patronage Boncerf exhorted Louis, "Il est au pouvoir du monarque chéri bienfaisant et bien servi, qui nous gouverne d'établir la liberté réelle" 118. The type of monarchy



envisaged by Turgot's reforms was one where each individual, protected by the law and by a constitution, stood directly before the king with no corporate barriers or legal restrictions beyond the absolute minimum.

The comte d'Albon was of interest not merely for what he wrote, but also for the type of person he was. He was a French count, a prince of the Holy Roman Empire, and captain of the regiment of cuirassiers. He, "...offre un bel exemple à la noblesse, celui d'un seigneur des plus distingués qui, dans la saison des plaisirs à l'âge de vingt-et-un ans, cultive avec succès les lettres et la philosophie". The coincidence of his having the same age as Louis makes this comment, part of a lengthy eulogy of the man, an oblique reference to the king himself. The next month his 'Eloge Historique de M. Quesnay' was reviewed favourably, and as a disciple of Mirabeau, he was described as a, "vertueux citoyen", and, "économiste zélé, mais sans fanatisme" <sup>119</sup>. Although this was the only remotely political mention made of him, it is an important statement of the type of man Louis XVI liked to have about his Court. Albon developed his ideas in 'Discours Politiques, Historiques, et Critiques de quelques Gouvernements de l'Europe' (3 parts Neuchâtel 1779), which was largely an inaccurate and extreme attack on the non-monarchic governments of western Europe. He looked continuously to French absolutism as the measure against which other regimes were found wanting. "Rien de plus facile, en effet, que l'art de bien gouverner par la prince qui gouverne seul, et qui ne trouve entre lui et le peuple aucun corps, aucune puissance, dont il ait à craindre les contrariétés" - a restatement of Turgot's position <sup>120</sup>.

Letrosne looked to Louis XVI more than any other Bourbon to legislate a new society into existence, because the late eighteenth century was a unique moment when the knowledge of how to achieve reform coincided with the opportunity to implement it <sup>121</sup>. He included the ironic prophecy, "Puisse l'administration de Louis XVI former l'époque la plus intéressante de la monarchie" <sup>122</sup>. The minister who might have created Letrosne's society was Necker. Necker still believed in Louis's potential to the bitter end, and in 1784 he wrote that he believed Louis could be his own Prime Minister and create a constitutional regime which

could concern itself with the poor and oppressed <sup>123</sup>. Necker's description of the monarchy was a masterful blend of *dévo*t and philosophe ideas, at points reconciling the Old Dauphin with Turgot. Necker must be regarded at several different levels as the culmination of Louis XVI's monarchy, and his failure as the beginning of the end.

Such, then, were some of the political ideas presented to Louis. We must now examine the person who was the object of this advice, and understand the influences on him and his character. Much of what follows has been said before, some of it may seem like the old clichés of the shy fat king, but in a monarchy there comes a point where events are only intelligible in terms of the personality of the monarch and his interaction with his Court, government, and society. The first relationship Louis was probably aware of was his elder brother's, the duc de Bourgogne. The young duke outshone Berry in every way, and promised to emulate his great grandfather, the duke of Burgundy. He worshipped Bourgogne and his unexpected death in 1761, when Berry was seven, was a savage emotional blow. By this time, however, the king's two younger brothers, Provence and Artois, were both showing more promise than Berry, of whom it seemed the most was demanded but the least expected <sup>124</sup>. From the immediate family, with the later exception of Artois, Louis received the strongest reinforcement of *dévo*t monarchism. The only member of the royal family, however, whom Louis really liked was Louis XV, whom he called "Papa roi". Although Louis respected his grandfather, he was never able to accept his politics, which were alternately too lax and too despotic. An important influence on his character was the successive loss of his family: the duc de Bourgogne, his father, mother, grandmother, and grandfather over thirteen years. It seriously undermined his ability to form satisfactory relationships, which in turn jeopardised his politics.

The first overtly political influence was his governess Mme. de Marsan. "Un prince," Louis was taught, "est véritablement l'image de Dieu lorsqu'il est juste et qu'il ne règne que pour faire la vertu... le prince est établi de Dieu pour être aux autres hommes le modèle de toutes les vertus... Vous êtes absolument égal par la nature aux autres hommes et par conséquent vous devez être sensibles à

tous les maux et à toutes les misères de l'humanité... Un prince ne doit se divertir et s'amuser qu'après s'être exactement acquitté de ses devoirs" <sup>125</sup>. Although Croÿ later believed that Marsan had little influence over Louis <sup>126</sup>, (she never played any role in Louis XVI's Court), there is nothing in the king's actions or words to suggest that he had not accepted her ideas.

In 1760 Berry was transferred to Vauguyon's charge. Vauguyon's most important contribution to Louis's education was his patronage of Moreau. Owing his position to the Old Dauphin, Vauguyon was a constant reminder to Louis of his father, but by 1772 Vauguyon had made himself sufficiently odious to Louis to counter the memory. (In July 1770 he angered the Dauphin by being caught listening at a key-hole <sup>127</sup>). Vauguyon had determined to create a king no matter what the cost in human terms, and when he died in 1772 he was, "... as little lamented by the Dauphin and his brothers, as by the rest of the Court" <sup>128</sup>.

In 1774 Mesdames made a determined and overt effort to sway Louis simply to put the clock back. In 1772 Lord Harcourt observed that, "Mme. Louise with all her appearance of piety and devotion is known to be artful and intriguing" <sup>129</sup>. Their influence has been overrated to such an extent as to be called the, "...evil genius" of Louis XVI; but while they undoubtedly helped Louis to choose Maurepas, as early as August 1774 they were finding themselves out of place in the Young Court and withdrew from Versailles <sup>130</sup>.

The person whose influence has been assumed to be ascendant over Louis is Marie-Antoinette. Her influence 1770-8, however, was minimal. Louis's previously quoted remarks on the evil of women meddling in politics held true for the early part of the reign. Véri described this phase, "Plusieurs personnes, qui connaissent le vide de la tête de la reine, voient sans peine qu'elle prend la route de se discréditer auprès de son mari", but he did foresee future danger from her <sup>131</sup>. Her continual attempts to have Choiseul or his protégés appointed to high office were rebuffed consistently until 1780 <sup>132</sup>. The change was made possible by the operation in 1776 which enabled Louis to enjoy sexual relations with her. A minor physical deformity had prevented this 1770-6, with several consequences: there was appre-

hension about the succession, Louis was the object of some degree of ribald derision (though he may not have known this), Louis himself felt aggrieved and humiliated by his failure to fulfil his marital and dynastic duties and directed his energies to the Council and the chase as compensation, and the lack of physical contact prevented the king and queen becoming truly close. The success of the operation led to the queen's pregnancy in 1777, after which Louis felt it to be more important to please and placate her as well as becoming increasingly susceptible to her suggestions as he discovered the previously unrealised pleasures of marriage. Sénac de Meilhan believed the queen to be the dominant partner after 1781 <sup>133</sup>.

The dominant influence in 1774 was still the Old Dauphin. At his accession Louis was given a box of documents which amounted to his father's political testament. He recommended the following men to his son: Maurepas, Aiguillon, Machault, Bernis, Nivernois (as an ambassador), Castries (as a soldier), Muy, Mm. de St-Priest, Périgord, Mm. de Broglie, Estaing, Bourcet, Vergennes, Ogier, the bishops of Verdun, Limoges, and Orleans, and Beaumont <sup>134</sup>. Since 1765 Aiguillon, Beaumont, the bishop of Orleans, and Mm. de Broglie had become politically unacceptable. Bernis and Machault were still unacceptable. Nivernois became an elder statesman and adviser (patronising Turqot, St-Germain, Malesherbes, and Necker) but was too ill to take high office despite being tipped as Maurepas's successor <sup>135</sup>. As Stormont had realised in May 1774, Nivernois was never seriously in the running for high office because of his outspoken opposition to Maupeou; he had failed to meet Louis's high standards of unequivocal loyalty <sup>136</sup>. Maurepas became Minister of State without portfolio and then Prime Minister. Castries, Muy, and Vergennes became Secretaries of State earlier or later. (The remaining names on the list remained in their offices). Albertas appreciated the importance of this document, "Bien de gens croyant que le rappel de M. de Maurepas est l'un des premiers effets de cette lecture" <sup>137</sup>. This remark illustrates the importance of looking at Louis the man; while an account may be given of any minister's accession to power in terms of intrigue or patronage, many of Louis XVI's early choices can be accounted for

by looking at Louis's temperament or heeding of advice, adding a new and very potent dimension to politics.

Another influence on the young man was public opinion. Once the unflattering childhood anecdotes were over, the reports of the Dauphin reaching the capital were wholly laudatory: he despised Court *étiquette* and extravagance, he had a beautiful and loving wife, and so on <sup>138</sup>. In 1773 he and Marie-Antoinette made their first official visit to Paris; their reception was tumultuous <sup>139</sup>. It was a heady draught for Louis, and one from whose intoxication he never recovered. He was unshakeably convinced that his people loved him for the rest of his life. This also had the unfortunate result of Louis's longing for public acclaim at the cost of political wisdom. To this end he renounced the tax of joyous accession, "He is very ambitious of the popularity, that is to be acquired by lessening the burthens of his people", reported Stormont in May 1774, and Stormont went on to predict that only the recall of the parlements could sustain this popularity to which Louis had become addicted <sup>140</sup>.

The man upon whom these ideas and people operated has rarely been taken seriously in historiography. Three schools of thought have developed. The first, as set out by Soulavie, of a helpless spectator in his own reign <sup>141</sup>. The *dévo*t school created the myth of a man too pious and holy to be able to cope with the wickedness around him <sup>142</sup>. The third school of thought is that adopted by most historians, that Louis was snowed under by conflicting advice from which over-powerful - or justly enterprising - ministers rescued him <sup>143</sup>.

A consensus of opinion held that Louis's virtues were of a private rather than public nature; "...*élevé* plutôt, malheureusement, pour le ciel que pour le trône", or "... pieux, humble, il sera bon époux, bon père, mais mauvais roi" <sup>144</sup>. The one person who would have disagreed with all the criticisms of him was Louis himself. His piety forbade him to believe that the throne could be entrusted to a man not fitted for it. When he heard of Louis XV's death he said, "Je vois bien que Dieu le veut: il l'a décidé. Il ne me reste plus qu'à protéger la religion qui en à grand besoin, à écarter de moi des vicieux et les fripons,

et à soulager les peuples" <sup>145</sup>. In this context Louis was a royal Candide believing that all must be for the best on this best of all possible thrones; his tutors had done nothing to cast doubt on such a belief.

Richelieu dismissed Louis as, "Sa vertueuse et obèse Majesté" <sup>146</sup>, and this indicates one of the great flaws of Louis XVI's monarchy, that the king himself was subject to ridicule. The strength of royalism within France prevented such a phenomenon becoming publicised at the time, so we must rely on an outside observer - Horace Walpole. As early as July 1771 he called Louis, "an imbecile; both in mind and body," and in September of that year it would difficult to find, "...a Dauphin more unpromising". By May 1775 he was describing the king as, "the new well-beloved", and in July 1777 as a "Rehoboam". His public speaking was a disaster: when addressing the parlement in May 1775 he had to make four attempts before he could start. Such incidents, unknown under Louis XV, detracted from the mystery and veneration of royalty. When Marie-Antoinette finally became pregnant his delight was undignified, "...the king talks rapturously of it, to anybody - he has had qualms", reported an American, as if he himself were still recovering from the unnerving experience of encountering this ebullient father to be. Taking up the American's final point, Walpole made the cruellest cut of all - he doubted that Louis was the father, "I have little faith in conceptions that have been so long immaculate". In such a derisory climate of opinion it was thinkable to launch a political attack on the institution of monarchy <sup>147</sup>.

Louis was not unroyal in aspect, acquiring a dignity with obesity which offset his shyness <sup>148</sup>. He lacked, however, the graces which made royalty acceptable on a personal level. He lacked the ability, or desire, to put people at their ease and soften the impact of absolutism, qualities which both Louis XIV and XV had possessed. He was an uncomfortably vituous man with an absolute belief in his own righteousness and the sacredness of his person <sup>149</sup>. This produced an extraordinary insensitivity, as when he dismissed the Huguenot plea for toleration with the observation that, "Ils ont un moyen sur pour être comme les autres citoyens, c'est de reconnaître la véritable religion" <sup>150</sup>.

In this early part of the reign, before Marie-Antoinette had begun to patronise favourites such as the Polignacs on a large scale, Louis regarded service in his courtiers and ministers its own reward. In its day to day dealings he made the monarchy an inhuman institution. This was shown in his treatment of Soubise whose presence at Court he insisted on only to make no secret of his dislike of the whole family and to exclude him from important policy making <sup>151</sup>. Métra's account of him in the field suggests he carried his faults with him there, and treated his animals no better than his human servants, being gauche, inept, inconsiderate, and ungrateful <sup>152</sup>. This harshness masked a shy, lonely, sometimes bewildered character.

Louis was a pious man who showed his religion more in inner conviction than in external ceremony. This enabled him to cope with Turgot, whose spirituality was obvious, though not expressed in religious observance, or the protestant Lecker. (As a Genevan, Necker did not suffer quite the same legal problems of toleration as did indigenous Protestants). Louis <sup>AVI</sup> found that he could not tolerate the lack of any religious impulse, and determined to stamp out irreligion in the army <sup>153</sup>. In the church he tried to undo the progress philosophie had made, blocking the careers of bishops known to be atheists or to be uncelibate. This led to one of his few memorable remarks when he refused Loménie de Brienne the archbishopric of Paris on the grounds that, "Il faut que du moins, l'archevêque de Paris croie en Dieu" <sup>154</sup>.

Louis's piety, shyness, and dislike of extravagance made the Court an inimical environment for him. "Il avait l'esprit juste, l'âme droite et froide, avouant n'aimer que la chasse", was Croÿ's judgment of him <sup>155</sup>. This cold and righteous heart kept him in the saddle rather than on the throne. All his interests - hunting, shooting, carpentry, geography, paleography, mechanics, physical labour - kept him away from pomp and ceremony. He disliked military display; Ligne considered that his failure to show himself in uniform as head of his troops was a serious mistake, possibly contributing to the army's failure to act in 1789 <sup>156</sup>. His reaction to and relationship with the Court was negative, he neither used nor enjoyed it and allowed it to diminish in importance <sup>157</sup>. For the first time since the Fronde people began to think in political terms outside the Court <sup>158</sup>, and as a result of Louis's attitude the political initiative began to shift from the Court to capital during his reign <sup>159</sup>. A man of Louis's character was something the

institution of the monarchy could not cope with. A ruthless despot at least ensured a strong government, a wise and just king could be respected and loved, a weak king who surrendered power to an able minister could be excused, or even a thoroughly disreputable king could be accepted if he played the part of king, but in Louis XVI France, eventually, faced a weak and incompetent king who refused to recognise his own limitations, while also refusing to act like a king.

For all the later reports of his incompetence and lack of interest in government, the evidence of the early years shows that he worked hard. Montbarey spoke of his, "... occupation continuelle des affaires de son royaume, dont il ne s'arrachait qu'avec peine" <sup>160</sup>. On 24 May 1774 Albertas noted that the new king worked seven hours a day with his ministers <sup>161</sup>, and Mercy reported that in the first month of his reign only the entreaties of Marie-Antoinette and the admonitions of his doctors persuaded Louis that state business required only six days a week <sup>162</sup>. In May 1774 Stormont reported that the young king was concerned about, "his inability, inexperience, and total ignorance", but that he was redeeming himself by his honour, application, sense of business, and understanding, and alone among many observers at this date Stormont noted some youthful intolerance <sup>163</sup>. The Espion Anglais assessed the new king, "Il a prouvé qu'il est capable de réflexion, et de s'occuper de choses plus importantes que les niasseries de son âge. Il a naturellement le caractère, les principes austères; il est l'ami de l'ordre, et l'on ne doute qu'il ne le maintienne de toute son autorité" <sup>164</sup>. Not all commentators were so enthusiastic, Sallier described him as, "...exempt des vices qui marchent a la suite des passions, (il) manquait aussi de l'énergie qu'elles font naître" <sup>165</sup>. The same idea was taken up rather more favourably by Target in a speech to the parlement on 21 November 1774, in which he described the 1770's as the "age of passions", but praised Louis for ignoring them and heeding only reason <sup>166</sup>. These remarks echo an Enlightenment ideal of royalty, when Gibbon praised the emperor Maurice for, "...expelling from his mind the wild democracy of passions, and establishing a perfect aristocracy of reason and virtue" <sup>167</sup>.



His greatest faults were lack of resolution and intellectual stamina. Véri defined his political failings as "timidity" rather than indifference or incapacity, and complained as early as June 1775 that Louis "...manque un grain de fermeté sans lequel toutes ses bonnes qualités seront sans effet" <sup>168</sup>. Within a year Réal's and Moreau's warnings on the lack of resolution were proving only too necessary. A variant on the theme was provided by Mirabeau and Soulavie in a libellous history of the period, Louis had, "...un caractère très dur et très décidé quand il s'agit de la justice, mais sans suite, parce qu'il n'a point encore assez de volonté pour faire exécuter ses idées complexes" <sup>169</sup>. Montbarey reduced his faults to two: lack of resolution and being too easily led <sup>170</sup>. Talleyrand believed that, "...une fermeté soutenue n'était pas dans le caractère du roi" <sup>171</sup>. The worst charge was that of moral cowardice; Muy levelled it at Louis when he pensioned off Fitz-James with a baton in 1775 <sup>172</sup>, and no one even needed to point it out over his abrupt withdrawal of confidence from Turgot. Louis could always be caught off-balance when he presented some scheme filled with good intentions, Maurepas tricked him out in a thorough attack on immorality in May 1774, but leaving Louis with the impression that his intentions would still be implemented <sup>173</sup>. After this false start Louis never came to grips with the problem of moral regeneration.

A final quality for which Louis was noted, associated with his need for popularity was his desire to be understood. Here he seems to have followed directly Réal's maxim that enlightened submission was better than blind obedience. Louis's edicts were always prefaced by an explanatory preamble. Necker wrote that Louis, "...appel ses sujets à connaître la pureté de ses motifs, la bienfaisance de ses intentions, la justice de ses volontés, la sagesse de moyens" <sup>174</sup>. The desire to be understood also prompted Louis to allow the freedom of the press: total 1774-6, limited 1777-89. While this matches Gay's concept of the 'politics of decency', it did not receive contemporary acclaim. The practice of consulting public opinion as opposed to the decisive exercise of absolutism was thought - rightly - to be weakening the monarchy <sup>175</sup>. Louis never understood

that what seemed justice from the throne could be interpreted as weakness in the country.

Besides his childhood loathing of Choiseul, the Dauphin's first known political statement was to congratulate Maupeou in December 1770 for proscribing the *unité des classes*, "Cela est très beau, voilà le vrai droit public, je suis enchanté de M. le Chancelier" <sup>176</sup>. The picture of the Dauphin that emerges from this period is one of a sullen figure repressed by and fearful of his *dévo*t tutors. His natural shyness was becoming accentuated into coldness. Mercy was unable to avoid the conclusion that Louis was deeply resentful of all those around him, and that beneath an indifferent exterior he possessed a disturbingly astute judgment of his associates. In the event he chose to hide his feelings both as regards personalities and policies <sup>177</sup>. Although Vauguyon's dismissal should have warned of Louis's future policies, no one seems to have seen beyond the immediate conflict of personalities. He had been bullied into accepting Maupeou as a saviour of the monarchy, and to reject the Chancellor was Louis's revenge against his dreadful childhood and adolescence. While there are a host of other reasons here we can interpret a policy decision in terms of Louis's personality; in a letter to Vrillière on 23 August 1774 he made it clear he had chosen Miromesnil to implement a policy already decided on <sup>178</sup>.

Before he came to the throne the only quality he was known to possess was "*économie*", and Stormont expected a swift change in Court expenditure, which happened most dramatically with the selling of 2,000 horses <sup>179</sup>. Louis's aversion to ostentation probably dated back to the disaster at his marriage celebration when over a hundred people were killed falling into a ditch. Louis believed that he could reduce conspicuous consumption by his own example, and that some revenue at least could be dispensed with. It was for this reason that he waived the tax of joyous accession, which was at one and the same time an "*économie*" and a measure of great popularity. *Economie* was not an obsession; on pensions, for example, it took second place to justice when two years' worth of the five years' arrears on small pensions were paid off <sup>180</sup>, and where lavish display benefited the monarchy it was authorised - hence the formal

coronation at Rheims while the area was still recovering from famine. The *Mercure de France* described the coronation as the occasion when the "élite" of the nation could see the monarch at his most august and splendid <sup>181</sup>.

It had been feared that Louis would allow himself to be dominated by priests, as his father had been <sup>182</sup>, but this proved groundless. Louis found that the fault of authoritarian *dévots* was that they sought to extend their authority over the king, for this reason he had dismissed Vauguyon, and subsequently Beaumont was excluded from politics. The political company Louis chose in May and June 1774 was that of Great or *dévo*t elder statesmen; the *maréchal de Broglie*, *Nivernois*, *Orléans*, *Maurepas*, *Muy*, *Castries*, *Périgord*, the *maréchal de Noailles* <sup>183</sup>. Louis enjoyed the company of the Great, although he never formed close friendships the way Bourbons before him had. The Young Court was as much his creation as Marie-Antoinette's and its typical courtier was a young, illustrious Great, possessed of wit rather than frivolity and loyal to the monarch <sup>184</sup>.

Louis wanted to create a new ministry based on men recommended by his father, and tempered by advice from *Réal* and *Moreau*. He did not dismiss *Maupeou's* ministry immediately, instead he phased it out over a year, perhaps heeding *Réal's* advice, "Un nouveau roi qui change tout à coup les ministres de son prédécesseur, manque aux règles de la bonne politique" <sup>185</sup>. Louis had more than absorbed *Moreau's* teaching on justice - "La justice des rois doit ressembler à celle de Dieu même", and, "La justice est l'âme du gouvernement" he had parroted <sup>186</sup> - and both the new ministry and the recall of the parlements were meant to reflect this. He judged that the benefits to the monarchy from *Maupeou's* reforms were more than offset by their patent injustice. While his treatment of the restants was insensitive, and inconsiderate, it was an absolute condition of recall that they be reinstated to their 1770 positions. Other than a few doubts voiced on the wisdom of the recall, the first year of the reign received universal acclaim, "Toutes les opérations du nouveau règne pendent le sceaux de la justice et de l'humanité" <sup>187</sup>. Even *Linguet* was moved, in an obsequious moment, to write, "On s'est flatté avec tout de

raisons du voir reflleurir la justice <sup>188</sup>.

Louis's impulse to justice moved him to talk of an amnesty for political exiles months before the recall of the parlements <sup>189</sup>. An innovation of the reign after the dismissal of Maupeou's ministry was that dismissed ministers were generally no longer disgraced and exiled, which prompted Soulavie to call him the least hateful of all the Bourbons <sup>190</sup>. He did disgrace and exile Aiguillon for his association with du Barry, and he disgraced Joly de Fleury junior for maltreatment of prisoners <sup>191</sup>. He authorised the payment of 100,000l. to Chalotais as compensation for his suffering followed by a pension of 8,000l. <sup>192</sup>. A year later Vrillière owed his dismissal to an earlier incident when he had denied all knowledge of a lettre de cachet bearing his signature <sup>193</sup>. Throughout the reign Louis was concerned to prevent persecution whether of Huguenots or Jesuits, although he always insisted that observance of the true religion was a better safeguard against persecution than any change in the law.

Louis's justice, humanity, and sense of duty led him to make a speech to the Council on 20 May 1774, "Comme je ne veux que m'occuper que de la gloire de mon royaume et du bonheur de mes peuples, ce n'est qu'en vous conformant à ces principes que votre travail aura mon approbation" <sup>194</sup>. At his coronation Louis declared, "Il est bien juste que je travaille à rendre heureux un peuple qui contribue tout à mon bonheur, je vais maintenir m'en occuper tout entier" <sup>195</sup>. He patronised legal and penal reform, an easing of the corvée (after abolition had failed), and of slavery, a complete review of lettres de cachet, the abolition of legal torture, and the abolition of serfdom. On a personal level he acquired a reputation for good works, whether by not riding over growing crops, by giving doweries to peasants he encountered while hunting, or by lighting public bonfires in cold winters. One of the most instructive comments on Louis's style of politics, on the return to older and higher standards, comes from Vergennes. On 13 August 1776 he wrote to the Order of St. John's bailie in Alsace complimenting him on a letter he had addressed to the king. This letter was sure to meet with success because it showed an openness motivated by honour alone <sup>196</sup>. Louis XVI managed to create

a new style of monarchy in which the crown allied itself to the individual against the corporations; Turgot and Necker helped create this monarchy and Guyot proclaimed its success<sup>197</sup>. Ardasheff noticed that the emphasis had changed from the duties of the subject to the rights of the citizen during the reign.<sup>198</sup>

One of the most striking aspects of the reign was its re-emphasis of privilege and honour. Louis heeded Réal's dictum that the Great could be good friends but dangerous enemies<sup>199</sup>. Under Louis the peerage became an agency of government. To give substance to this a declaration was made on 31 May 1775 that peers should enjoy the same position in provincial parlements as they did in the parlement of Paris; Louis himself explained, "...que les Princes et pairs sont ministres essentiels de toute Cour souveraine". The measure was deliberately meant to weaken magisterial opposition by compromising it against ducal prestige, as had happened in Paris over the Fitz-James affair in 1763-4<sup>200</sup>. In Paris the peerage was used on 10 December 1774 to thwart possible remonstrance by the recalled Châtelet and on 20 January 1775 to prevent remonstrance against a prolonged twentieth<sup>201</sup>. Louis took care to keep a firm grip on the peerage by reasserting that the king, and the king alone, could summon (as opposed to invite) the peers to attend the parlement<sup>202</sup>. Also in 1775 it was ruled that forfeiture proceedings could be heard only before peers, a pale echo of Monsieur's Chamber of Forfeiture but still an assertion of the peerage's political prestige and power<sup>203</sup>. The Mercure Historique et Politique warned that the peers were in danger of being reduced to "super-counsellors"<sup>204</sup>.

In the aftermath of the Flour War the Greats' dual authority as peers and provincial governors was exploited; seven of them were specifically ordered to operate in both capacities<sup>205</sup>. St-Germain's reforms reorganising the army also had the effect of upgrading gubernatorial dignity and bringing the Greats' various types of authority into greater concert. The advice that men of high birth should be preferred to men of lower was implemented to the full, reaching its zenith with Ségur's 1781 military regulations. Louis believed that privilege in its rightful role was a pillar of support for the monarchy, a point the parlement was at pains

to stress from its side. This patronage of birth ties in with the second militaire ministerial offensive, and must have done much to facilitate it.

A new approach to government and the exercise of power was made evident in his attitude to the Council. Another part of his 20 May 1774 address to the Council made it clear that he was no longer prepared to accept a Cabinet system and would deal separately with each minister, "Indépendemment des Conseils...". Montbarey went as far as to claim that Louis wanted to dismantle the conciliar structure of government, but that the plan had fallen by the wayside by the time the recall of the parlements had been dealt with <sup>206</sup>. Despite his decision to avoid a Cabinet system, which Louis did avoid with his more important ministers, Maurepas managed to edge his way into a Prime Ministership for the bulk of government business.

Louis's choice of counsellors showed a decisive break with Louis XV's system, which had been to choose men Louis XV trusted and then rely on a majority on Council to govern the country. Louis XVI chose men to implement policies he had already decided on (eg. Miromesnil for the recall), and then managed the Council to ensure that the measures were passed. Where a policy, such as the recall, would not muster a majority Louis excluded the hostile counsellors. So much did Louis use the Council as a consultative instead of ruling body that Ardasheff judges it to be "decorative" in this reign <sup>207</sup>. None of the important policies implemented during Maurepas's first ministry could have been passed by a majority on Council - only the king could fill this gap and maintain this situation. Louis commented over the Six Edicts that opposition on Council might give him food for thought but would never make him change his mind <sup>208</sup>.

In his relations with the parlement Louis adopted a different approach to either Louis XIV or XV. Maurepas and Miromesnil helped foster the illusion in a willing Louis that the parlements would be grateful for their recall to the point of not offering any serious opposition throughout the reign. Given this confidence, and one of Louis's maxims, "Quand on est fort, il faut être modéré" <sup>209</sup>, far more dialogue was allowed between parlement and government

than previously. Another reason for this was the parlement's function of publicising and explaining the edicts it registered; the courts could guarantee public acclaim for the government if they were sympathetic. Under Louis XVI the parlement issued fewer remonstrances and more supplications and representations, a sign of less friction between magistrates and ministers. On issues of great importance Louis felt a remonstrance was justified. During the debates on the recall Stormont felt he could detect something of a 'loyal opposition' attitude from the throne <sup>210</sup>. On the Six Edicts Louis even allowed a grand deputation to present the remonstrance at Court, something Louis XV never dared.

Once a decision had been taken, however, absolute obedience was required. In May 1774 Stormont had predicted, "Those who pretend to know the present king's temper think that he carries his notions of (royal) authority as far as any of his predecessors" <sup>211</sup>. When the Grand Council remonstrated more than Louis thought fit in January 1775 he delivered a crushing assertion of his will, "Je veux être obéi, et ce ne sera que lorsque vous exécuterez punctuellement l'édit qui vous concerne, que je pourrai examiner vos demandes" <sup>212</sup>. This was almost a revival of the Louis-quatorzième practice of not receiving remonstrances till after the registration of the edict; probably Maurepas and Miromesnil talked Louis out of such an extreme assertion of royal authority. (The abrupt assertiveness of such words shows that they are Louis's and not the subtler Maurepas's or Miromesnil's.) Over the Six Edicts Louis forbade discussion of even the most tangential issues once the lit de justice had been held. In 1778 the parlement of Rouen threatened to resign en masse over a twentieth; Louis simply forbade disobedience to his will and ordered the magistrates back to work <sup>213</sup>. In 1787 Louis made a statement of royal absolutism which trespassed into the definition of despotism it was so extreme, "C'est légal parce que je le veux" he told Orleans in the parlement <sup>214</sup>. (Whether by coincidence or design, probably the former, these words were an abrasive paraphrase of Gin, "Les lois, dans la monarchie, sont la volonté du monarque..."<sup>215</sup>.) Not even Louis XIV had dared flaunt his power so openly. Lévis judged, "La monarchie était aussi fort sous Louis XVI

que sous son aiëul" <sup>216</sup>.

Louis's absolutism, however, was more petulant than resolute. He was unable to resist long-term pressure. He was particularly susceptible to the idea that a minister was damaging the monarchy. His preparedness to bow to the opposition to Turgot spelt the doom of all his good intentions, of all the lessons he had been taught, and of all the potential for his reign - or so it seemed at the time <sup>217</sup>. Necker gave Louis a second chance, but the war, Necker's ambition, and the effectiveness of Court opposition conspired to end the reign's reforming impulse.

The most interesting account of the still-born potential of Louis XVI's monarchy came in a study of where the monarchy's best interests lay commissioned by the king in the summer of 1774, and which was circulated to the Secretaries of State. (Louis's dilemma, as expressed by the *Journal Historique*, was that he both feared the old parlements and distrusted the new <sup>218</sup>). "Telle est la nature de la monarchie française", began the first memoir, "qu'elle ne doit être tempérée que par les mœurs", (one of Gin's points), "La pleine autorité du monarque est donc la base de la monarchie, la sauvegarde des peuples, le garant de la liberté nationale". Later, "Il n'y a en France qu'un législateur, qu'une autorité temporelle", all reinforcing the devout tutors' ideas.

In this theoretical study, which Louis did not choose to follow, a political programme for 1774 was drawn up:- confirm Maupeou's work, consult the nation by convoking an assembly of three deputies from each province (one from each Order), initiate extensive legal reform, order the bishops to reside in their sees and abolish usuary. The recall of the parlements would cause irreparable damage to the monarchy and church and would open up the way for the intermediary corporations to usurp power <sup>219</sup>. The advice was too favourable to Maupeou to be taken up, but several parts find echoes in Louis's attitudes or subsequent policies (eg. the fourth and second items respectively). Such ideas were part of a brief climate of opinion predicting new and glorious policies; one commentator picked up a rumour that Louis intended to visit a different province each year so as to acquaint himself fully with his realm <sup>220</sup>. In the event the only two journeys of any note Louis was to make were a



royal progress to inspect the naval yards at Cherbourg and the flight to Varennes - a sad analogy of the promise of the reign as a whole.

It was Louis's tragedy that he consistently sacrificed the lesser principle to the greater. Over what to do in 1774 he chose to follow the advice of another study of the problems, "Le bien du service du roi et l'utilité de ses sujets paroissent être de rétablir l'ancien parlement, sans en éloigner les officiers qui l'ont remplacé" <sup>221</sup>. Soulavie put the blame for his failure on his good intentions which made it seem that he followed rather than led public opinion <sup>222</sup>. Worse, he failed to gain the popularity which might have compensated for the loss of authority, "Habituellement enclin à la severité et sans avoir le courage d'aller jusqu'au but, le roi se montre dur, injuste" <sup>223</sup> - the most ironic of all condemnations. He appeared alternately weak and despotic - a paradox whose disastrous consequences Tocqueville made a theme of his account of the regime.

Louis hoped to see the end of intrigue, but instead his irresolution allowed it to reach new heights. "The throne he fills, far from raising him above intrigue, places him in the centre of it", Stormont warned in May 1774 <sup>224</sup>. He confided to the maréchal de Noailles, "Je ne veux pas que les honnêtes gens m'abandonnent" <sup>225</sup>, yet his very treatment of them made it impossible for them to stay. The most successful Court careers of the reign were those of men like the parvenu trickster Pesay.

The dream of Louis XVI's monarchy was a just, absolute, resolute king supported by the corporations on the one hand and the citizenry on the other. A virtuous and thrifty but excellent Court would set an example of moral and intellectual leadership. A government of honest, enlightened, industrious, and disinterested ministers would govern in social, political, and economic stability and harmony, implementing the king's good intentions. Each part of society would discover dignity and community of interest in service to the state, each in its rightful place. The parlements would protect the individual while administering a reformed legal code. The provinces would enjoy a greater degree of autonomy. What is surprising, considering the force des

choses and Louis' personal limitations, is how much of this programme was implemented. It must never be overlooked, for example, that Louis had the courage to appoint, and for a time support, philosophe ministers, something which delighted public opinion, was beyond the reformers' wildest dreams, and was distinct to the Louis-seizième monarchy. Possibly, again taking one of Tocqueville's themes, the very success of a reforming monarchy was the germ of its own destruction.

The reality of Louis XVI's monarchy was that it did fail. From 1778 Louis lost his grip. The shock of finding minister after minister unacceptable destroyed his faith in politics; "Je crois que nous nous sommes encore trompés" <sup>226</sup>, he observed wearily to Maurepas as Clugny's incompetence became apparant. The support for insurgents in America rebelling against a fellow monarch undermined the ideological foundations of the monarchy. The financial problems caused by the war became complex and overwhelming; they passed beyond the comprehension of the king, and, given his refusal to countenance a bankruptcy (because it would be unjust), beyond the capabilities of his ministers to solve. Finally, Louis became bored and took increasingly to hunting. In the end all the potential fell against the ominous comment in a memoir demanding urgent provincial reform drawn up either by or for Necker, it warned, "Le changement qu'il y a eu dans l'attachement du peuple pour leur maître a diminué sensiblement de nos jours" <sup>227</sup>.

SUMMARY

This chapter examines the focal point of the regime: the monarchy and the monarch himself. It looks at the influences on the king and Louis XVI's monarchy in practice.

Studying Louis XVI's tutors, mentors, and family influences shows that he ascended the throne with very definite ideas on politics and kingship. The political programme that can be defined was an intelligent and sensitive reworking of seventeenth-century absolutist ideas to fit the context of the "enlightened" late eighteenth. Its central concept was the creation of a political environment, analogous to that of "confidence" in finance, through the exercise of the virtues of "justice" and "resolution".

For the early period of his reign, many of the stereotyped interpretations of Louis XVI's character do not stand up to close examination: laziness, domination by Marie-Antoinette, or lack of interest in politics. He did possess faults and did make mistakes, but up to 1778 these had neither compromised the crown's authority, nor jeopardised the reforming impulse. Louis himself led this reforming impulse and achieved some remarkable successes: two major reforming ministries, humanitarian reforms, personal popularity, policies followed through against the opposition of a majority on Council, and an atmosphere of reconciliation and debate in politics.

Linking forward to chapter V, some reform schemes are examined in this context. These were the schemes presented by men either already enjoying direct access to the king, or by men who had to by-pass the normal filter of ministerial politics to have a serious hearing.

Louis's preparedness to give the institutions a hearing while supporting reforming ministers gave the promise by 1778 of the monarchy leading the regime towards the solution of many of its problems.



FOOTNOTES

1. Espion Anglais I p.35. Bachaumont VII p.199.
2. The principal biographies of the Old Dauphin are:- 'Portrait de feu Monseigneur le Dauphin' J-A-J Cérutti and duc de la Vauguyon Paris 1766.' 'Mémoires pour servir à l'Histoire de Louis Dauphin de France' H. Griffet (ed. Y-M-M de Querbeuf). 2 vols. Paris 1777. 'Vie du Dauphin, Père de Louis XVI' l'Abbé Proyart 1777 (all references here from 4th edition, Lyon 1781) 'Eloge du Dauphin, Père de Louis XVI' l'Abbé Proyart, Lyon 1781. 'Portraits et Caractères' Sénac de Meilhan. Paris 1813 (the only non-dévoit account in the period). 'Le Dauphin, Fils de Louis XV et Père de Louis XVI et de Louis XVIII, ou Vie Privée des Bourbons 1725-79' C. du Rozoir. Paris 1815. 'Vie du Dauphin, Père des Rois Louis XVI, Louis XVIII, et Charles X' H. de l'Épinois. Paris 1852. 'Histoire de Louis de France ou le Dauphin, Père de Louis XVI'. M. de Montbard. Limoges 1860. (These latter two were compilations from the earlier accounts hoping to create a myth.)
3. Walpole, Letters. IX p.266.
4. H. Walpole 'Memoirs of the Reign of George III' ed. Sir D. Le Marchant. 4 vols London 1851. II pp. 241-2.
5. 'The Life and Death of Louis XVI' G.K. Padover. New York 1939.. pp.7-8.
6. 'L'Éducation d'un Roi: Louis XVI'. P. Girault de Coursac. Paris 1972. p.12. (most biographical detail on Louis XVI will be taken from this book)'
7. Proyart pp. 277-9. (not reported by other biographers).
8. Portraits et Caractères, Sénac de Meilhan. p.57.
9. Griffet I pp. 101-5.
10. Epinois p.242.
11. Proyart pp. 143,145.
12. Griffet I p.105.
13. Ibid. I pp. 125-6.
14. Ibid. I pp. 249-52. Proyart 84-5.
15. 'La Nouvelle Philosophie Dévoilée' P.O. Finault. Paris 1771. 'Discours sur le Danger de la Lecture des Livres contre la Religion par rapport à la Société. quoted in Année Littéraire 1770 IV pp. 40-7. 'La Science du Gouvernement' Curban de Réal. 8 vols. Aix-la-Chapelle 1701-3. I p.341. 'The Origins of Totalitarian Democracy' J.L. Talmon London 1952.

16. Du Rozoir p. 163. Léonce de Lavergne, 'Les Economistes français du 18<sup>e</sup> Siècle' Paris 1870. p. 141.
17. Proyard p. 151.
18. Du Rozoir p. 256.
19. Griffet I p. 132. Proyard p. 157.
20. Griffet I p. 164.
21. Proyard pp. 154, 243.
22. Falmer I p. 61.
23. Réal I p. x.
24. Ibid. I pp. xv, xvi, xix.
25. Ibid. VI p. 164.
26. Ibid. I p. 309.
27. Ibid. IV pp. 111-15, 189.
28. Ibid. IV pp. 106-15, 305-59, 513.
29. Ibid. IV p. 728.
30. Ibid. IV p. 130.
31. Ibid. IV pp. 288-91.
32. Ibid. IV pp. 707-10.
33. Ibid. IV pp. 477, 484-5.
34. Ibid. IV pp. 747-70.
35. Ibid. VI pp. 31, 40-5.
36. Ibid. IV p. 725.
37. Ibid. VI pp. 147-51, 176-83.
38. Ibid. VI pp. 73-80.
39. Ibid. I p. 25.
40. S-P. Hardy 'Mes Loisirs ou Journal d'Evénements'. B.N. Mss fr. 6680-7 (I pub. Paris 1912). II p. 470 4 December 1774.
41. Réal VI pp. 40, 49, 64.
42. Ibid. VI p. 207. Mirabeau, Utilité p. 23.
43. Réal IV pp. 727-8.
44. Ibid. VI p. 67.
45. Ibid. VI pp. 234-5, 237-9.
46. Ibid. VI 83-4, 87-146.
47. Ibid. VI 167-8.
48. Hardy II p. 343.
49. Réal V, VII, VIII respectively.
50. Ibid. VI p. 79.
51. Piétri pp. 6-7.
52. Moreau I passim.
53. Archives Etrangères. Mémoires et Documents France. 1373 France 1772-3. March 1773.
54. Although published Versailles 1775 it received the censor's approval in 1773, and was therefore available to the Dauphin even earlier.

55. Moreau, Devoirs pp. 241. (although in two parts pagination is continuous).
56. Ibid. pp. 17-18.
57. Ibid. pp. 14, 95.
58. Ibid. p. 286.
59. Ibid. p. 192.
60. Ibid. p. 325.
61. Ibid. p. 335.
62. Ibid. pp. 336, 389, 390, 243-4.
63. S.P. 78. 297 p. 72.
64. Moreau, Devoirs, pp. 390, 391.
65. Ibid., p. 339.
66. Ibid. pp. 352, 353-4.
67. Ibid. pp. 360, 395.
68. Hardy II p. 481.
69. Moreau, Devoirs pp. 362-3 (in context of parlements).
70. Ibid. p. 229.
71. Ibid. pp. 241-2.
72. Ibid. pp. 277-8.
73. Ibid. pp. 237, 254, 256.
74. Ibid. pp. 238, 282.
75. Ibid. p. 253.
76. Ibid. p. 296.
77. Ibid. p. 312.
78. S.P. 70. 292. 81. 299. p.437.
79. Aubusson, Alambic des Lois pp. 454-9. P-V. Besenval  
'Mémoires' 4 vols. Paris 1805-6 II p. 168.  
'Les synodes...' N-E Rétif de la Bretonne. The Hague  
1777. pp. 164-6.
80. Moreau, Devoirs p. 95.
81. Ibid. p. 231.
82. Walpole, Letters IX p. 237.
83. Moreau, Devoirs p. 242.
84. Ibid. p. 459.
85. 'Correspondence Secrète entre Maria Therese et le Comte de Mercy Ardentau' ed. A. Arneth and M.A. Geffroy. 3 vols. Paris 1874. II p. 205 (maria-Theresa to Marie-Antoinette 16 July 1774).
86. 'Réflexion sur me Entretiens avec M. le Duc de la Vaucuyon' Louis XVI (ed. Falloux) Paris 1851. p. 49.
87. Hardy II p. 16.
88. Revue du Mercure de France 1771 IX pp. 70-80.
89. Crillon pp. 125, 41, 124.

90. Année Littéraire 1772 VI pp. 340-49.
91. (See Chapter V ) 'Essai General de Tactique' J-A-H Cuibert. 2 vols. Liege 1773 I p. xliv.
92. Taken from a précis in 'Paul Thiry d'Holbach et la Philosophie Scientifique au Dix-huitième Siècle' F. Naville Paris 1943. pp. 118, 388-9, 400-4.
93. Bachaumont X p. 267. Métra V p. 98.
94. Mably p. 41.
95. Ibid. p. 28.
96. Ibid. p. 16.
97. Ibid. pp. 3-4, 18, 39.
98. Ibid. p. 120.
99. Ibid. pp. 122-3.
100. Ibid. pp. 205-12.
101. Ibid. pp. 215, 139.
102. Ibid. pp. 306, 350.
103. Ibid. pp. 122-3, 215-16.
104. Thévenau de Morande, Gazette Noire pp. 42, 44. Gazetier Cuirasé ix-x.
105. Mably p. 288.
106. Ibid. pp. 90-1.
107. Ibid. pp. 288-9.
108. Ibid. p. 287.
109. Ibid. pp. 313, 321-56. 'On Crimes and Punishments' C. Baccaria (Naples ?) 1764.
110. Mably pp. 311-12.
111. Année Littéraire 1776 IV p. 145. Journal Encyclopédique 1777 III pp. 379-98.
112. Antoine pp. 3-4.
113. 'Les Vrais Principes du Gouvernement Française' P-L-C Cin. Geneva 1762. (first published 1777) pp. 131-40, 147-9, 64.
114. Mercur de France 1775 VII pp. 75-6 reviewing 'Plan d'Imposition Economique et d'Administration des Finances' R. des Glannières Paris 1874.
115. Mercur de France 1778 II p. 106. Année Littéraire 1777 VII pp. 217-48.
116. Mercur de France 1777 IX pp. 112-19. Journal Encyclopédique 1777 V pp. 191-202. (For Vol. I of 'Principes de morale...', subsequent volumes were more favourably reviewed by the Mercur).
117. Turbot VII p. 391.
118. Inconvénients p. 8.



119. Journal Encyclopédique 1775 IV pp. 71-80. V pp. 87-107.
120. Albon I p. 10.
121. Letrosne I p. 170.
122. Ibid. II p. 437. Full discussions of Letrosne and Necker in Chapters V and VI.
123. Necker, de l'Administration I pp. lxxx, xcii.
124. Du Rozoir p. 321.
125. Girault de Coursac pp. 37-8.
126. Croÿ II p. 127.
127. Mercy I p.17.
128. S.I. 78. 284. p.67.
129. S.P. 78. 284. p.56.
130. S.I. 78. 293. p.58.
131. Véri I pp. 241, 298 (January and May 1775 respectively).
132. eg. Correspondance Secrète I p. 165.
133. Sénac de Meilhan, du Gouvernement p. 41.
134. Soulavie I p. 202.
135. Albertas IV p. 1815. S.F. 78. 301. p.90 (22 January 1777)  
St. John. 9. 1238 p.203.
136. S.P. 78. 292. p.55.
137. Albertas IV pp. 1858-9.
138. S.F. 78. 292. 56 (Stormont, for example, expected cuts in Court expenditure).
139. Fullest report in Mercure Historique et Politique 1773 II pp. 48-54, 172-6.
140. S.F. 78. 292. pp. 160, 230.
141. Soulavie II p. 203.
142. eg. 'Le Roi-Martyr' P-V Delaporte. Paris 1893.
143. Dakin, Turgot p.142.
144. 'Lémoires secrets de 1770 a 1789' A-J Allonville 6 vols. Paris 1838-45. I p.25. Préclin I p. 356.
145. Moreau I p. 362.
146. Richelieu IV p. 264.
147. Walpole, Letters VIII pp. 62, 83. IX p.,197. X pp. 101, 133. Auckland III p. 233.
148. Lévis p. 143. 'Memoirs of the Baroness d'Oberkirch' 2 parts. London 1852. I p. 239. 'Souvenirs d'un Face de la Cour de Louis XVI' C-A-F-F de Hézecques. Paris 1873 p.5.
149. Montbary III p.2.
150. 'Louis XVI, Marie-Antoinette, et Madame Elisabeth, Lettres et Documents inédits' ed. F. Fouillet de Conches. 6 vols. Paris 1864-73. I p.59.

151. Métra I p. 19. S.F. 78. 293. pp. 109-10, 292. p. 157.
152. Métra I p.35.
153. Espion Anglais II p.36.
154. Lévis p. 143.
155. Croÿ II p. 240.
156. 'Mémoires et Mélanges historiques et littéraires' Prince de Ligne. 5 vols. Paris 1827-9. IB p. 135.
157. Girault de Coursac p. 256.
158. 'Oeuvres Complètes de D-A-F de Sade' 30 Vols Paris 1953-VII pp. 236-7. Sade's links with the philosophes on the one hand (I p.3 for a major philosophe statement), and the militaires on the other (VII p. 291) force us to take his political statements seriously.
159. Denée de Meilhan, au Gouvernement p. 33.
160. Montbarey II p. 223.
161. Albertas IV p. 1343.
162. Mercy II pp. 183-4. (Mercy to Maria Theresa 28 June 1774).
163. S.F. 78 292. pp. 77, 79.
164. Espion Anglais I p.34.
165. 'Année Française 1774-79' G-ll Callier. Paris 1813 p.3.
166. Journal Encyclopédique 1775 I p. 147.
167. Gibbon V p. 113.
168. Véri I p. 299, II p. 114.
169. 'Mémoires du Ministère du Duc d'Anguillon' H-G Mirabeau and G. Soulavie Paris 1792. p. 205.
170. Montbarey II p. 217.
171. 'Mémoires' C-M Talleyrand 5 vols. Paris 1891-2 I p.97.
172. Métra I p. 239.
173. Journal Encyclopédique 1774 VI pp. 185-6. (Incident noted S.P. 78. 292: p. 78).
174. Necker, de l'Administration I p.lxxiv.
175. Soulavie II p.33.
176. 'Le Chancelier de Maupeou'. J. de Maupeou Paris 1942 quoted p.92.
177. Mercy I pp. 13, 90.
178. Feuillet de Conches I pp. 40-1.
179. S.F. 78. 292. p.56 Ct. John. 9 1238. p.206 (24 May 1774).
180. S.F. 78. 292. p. 207.
181. Mercur de France 1775 III p. 126.
182. L-P. Ségur 'Memoirs' (ed. E. Cruickshanks) London 1960. p. 211.
183. Albertas IV p. 1815. Hardy II p. 341.
184. The fullest account of the Young Court is in Ségur's memoirs.

185. Réal IV p. 37.
186. Entretiens pp. 10, 65.
187. Journal Encyclopédique 1774 VII p. 563.
188. 'Très-humbles, très-respectueuses Représentations Adressées à ... par M. Linguet' S-H-N Linguet. Brussels 1775 p. 4.
189. S.P. 78. 292. p. 166.
190. Soulavie II p.22
191. S.P. 78. 292. p. 120.
192. Espion Anglais II p.122.
193. Métra I pp. 13-14.
194. Bachaumont VII p. 200.
195. quoted 'Sully, Colbert, and Turgot' E.C. Lodge. London 1931. p. 236.
196. St. John. 9 1239. p. 509.
197. Guyot XVI p. 10.
198. Ardascheff I p. 203.
199. Réal VI p. 49.
200. The "declaration" was quoted and commented on Cin p. 315 and reported Albertas V p. 2202. (it was a "declaration" because the government maintained that they were reviving a lapsed custom).
201. Hardy II p. 403. III p. 17.
202. S.F. 78. 295. p. 198.
203. Journal Encyclopédique 1775 V p. 128.
204. Mercurie Historique et Politique 1775 I p. 452.
205. Hardy III p. 62.
206. Montbarey II p.98.
207. Ardascheff I p. viii.
208. Feuillet de Conches I p. 72. (Louis to Turgot February 1776).
209. Allonville I p. 217.
210. S.F. 78. 294. p. 188.
211. S.P. 78 292. pp. 54-5.
212. Journal Encyclopédique 1775 I p. 186.
213. Correspondance secrète I p. 211 (the correspondent observed that Louis's outburst was in character (p.212)).
214. 'Le Pré-Révolution Française' J. Egret. Paris 1962 p.101.
215. Cin, p. 64.
216. Lévis p. 14.
217. Espion Anglais II pp. 243-6.
218. Journal Historique VI p.34.

219. Archives Etrangères - Mémoires et Documents France 1375.  
'Premier Mémoire sur l'Administration', 'Addition',  
'Second Mémoire sur l'Administration', 'Motif de la  
Réforme des Parlements'. Fucet de St-Pierre. October 1774.
220. St. John. 9 1230. p. 206.
221. Archives Etrangères. Mémoires et Documents 1618. Isle  
de France 'Considérations Particulières et Secrètes sur  
le Plan' (of partial recall) September 1774.
222. Soulavie II pp. 33, 36.
223. 'Louis XVI son Administration et ses Relations diplomat-  
iques avec l'Europe' M. Capfigue 4 vols. Paris 1844  
I pp. 212-13.
224. S.F. 70 202. p. 141.
225. Métra I p. 40.
226. Madelin p. 425.
227. B.N. Mss. Fr. 7509. Untitled, undated, unsigned 54 page  
memoir on the need for provincial reform if not by  
Necker, then under his direction.

THE PARLEMENTS 1771-8.

It has been argued that the parlements' politics 1765-89 were no more than a reworking of the actions and ideas of the period 1757-65. This was the period of Jansenist opposition to the Jesuits, and, by implication, the absolute monarchy. This opposition generated theories of constitution, a recognition of shared interests with the Gallicans, and even attacks on the philosophes <sup>1</sup>. In this study it will be shown that there are a number of distinctive features in our later period: a more determined monarchy, an unaccustomed experience of the political wilderness by the parlementaires, and a raising of the parlements' sights from the smaller target of the Jesuits to the larger one of all forces of change and disruption in society.

We can start to look for signs of opposition to the parlements' political power of the 1760's within the robe itself. Many robins believed that this political power was an "abuse" of the Administrative Monarchy. A classic example of such an attitude was in Bertin, "épouvantail des parlements" <sup>1</sup>, who would not envisage a "Venetian" government based on a robin oligarchy. He described the the parlements in the 1760's as, "Un complot et association générale, ou comme une secte très animée qui voulut détruire le système monarchique, pour le faire passer en aristocratie, dans la main seule de leur compagnie. Ainsi c'était une révolution complète et sourde, qui était bien avancée dans son plan" <sup>2</sup>. The problem of parlementaire political power disrupting government became urgent in the Breton crisis of 1765. It convinced Laverdy to oppose the parlements even though he was a former counsellor. A committee of: Bertier de Sauvigny, Joly de Fleury, Aguesseau, Fresnes, Gilbert des Voisins, and Calonne was set up to investigate means of controlling the parlements within the regime's existing political framework <sup>3</sup>. The problem, as Bastard put it to Blancmesnil, was that ten hot heads in each parlement could bring government to a halt, and that administration could not function when remonstrance replaced discussion <sup>4</sup>. These "pro-government" robins, however, were loathe to upset or change institutions, which, for them, would have been as great a political crime on the government's side as it was on the parlements'. Moreau and Réal suggested that a return to

the style of monarchy practised by Louis XIV or proposed by the duke of Burgundy would in itself solve the problem, but, however much hope might be cherished for a Dauphin, the problem of how to act during the remainder of Louis XV's reign persisted.

On the theoretical side Montesquieu, though he had advocated retention of the status quo, first opened up the possibility of reform. This was simply because Montesquieu did analyse the parlements and made them conscious of their structures, origins and potentials. In 'Esprit des Lois' Montesquieu showed that the parlements as they were then constituted were the most suitable of all institutions to limit the monarchy. Montesquieu went a step further by equating the parlement of Paris with the British Parliament in a general scheme of the uniformity of north European institutions. When his magisterial friends in Paris explained this to Horace Walpole he was horrified, "But the parlements of France were not only nothing but courts of judicature, but the pretension was too early and too untimely to be yet pushed" <sup>5</sup>. It was the conflict between the parlements and monarchy over political pretensions which provoked the institutional crisis of 1770-1.

From Montesquieu's lead the philosophes began analysing the regime, and while they were largely favourable to the parlements, in the 1760's a body of hostile opinion did begin to grow up. Véri summed up the économiste attitude to the parlements, "Ils furent animés sur des liens qui n'importaient point à l'état. Ils vendirent à la Cour leur silence pour tout ce qui concernent les impôts, les droits des peuples et le bonheur des citoyens; ils surent cependant emprunter le nom du bien public dans toutes les résistances qu'ils firent sur les privilèges de corps, sur des juridictions personnelles et sur des haines particulières contre les commandants de province" <sup>6</sup>. Voltaire called the parlements "les tyrans bourgeois" and likened their role in 1770-1 to that in the Fronde, except that it was more ridiculous and less dangerous <sup>7</sup>. Condorcet told Turgot that no new parlement could possibly be worse than the existing one <sup>8</sup>. In his 'Discours sur l'Etat actuel de la Magistrature' (Orleans 1763) Letrosne warned of impending disaster if the magistrates continued to follow the same patterns of judicial abuses and political opposition to the crown <sup>9</sup>.

Maupeou's reform of the parlements was no bolt out of the blue; the only surprise was its apparent permanence. Machault had instituted ad hoc reforms with the Royal Chamber, but no one had expected the experiment to last, and a weak government had capitulated in 1754. Between Machault and Lebrun all the possible variations were worked out; the middle ground was most thoroughly explored by the Ephémérides in 1768. "... la magistrature civile ne doit point appartenir au magistrat: elle ne peut être le patrimoine de personne, une telle propriété ne peut être établie sur aucun titre licite, ce serait une usurpation et un règlement, dont les funestes effets sont faciles à comprendre... La justice ne doit point être payée; la magistrature civile doit être exercée par de dignes et riches citoyens, dont la noblesse d'âme et de sentiments est supérieure à l'émolument" <sup>10</sup>. This would have been an adaptation of the English Justice of the Peace system, which would allow the advantages of the existing system without the demerit of an autonomous judicial corporation.

In October the Ephémérides carried a less constructive attack on the parlements: the size of the parlement of Paris's ressort, the number of customary laws within it, the refusal to reform from self-interested motives, the encouraging of discord to stimulate litigation, and the flouting of the spirit of justice by the letter of the law were condemned as "ses vices ténébreuses". The polemic and rhetoric led to the near Rousseauist conclusion: "... que la justice doit être gratuite, souveraine, simple comme la nature" <sup>11</sup>. Throughout, the Ephémérides wanted the law to be removed from a caste of magistrates and entrusted to men of property in society. The rich should be in judgment over the poor and should exercise this function as a dimension of their propertied and privileged position - all, of course, as an extension of Physiocracy.

The government, however, had always chosen to move in a more direct manner - to coerce personnel rather than to change existing institutions, and the lesson from this in 1754 was that the magistrates could always call the government's bluff if it lacked substance. It was not till 1768 that action was taken, when Maupeou, helped by Bertin and probably St-Florentin, began to reform and build up the

Grand Council. From a near-defunct relic of medieval jurisdiction the council, which, although a part of the magistracy, had retained independence from the parlement, was promoted to an active court with free justice, and a wider competence directly subservient to the Chancellor <sup>12</sup>. A development of great potential has been analysed by Gruder: its counsellors began to be created intendants, against the usual custom of appointing only masters of requests <sup>13</sup>. This trend did not have time to become significant, but it is difficult not to draw the conclusion that a politically more reliable intendant was being sought. These developments did not go unnoticed: the parlement persuaded the peers to lend their support to representations against changing the structure and balance of the judiciary. The parlement called for the Grand Council to be abolished as ordered by the States General in the sixteenth century <sup>14</sup>.

There is no evidence that the Grand Council was being groomed to replace the other chambers; its role 1768-70 was the same it had played after 1774: to be a sword of Damocles over the head of the parlement to force moderation of its actions. The friction between the parlement and the Grand Council continued through to 1771, the former fearing that the latter would be promoted into an equal jurisdiction. From its side the Grand Council reacted aggressively to its new importance. "Votre Grand Conseil", it addressed Louis XV on 30 March 1770, "après avoir porté au pied de V.M. ses respectueuses représentations sur les obstacles multipliés, qu'il éprouve de la part de plusieurs de vos parlements dans l'exercice de ses fonctions, attendait avec confiance que votre sagesse et votre autorité lui rendissent l'activité, sans laquelle il ne peut pas vous servir utilement" <sup>15</sup>.

The balance of evidence suggests that it was Boines who put forward the idea of using the Grand Council as a substitute parlement, and not Maupeou, whose limited political vision had not seen such potential for his creation <sup>16</sup>. By late 1770 the idea of replacing the parlement had gained widespread currency; Condorcet and the British embassy had noticed it <sup>17</sup>. In the provinces the parlement of Rennes wrote to Louis XV on 28 January 1771, "La magistrature ne connaissait que depuis trop longtemps le projet formé d'anéantir les loix et d'avilir leur ministres", and a month later the



parlement of Toulouse spoke of its, "tristes présentiments"<sup>18</sup>. After the event Thévenau de Morande described the coup d'état as, "L'événement prédit depuis si longtemps"<sup>19</sup>.

Maupeou's method of operation against the hostile courts does not suggest a step by step implementation of a master-plan, rather a desire, "... to change the political relationship between the crown and the law courts"<sup>20</sup>. Maupeou's efforts were first directed to coercing the chambers in Paris to accept political limitations, and when this failed he attempted to reform not the institutions but the personnel. In other words, Maupeou was treading the same old ground as his predecessors, the big difference was in the outcome when, for once, the ministry was strong enough to face up to the magistracy when it resisted. Maupeou's unprecedented political strength in 1771 gave impetus to reform more through force des choses (in reverse) than through true reforming intent. By his own admission in a speech to the Grand Chamber - by then composed of the counsellors of the Grand Council - he said it was his intention to retain the old forms, but with counsellors more loyal to the crown<sup>21</sup>. If the process of exiling most of the Parisian magistrates, and replacing them with Grand Council counsellors and Beaumont's lawyer clerics, could be described as a revolution by most commentators from 1771 onwards, it seems to have come as a surprise to Maupeou. For Maupeou politics were an irrelevant footnote to the important legal business of running a judicial system. Yet it was the very political nature of his actions which meant that Maupeou's reforms had to be reacted to as a political reform with implications for the whole regime, and not just as a matter internal to the judiciary.

After Choiseul's fall many commentators confidently predicted that Maupeou and the parlement would have no need to oppose each other and that relations would return to normal<sup>22</sup>. Maupeou, though, would make no concessions on royal prerogatives in the parlement, which in turn continued to remonstrate against the government's "despotism". Lord Harcourt now accurately foresaw the course of conflict leading to confrontation, "If the parlement does not comply with the king's commands, some people think it will be dissolved; and a new one formed of the king's appointment"<sup>23</sup>. The "ill-humoured" magistrates would make the country

ungovernable as long as Maupeou and Aiguillon remained in office, they could not forgive Maupeou his treatment of them to oust Choiseul. Maupeou had always foreseen this possibility, and had spent 1768-71 building up the Grand Council to the point where it could stand in for the parlement. If there was any plan here it was that Maupeou intended refighting the political battles of the 1750's, when Machault had set his Royal Chamber against the parlement, only this time he intended the crown to win.

Even given so definite an aim, Miromesnil's correspondence January-February 1771 shows Maupeou misjudging, miscalculating, and mishandling until he was faced with a situation whose scope far exceeded Maupeou's expectations<sup>24</sup>. Maupeou met remonstrance with threat culminating in the events of the night of 21 January. Three musketeers called on each recalcitrant magistrate to force him to swear loyalty to the Chancellor, in effect at gun point. The next day the thoroughly shaken magistrates repudiated their oaths and remonstrated again. Maupeou replied this time by exiling the majority of magistrates in the Grand Chamber in the hope that a show of force would coerce their colleagues into submission. Maupeou had been counting on being able to execute a simple reshuffle of chambers by substituting the Grand Council for the Grand Chamber and keeping all the remaining chambers under tight control. He had, however, underestimated the depth of opposition he had incurred throughout the magistracy<sup>25</sup>.

The harshness of the exiles Maupeou imposed hardened opinion against him to the point where opposition became a matter of honour. Only a rump of magistrates of suspect quality and integrity could be bribed or coerced into going along with his plans - nowhere near enough to make the existing judicial structure viable<sup>26</sup>. The magistrates' resolution in adversity astonished every commentator: by October 1771 throughout the kingdom 700 counsellors had been exiled, and in all 100,000 people had been exiled or made redundant in Paris alone, by 1774<sup>27</sup>. (This second figure was Walpole's guess; he was well informed and a reliable commentator with no reason to provide inaccurate information. In the absence of any other estimates, it can serve as a potent indication of contemporary belief). Maupeou had hoped to win back support by showing that his courts dispensed quicker, less partial, and more rational justice, but any advantages in this direction were more than balanced by the alleged attack on property and subversion of fundamental laws. His miscal-

are evident in the judicial inter-regnum which occurred between late January and mid-March as he bargained, threatened and negotiated to avoid a full scale confiscation of offices and attendant reorganisation of the courts. Not even Maupeou's defenders could argue that he was a man motivated by generosity in this delay. On 17 March Maupeou accepted the inevitable and called a lit de justice to install the new courts, the parlement Maupeou as it was dubbed. For its part the patriot opposition was equally loathe to accept the magnitude of the changes; day to day Hardy expected to hear of the recall of the exiles, and even in August the Journal Historique could still record that the patriots believed Maupeou was bluffing<sup>28</sup>.

Maupeou's method of operation dictated the course of events in both Paris and the provinces. His failure to credit his opponents with any strength of purpose or will to resist, possibly even his failure to believe magistrates would want to resist his reforms once they understood them, meant that he was always initially checked by some obstacle he had not foreseen, and for which he had made no provision, which forced him to act more drastically than he had intended. This in turn meant that he usually found he had to clearaway so much of the existing structures that he and his allies had a much freer hand than they had originally anticipated. In Paris a new generation of magistrates came forward to replace those exiled: Joly de Fleury (Omer-Louis-François, the new procurator general), Vergès (advocate general), and Aguesseau, whom one commentator believed was Maupeou's éminence grise in 1771<sup>29</sup>. It is for this reason that the reforms Maupeou did achieve seemed so disappointing, because from the Chancellor's side there never was a grand scheme to be implemented.

At the point where Maupeou found he would have to exert political action to implement his reform of the ressort of Paris, the evidence points in two different directions. The first is that Maupeou wanted to make a clean sweep of the existing chambers and set up a Chamber of Peers in Paris with Superior Councils in each province<sup>30</sup>. The second was that Maupeou tried to cow enough magistrates into submission to form a rump parlement<sup>31</sup>. This dichotomy can be reconciled if Maupeou was prevented from carrying through reform to its logical conclusion and forced to compromise. Having alienated

almost all the magistrates, he found himself in a, "cruelle perplexité", for "Il n'avait jamais compté sur une défection totale (des magistrats) ", and had to hawk round all the chambers for men prepared to serve under him. He was only rescued by Boines's suggestion of using the Grand Council <sup>32</sup>. At the same time many of the Great supporting him, particularly Aiguillon, were far from whole-heartedly in favour of such drastic reform.

This interpretation is reinforced when we analyse the Chancellor's only real reforming impulse. This was in the ressort of the parlement of Paris. The size of this ressort, and the attendant abuses, had attracted attention from the middle ages onwards, but in wholly legalist terms. Maupeou was the last in a long line of jurists to concern himself with this problem, relatively unencumbered by political corporations, but against this it contained a host of customary jurisdictions based on the Frankish heritage. Maupeou could hark back to a recent plan of Mirabeau's <sup>33</sup> for support for his concept of breaking up the ressort into smaller more homogeneous regions based on local centres. The centres Maupeou chose as the seats of the Superior Councils, as the newly created courts were named, were: Blois, Châlons, Clermont-Ferrand (Court of Aids), Lyon (Court of Monies), and Poitiers (a former Jesuit centre). The structure of the Superior Councils was of a first president (salaried at 6,000l.), two presidents (4,000l.), twenty counsellors (2,000l.), one advocate (3,000l.), one procurator (4,000l.), and two substitutes (1,000l.). The Superior Council of Blois, however, shows how the reality failed to live up to the intent of the reforms. It could only muster ten counsellors on top of its three presidents, and half of these thirteen were related. The structure of the new courts was similar to the Presidial courts, but their jurisdictions were rationalised bailiwick boundaries; around Lyon the attendant reform of the bailiwicks proved contentious and difficult <sup>34</sup>. The Superior Councils were never allowed any political competence and the magisterial posts were revokable "charges" as opposed to venal "offices" <sup>35</sup>.

This then was the structure of reform in which Maupeou was truly interested. In 1773 one Mallebay-de-la-Mothe could publish 'Questions de Droit, de Jurisprudence, et d'Usage des

Provinces de Droit écrit du Ressort du Parlement de Paris'

(Paris 1773), which welcomed the beginnings of a rational and uniform codification of laws. Its reviewer added, "Il est superflu, sans doute, d'observer ici que la circonscription du parlement de la capitale ne peut diminuer l'utilité de ses recherches; les provinces qui ne venaient y plaider qu'à si grands frais, forment aujourd'hui, pour la plupart, les ressorts des conseils supérieurs de Clermont et de Lyon...". Such definite and specific praise was rare, because it was Paris which lost out to the provinces, and such comments help redress the literary balance, which was otherwise universally hostile. Maupeou's other great aspiration was the new legal code Mallebay referred to. By 1774 Maupeou could announce a definite plan to produce a uniform legal system <sup>36</sup>.

These were the very limited reforming objectives Maupeou had set himself, but in the process of attempting to implement the restructuring of the ressort, Maupeou precipitated political crisis culminating in a near clean sweep of the previous magistracy and its replacement by a new judiciary recruited from the Presidial courts or ex-Jesuits. This process started when Maupeou failed to coerce the magistrates in Paris to accept his personal dominance in the parlement and failed to persuade the existing magistracy to accept his new direction of the judiciary. It was from this point that the intent of Maupeou's reform became completely subservient to the methods he used to control the courts, and the analysis of Maupeou's role in the regime comes down to his day to day political management. As we shall see below, Stormont's account of this management shows how it compromised the long term hopes for reform and meant that, after 1774, there remained nothing to show for four years of effort and conflict.

From this start, the patriots feared that Maupeou's reforms would acquire a logic of their own leading to the dismantling of the corporate, Catholic, and customary nature of the regime. Progressively, after the parlements, the other independent corporations would be attacked <sup>37</sup>. There were constant scares that one corporation or another was in danger, in June 1772, for example, the demise of the King's Secretaries was predicted <sup>38</sup>. The Espion Anglais foresaw another danger - the crown had used the parlement to destroy the States General, now the parlement in its turn was to be disposed of. With the

parlement would also disappear the remaining provincial States <sup>39</sup>. Maupeou was certainly no friend of provincial autonomy, and Aiguillon was an active enemy of local States; corroborative evidence for the ministry's hostility to States came from Provence where the Chancellor forced plans to recreate the States of Provence in their seventeenth-century form to be abandoned <sup>40</sup>. The fear of Maupeou's rule was best expressed in Besançon where the parlement believed that the people would be reduced to, "l'instinct, l'obéissance, le châtement" <sup>41</sup>. A more interesting observation about Maupeou's effect on political life was made by Miromesnil, who saw that the old patterns of the Great in opposition to the clergy in opposition to the magistracy would be replaced by a struggle between the crown and the political élites in which the people would be the losers <sup>42</sup>. A letter from the nobility of France (i.e. the patriots) to each Prince of the Blood spoke of the same fear that the old patterns would be replaced by, "...un état de guerre entre le faible et le fort, entre le prince et ses sujets" <sup>43</sup>. (This was, paradoxically, the most important criticism the Old Dauphin had made of Rousseau's philosophy.) In the event Maupeou either stayed his hand - or had never intended to act in the first place - and attacked only the parlements. The false-alarm, however, proved to be good practice for the debate over Turgot's six Edicts when the same arguments were to be used to great effect.

An analysis of the reform of the parlement by Stormont in November 1774 reinforces much of what has been said above, and draws together much of the contemporary thinking on Maupeou. "I am inclined to think that if the Chancellor, when he made the Great Revolution, had acted with temper and moderation, had abolished the parlement, but treated all the individuals with clemency, instead of adding violence to violence, cruelty to cruelty, had shewn himself solicitous of putting the new parlement upon the most respectable footing, had endeavoured to consolidate his work more and more, instead of shewing the greatest indifference to it, after his personal resentments were gratified ... the Revolution so favourable to royal authority, would have rested upon such a foundation as no minister would have attempted to shake, no sovereign, in his senses, have suffered to be shaken" <sup>44</sup>.

Not even the most favourable commentator has been able to do more than excuse the personnel Maupeou had to use. Régnaud made the bitterest and most damning comment: it was now the man rather than the office which was for sale <sup>45</sup>. Condorcet had foreseen the greater risk of corruption in the new parlement, but the reality must have been a sore blow to Maupeou <sup>46</sup>. The reformed parlement, the "parlement Maupeou", was at first, "contemptible", then, "ridiculous", and finally, "the subject of popular derision" <sup>47</sup>. Singled out for vilification was the new procurator-general Joly de Fleury, "... abîmé de dettes, esclave d'une femme avare". In June 1774 he was disgraced for his part in a plot to discredit Sartines - he had deliberately maltreated prisoners to provoke discontent in the capital <sup>48</sup>. The only dissenting voice from otherwise universal condemnation is Bisson, the family's historiographer. He claims that Omer-Louis-François did not deserve the slanderous treatment he received and that in reality he set higher standards of conscientious apolitical administration in the law courts, a development continued in the new reign, and by implication attributable to Maupeou's reforms as a whole <sup>49</sup>.

The use of priests added fuel to the flames of a supposed Jesuit plot whereby Maupeou was taking revenge for Choiseul's abolition of the Order in 1764. This interpretation allowed the patriots to link Maupeou's reforms with the century's earlier battles over Unigenitus. It was very obvious that Jansenists were out of favour and magistrates who had defended the Jesuits were in favour <sup>50</sup>. Maupeou, however, like every other high ranking magistrate, had participated in the dissolution of the Jesuits, and if former Jesuits were associated with the new courts it was not so much from premeditated plot as expedience after the event - these were the only men Maupeou could find to serve under him. That there was no plot is further demonstrated by the unreliability of Maupeou's magistrates. Of the 400 "renegades" and "gens de fortune" in the new parlement 200 gave Maupeou trouble <sup>51</sup>, as witnessed by his problems over the twentieth in 1772

Another direction in which Maupeou's quest for counsellors took him was the decline in the noble nature of the magistracy. The abolition of venality destroyed the magistrates' ability to be a self-regulating élite, but more to the point was that not enough ennobled magistrates were prepared to serve to

preserve the former juridical complexion of the courts. This change meant that other nobles were not prepared to have cases judged before men they did not regard as their peers; this diminution in the volume of litigation was a serious defect in the system which Maupeou could only hope to have rectified if Louis XVI had supported him in 1774. Regnaud described the new chamber of the Châtelet as, "... composé pour la plus part, de gens portés de la plus vile extraction et qui en prenant ces charges veulent se tirer de la bassesse d'origine où est plongé leur famille" <sup>52</sup>. The Journal Historique accused Maupeou of deliberately recruiting commoners in the Superior Council of Compiègne, and the new parlement of Rennes was largely commoner "faute de mieux" <sup>53</sup>. The Espion Anglais believed that Maupeou was appealing to the Third Order in every aspect of his reform <sup>54</sup>. These three sources (and four commentators) were all patriot, and their attempt to show a deeper motive behind ad hoc expedient gives us an insight into much of the contemporary reaction to Maupeou on both sides.

A group alienated by Maupeou was the philosophes. Their resounding and unexpected defeat in 1770 had left them in great disarray, split between the proscribed radicals following 'Systeme de la Nature' and the eclipsed élite who had tried to repudiate it. Voltaire had given a lead by penning swift, fulsome, and continuing praise of the Chancellor. To him was attributed the paean that Fleury had gained France Lorraine, Choiseul Corsica, but Maupeou, "... supérieur encore à des ces deux grands ministres, rend au roi la France entière" <sup>55</sup>. Voltaire attempted to lend the reforms an ideological respectability with his play 'Les Lois de Minos' in 1773, in which the mythical king was equated with the only too real Maupeou. The play was badly received but such was Voltaire's standing that he survived the episode <sup>56</sup>. Maupeou certainly did not return the compliment: censorship was reimposed, the Encyclopedists proscribed, and all the barbarities Voltaire had condemned in the old parlements were even more present in the new. Hardy kept a catalogue of outrages: for January 1772 there was a public breaking on the wheel, an execution was carried out without the crime being named, and the "question" was openly used <sup>57</sup>. This was a simple sacrifice of a weaker interest group to a stronger: the philosophes to the church. The clergy in return noted the patronage they enjoyed under



Maupeou <sup>58</sup>, and from the patriot side came the analysis, "Le ministère actuel leur est dévoué... non par une zèle véritable pour la religion, mais pour une politique nécessaire" <sup>59</sup>.

The miscalculation Maupeou made with the various courts and chambers in Paris was repeated in the provinces as he turned from one parlement to the next without finding support sufficient to avoid drastic reform. As early as 23 January 1771 Lord Harcourt could write, "The other parlements will follow the example (of the parlement of Paris) and be sent into exile, which will throw this kingdom into the greatest confusion and disorder" <sup>60</sup>. This was confirmed in April from a commentator with a different political outlook, "La forme du gouvernement française est totalement changée si l'on doit regarder comme solides les opérations de M. le Chancelier". Ressayeur predicted that their love of the "liberté des citoyens" and their fondness of harking back to Cicero and Demosthenes would force the provincial parlements into opposition leading to exile. The chevalier concluded that if the king ordered it "200,000" men would rise against Maupeou <sup>61</sup>. Though baseless, this last remark illustrates the political mythology of the day that the king had been tricked into relinquishing power by evil men who kept him in ignorance of the state of his nation.

The most easily followed account of Maupeou's actions in the provinces is Albertas's diary - which was also the only account favourable to Maupeou. In January the parlement of Rennes led the provincial attack on Maupeou, in February it was Rouen, and in March Toulouse, Rouen and Besançon took up the issuing of remonstrances against what was happening in Paris. These remonstrances struck at the heart of French absolutism; they called on the unité des classes, fundamental laws, and the States General to curb the government. In some provinces the reform was easy: in Rousillon and Corsica where the institution had no depth, or in Aix and Eordeaux where local supporters of the Court Party (Albertas and Richelieu respectively) had prepared the ground. In the majority of cases, however, the new courts had to be made up of new personnel of suspect quality and often in the face of bitter local hostility. Over the summer lits de justice were held in every parlement or provincial council turning them into "parlements Maupeou". Reaction varied: in Besançon

and Douai the public welcomed the changes, in Rennes and Rouen there was discontent, and in Pau street-fighting broke out <sup>62</sup>. Croÿ's political chronology of 1771 was of stiff resistance January to May, but after May the government's victory was assured and the remainder of the year was a period of mopping up and consolidating; the commonest reaction of those not immediately concerned was apathy <sup>63</sup>.

The extension of the reforms into the provincial parlements produced far less of interest than the events of <sup>the</sup> centre where the issues had been thrashed out. The political process differed between the areas where Maupeou had set up new Superior Councils (Bayeux, Nîmes, and Arras) and those where he had to preserve existing structures; in these latter political opposition could more easily cause administrative and judicial disruption. As a result Maupeou had either to act with greater ruthlessness or from surer ground, eg. the preparation of the Court of Aids in Aix to take over smoothly from the parlement whose counsellors were exiled. Generally, the change over was smoother in the provinces and more readily accepted such that by August 1772 Albertas could comment, "Le parlement de Bordeaux va le mieux du monde. L'administration de la justice n'a été jamais plus active ni meilleure" <sup>64</sup>.

The reform of the parlements involved the rest of the old regime's provincial administrative structures. While the governors stole the limelight by the use of troops to overawe the magistrates and any possible popular support the detailed administrative work had to be done by the intendant. The intendant was brought into much closer co-operation with the local legal structures, a development noticed by both sides <sup>65</sup>. A feature of Maupeou's reforms was the attempt to make the intendant the first president of his local parlement or Superior Council. This may have been another of Boines's suggestions as he himself had been simultaneously intendant of Besançon and first president of the parlement before being called to the ministry. In Paris Bertier de Sauvigny, and in Châlons, Rouillé d'Orfeuil held both posts. The trend was not uniform, but it attracted comment and seemed to point to some future upheaval <sup>66</sup>. Maupeou did not disgrace more than a handful of stoutly Choiseulist intendants, but he shuffled them round to avoid opposition to the new courts. Maupeou returned to the intendants the political

power vis-à-vis the political corporations that they had been losing over the previous two decades, but in the process he made them bitterly unpopular and made them vulnerable to Necker's attack later in the 1770's.

Even more than for most political issues in the regime, objective reporting on the new courts is almost impossible to find. Where a new legal centre was opened up, or more employment brought into a provincial backwater, the reforms were well received <sup>67</sup>. In general, though, the great legal centres such as Paris, Rennes, or Toulouse were plunged into economic recession because of the reduced volume of litigation, the reduction in the number of personnel, and the reduced flow of money through the "free" legal system <sup>68</sup>; here, of course, the reforms were hated and reviled. The key to Maupeou's success, though, was internal tranquility; he had come to power on the accusation that Choiseul could not provide it. This came down, in the last resort, to the price of bread. Many patriots believed that the parlement had been deceived even if unwittingly, by the économistes into adopting physiocrat policies of high food prices <sup>70</sup>. Maupeou made no such mistake 1771-3, and a policy of government controlled low bread prices kept the internal peace <sup>71</sup>. Given internal tranquility the bulk of the population was apathetic towards what they regarded as an "affaire de robe" <sup>72</sup>, and while the disruption within the robe was immense there was no revolutionary confrontation in society.

Maupeou did promise very genuine achievement: magistrates were now servants of the community and crown, had no constitutional defence of autonomy, justice was free, litigation took far less time, lower courts and jurisdictions - notably the bailiwicks - were reformed, and the abusively large ressort of the parlement of Paris dismantled. In Arras a reform pointed to a possible future: the Superior Council in 1772 ordered that a charge of murder could not be brought unless a post mortem proved that the crime had been committed <sup>73</sup>. And finally, we have Maupeou's own assurance that Louis XVI's reign would have seen a "Code Maupeou" bringing France under a unified legal system. Given the opportunity, however, Maupeou's performance disappointed most people who desired genuine reform, and he failed to capture the support of men who had detested the old parlements (Voltaire

excepted) <sup>74</sup>. The faults of the old parlements were transmitted to the new because in most cases the institution remained unchanged, and by a cruel paradox the magistrates of true integrity had been forced to join the exiles. An example of how little had changed came with the renewal of a twentieth in 1771-2; several parlements remonstrated against high taxes. It really seemed that the right hand did not know what the left was doing when the Gazette de France published a supplement praising the local States for ratifying the tax where the parlements were refusing; the parlement condemned the supplement to be burnt <sup>75</sup>.

Maupeou was caught in a quandry which goes part way to explaining the paucity of reform. Maupeou was driven forward by the logic of the events he had set in motion, he had to create a viable alternative parlement if the crown was not to suffer the same defeat as in 1754; behind him also were men like Lebrun who saw visions of revolutionary reform. Holding him back were not only his own inclinations against drastic change, but also the refusal of the Court to allow some of the most important reforms, culminating in Louis XV's veto against transforming all parlements into Superior Councils. The focal point of the reformed judiciary was to have been the Chamber of Peers, which would have been the ultimate court of appeal and would have assumed all the political functions of the old parlements. The Journal Historique believed that the creation of this Court would have been the confirmation of all previous reforms <sup>76</sup>. (The structure and implications of this chamber are explored in a note below). Maupeou was not allowed to create the chamber, it might well have been the price Louis XV and Aiguillon were prepared to pay to have the Princes of the Blood reconciled to the reforms to date. We are left to speculate whether, had Maupeou been given support by Louis XVI, he would have created a Chamber of Peers, demoted every parlement to a Superior Council, and implemented the plan Lebrun claimed for him, or whether, having completed the change in the relationship between crown and magistrate, he would have rested on his laurels.

Louis XVI's refusal to ratify Maupeou's reforms takes them out of the mainstream of the old regime's development. The majority of the men who were to make up the parlement 1774-90 had spent three gruelling years in exile; they

needed to produce some coherent body of thought which would prevent the government from confiscating their offices in the future; Grossclaude proves the point for Malesherbes <sup>77</sup>. The nature of Maupeou's reforms was analysed in great detail and the lessons drawn. The exiles realised that the *unité des classes* had been a mistake, just as Horace Walpole had predicted; they accordingly looked to the States General, rather than the sum of the parlements, as the counter balance to the monarchy. They also realised that Maupeou had managed to isolate one area of privilege from the others. They realised, thirdly, that as long as the corporations and *privi-légiés* set themselves up as rivals to the crown they were in danger, so just as Maupeou had tried to readjust the relationship between crown and parlements, so the exiles for their part reached the same conclusion though to different effect. All three of these realisations were to form themes of parlementaire activity after 1774.

In the wider context the parlements were moving towards a conservative political philosophy. Roberts, however, warns against interpreting pre-Revolutionary politics as right versus left, and suggests instead that in the late old regime the division was between a reforming government possessed of the political initiative and the parlements reacting defensively to it, the political process, then, is more important than its content for establishing political definitions. The major flaw in the development of a conservative ideology was the parlement's reluctance to forego its appeal to the mob, a fickle ally at the best of times, and a disaster 1788-9. The elements of a conservative philosophy were all present in the late century, many of them derived from seventeenth-century absolutists such as Boussuet, but despite tentative efforts they failed to coalesce. In his comparative analysis of British and French politics 1763-1789, Jarrett sets out to prove that Burke succeeded in Britain, where Malesherbes failed in France, to create a coherent conservatism. Much of the rest of this chapter will be concerned with gathering together the disparate elements of the abortive French conservatism <sup>78</sup>.

The 1761-4 anti-Jesuit alliance was defunct by 1771, there could no longer be a rapprochement between the magistrates and the radical philosophes. The parlement, however,

had imbibed some Rousseauist ideas, and the link with the high Enlightenment remained, notably through St-Fargeau <sup>79</sup>. The ideological heart of the patriot opposition was the Jansenists, "Le Jansénisme ayant perdu son grand mérite, son intérêt véritable, par l'extinction des Jésuites en France, s'est transformé dans le parti du patriotisme" <sup>80</sup>. The forced alliance of enlightened opinion with political opposition was noticed by Bachaumont, who drew his readers' attention to it as an important development <sup>81</sup>.

The dévots accused the patriots of being in alliance with the freemasons <sup>82</sup>. Montbarey blamed Maupeou for giving the freemasons and "anarchists" the opportunity to present themselves as defenders of privilege and fundamental law <sup>83</sup>. The masons attracted attention in 1771 as an outlet for the political ambitions of the Great now the parlement, and to some extent the Court, were closed to them. In 1771 Chartres was elected Grand Master, and he undertook a vigorous re-organisation of the masons and members of the most illustrious families joined openly (eg. Rohan, Noailles, Polignac, Montmorency, Bouillon, Ségur). The masons had already entrenched themselves in the Enlightenment, Voltaire and Mirabeau were members, and some evidence suggests that the Encyclopedia itself was the focus of a lodge <sup>84</sup>. It would, however, be a mistake to overestimate the masons' effectiveness, and by implication the validity of the plot theory of the Revolution - the fallacious theory that the Revolution was caused by, "... a crew of freemasons and philosophes egged on by Jansenists and Protestants" <sup>85</sup>. Although there were up to 50,000 masons in over 600 lodges by 1789, their true role in the Revolution was to serve as a scape-goat for the traumatised Royalists of the 1790's; they in fact experienced a crisis of relative political ineffectiveness in the late century. The plot theory can be disproved on every detail, even though the overall idea has retained a compelling fascination for the right <sup>86</sup>. The freemasons' real importance was not in direct political action, but in the more nebulous dissemination of ideas and formulation of opinions.

The masons showed an overt interest in politics in Bordeaux in 1775 when the local lodge led the celebrations at the recall of the parlement <sup>87</sup>. By the late 1770's their influence and scope was widely reported, and they were

identified as a political élite associated with the parlements<sup>88</sup>. The freemasons ran in the Frondeur tradition of French politics, although unwittingly on the part of most members. With the Hellfire Club in Britain, they formed an important link in the cosmopolitan nature of Europe's (and America's) aristocracy. (The British embassy probably gained much of its intelligence from this source.) The difference between the masons and any other organisation was their ability to operate simultaneously at all levels of society. They should be seen as a clandestine aristocratic pressure group following the Choiseulist policies of opposing Maupeou and favouring a war with Britain.

Aiguillon attempted to bridge the gap between old and new parlements using Malesherbes and the psychological crisis of the third anniversary of the reforms. This attempt, foredoomed first by the intransigence of the exiles and then by their knowledge of victory in the fulness of time, continued through to September 1774. When Malesherbes refused the first presidency of a partially recalled parlement in September 1774 Stormont analysed, "He never adopted all the principles of his corporation, never went the same length that many of them did, being convinced they carried things much too far, but when he found them oppressed by a violent exertion of power, he united with them, and shared their fate"<sup>89</sup>. This passage describes not only the process whereby the patriot opposition to Maupeou became resolutely cemented, but also the integrity of the magistrates involved.

The actual recall produced, naturally, fears that the parlements would simply take up where they had left off in December 1770; this eventuality had even been foreseen by Miromesnil in February 1771<sup>90</sup>. Stormont predicted that the parlement "... would plant many thorns upon the king's pillow before he dies"<sup>91</sup>. The Court party was in despair at the decision which they feared would cause the régime to decay into a Venetian republic<sup>92</sup>. Métra warned of the danger of "Un gouvernement populaire, en mettant le roi dans la dépendance d'un corps qui a souvent excédé les bornes de son autorité"<sup>93</sup>. The various courts Maupeou had set up protested that the king was sacrificing his authority to short-term political gain, but their advice was too self-interested to be heeded. In the short-term these fears proved to be groundless, and the

immediate concern was the relationship between the restants and rentrés.

It was at Louis XVI's own insistence that the magistrates who had served under Maupeou were reinstated on the same terms as the exiles. When this idea first made its appearance in early July 1774 Stormont dismissed it, it, "... would breed endless jealousies and disputes, and poison the sources of justice more and more" <sup>94</sup>. Louis, however, insisted that a display of royal justice and resolution would reconcile all magistrates to the crown and to each other. The Journal Historique reported hostility between the groups as early as October - before the parlement had even been reinstated <sup>95</sup>. The Espion Dévalisé predicted a generation of bitterness and dispute <sup>96</sup>. This proved to be correct in the case of some provincial parlements, particularly Grenoble which was paralysed by faction and dispute for years <sup>97</sup>. In Paris, however, while rancour and dispute remained, affairs of state forced the magistrates to ignore them. The motives behind Louis's action also precluded using the restants as a pressure group favourable to the government; under the impression of sacrificing lesser interests to the greater (justice), Louis threw away every advantage which could have been extracted from the recall.

The patriots in December 1774 had to come to terms with their experience at Maupeou's hands. The formula was expressed in the Journal Encyclopédique that Maupeou's very actions had demonstrated the need for a strong parlement and the need for the crown to act through it <sup>98</sup>. The man who came to the fore as the founder of new patterns of thought was Séguier, who had only joined the exiles at the last minute (like Malesherbes) and was eager to prove his patriot zeal against the charge of being a crypto-Jesuit <sup>99</sup>. On 11 December 1774, in his address to the assembled parlement, Séguier had already consigned Maupeou to the same reviled category of man as Machault, "Ce n'est pas la première tentative de cette nature dont l'histoire nous a conservé le souvenir. Les événements politiques se succédèrent et se ressemblent, les mêmes prétextes servant toujours de motif aux mêmes révolutions" <sup>100</sup>. According to Moreau this speech must have been Séguier's mildest for the future ones shocked even hardened men <sup>101</sup>.

It was the innovation of three years in exile to show the parlements, when based on venality of office, to be the



guardians of the constitution, the basic conservative force in society against which rash reform would always fail in the end, Cobban describes this idea as "... the final crystallisation of the constitutional doctrine of the parlements", and Capefigue enlarges, "Un esprit de conservation, un besoin incessant de préserver les vieilles formes de la société contre les novateurs qui cherchaient à en bouleverser les bases", was developed. The parlement invoked the States General as the ultimate authority for their claims <sup>102</sup>. This call for the States General is accounted for by the idea that the magistrates expected them to behave as the Assembly of the Clergy did, that is as a defender of privilege <sup>103</sup>. The parlements became the defenders of property and privilege against the crown and the philosophes <sup>104</sup>. Such a position automatically bears comparison with Burke's in Britain. It is not that the magistrates copied Burke, but that Burke brought back his ideas on institutional conservatism from France. From his correspondence it is obvious that Burke, like so many of the Whigs of the day (eg. Horace Walpole), had links with French political life. When he visited Paris in 1773 his arguments with the philosophes were such an unexpected - and successful - novelty that he set a fashion <sup>105</sup>. Many of the ideas in 'Reflections on the Revolution in France' were borrowed directly from speeches in the parlement as far back as 1759, and the debate on the Six Edicts produced a wealth of precedents for Burke, who was in France at the time <sup>106</sup>. In Burke's ideas of 1790's in Britain, therefore, we see a consolidation of the conservative political thinking of the previous half century in France.

Excluding the problem of grain where the parlement of Paris had already established its position in 1770, there was relative peace between the parlement and the government for the first year after recall. The time was taken up with debating the recall, and with the case of Richelieu against Mme. de St-Vincent <sup>107</sup>. The political scene according to Soulavie, was split between royalists and reformers with the parlements holding the balance until 1776 when the debate over the Six Edicts forced the parlement to adopt a "royalist" position <sup>108</sup>. This debate was coincided, deliberately, with that over "Inconvénients" and "Le Monarque Accompli". The parlements were thus able to unite the issues of privilege, property

fundamental law, custom, religion, tradition and defence of the monarchy. One specific part of the reform of the guilds attracted particular notice, this was the intent to create a free market economy. The parlements had already been caught out by injudicious support of a free market in grain in 1768-70, and were hence predisposed to be wary of it, a wariness confirmed by the Flour War. The exile gave the patriots time to work out a rational opposition to the free market, and the Six Edicts gave them a chance to express themselves on this as well: the freeing of the grain trade in the 1760's had been an unfortunate mistake based on the coincidence of half a dozen exceptionally good harvests keeping supply well above internal demand, which masked the demerits of the policy.

Turgot had had published, 'Essai sur la Liberté du Commerce et de l'Industrie' (Bigot de Sainte-Croix. Paris 1775), to explain his ideas on a free market economy, which were, briefly that once freed from artificial restriction the laws of supply and demand would ensure adequate distribution, would ensure a sufficiently high price to the supplier for adequate profit while ensuring a sufficiently low price to the consumer to enable him to afford the commodity. Such a belief was a classic expression of physiocracy: rule by nature. The parlement, however, could not agree; only a minor fluctuation in the price of food was needed to place it beyond the economic reach of millions with the consequence of insurrections such as the Flour War. The consumer was always at the mercy of the supplier because prices would not fall to the lowest tolerable profit margin but rise to highest point the market would bear, inevitably leaving the poorest to starve. The profits of speculation would not be ploughed back into the economy but widen the gap between rich and poor.

On the specific issue of guilds the parlement adapted the dévot critique of Rousseau to the problem at hand. The journalist would now be at the mercy of his employer, and would no longer even have his guild's limited welfare services to fall back on. State or Church charity would be inadequate to fill the gap which would be left by the guilds. Professional standards would be sacrificed to profit following the abolition of the last vestiges of quality control. (This was a specious argument as the guilds had decayed away from most of their original functions.) The arguments over the illegal abolition

of property were those raised over Maupeou's reforms, as was the fear that once one corporation had been attacked none could be safe. The parlement expressed the fear that once the juridical structure of industry was broken down the true economic relationship of exploitation between employer and employee would be laid bare. The parlement had no objection to one social group exploiting another - magistrates exploited everyone who used the legal system - but it feared the consequences of this exploitation being realised and seen for what it was. The parlement failed to see how class warfare, sooner or later, could be avoided. Serious short-term consequences would be an exodus from the land in an illusory quest for jobs in the towns. This would depress agriculture, it would also depress wages in the towns and throw incalculable numbers onto inadequate public charity. The parlement showed up every weakness of capitalism before it had become the official economic system; they shared Linguet's opinion of free marketeers, "Ils tuent les hommes pour les rendre heureux" <sup>109</sup>.

The political issues of the Six Edicts will be explored in Appendix I, but they formed just the focal point for a coherent ideology dominated by seven leading figures in the parlement. The first was Malesherbes who remained first president of the recalled Court of Aids until becoming a reluctant minister in June 1775. As the president Malesherbes kept up a stream of attacks on abuse; the famous May 1775 remonstrance, which was widely noted and published in July <sup>110</sup>, was in part devoted to provincial autonomy and the problem of States in general. Malesherbes showed that until the States General were convoked the parlement had a duty to stand in for them. In the provinces he praised the States Countries, and asked the government to set up States in all the pays d'élections. He confided to Augéard a remark which became a cornerstone of patriot ideology: "Sans parlement point de monarchie" <sup>111</sup>.

Miromesnil was an important figure up to 1777, though like Malesherbes he had compromised his reputation with the parlement by serving in the ministry. Miromesnil had condemned Maupeou's reforms, saying that the interests of the crown were better served by long-term policy than short-term shows of strength <sup>112</sup>. Over the Six Edicts Miromesnil led the opposition within the ministry. On the other hand Miromesnil did not favour a politically strong parlement.

In August 1775 he was accused of allowing the privileges of the parlement to be eroded, and that, while subtler than Maupeou, he was just as dangerous to the courts <sup>113</sup>. A man of similar political persuasion was Joly de Fleury; according to Georgel it was he who drafted the edict of recall in 1774 <sup>114</sup>.

Acting wholly within the parlement were two men of identical outlook: Eprémesnil and Conti. After the departure of Malesherbes in 1775 Eprémesnil was regarded as the leading orator of the parlement <sup>115</sup>. His career had begun as a young opponent of the Jesuits, he had opposed Maupeou, been exiled, and in the recalled parlement was noted for opposition to reform and for championing the States General <sup>116</sup>. He called for the anti-Jesuit alliance to be resurrected and turned against the philosophes <sup>117</sup>. Conti, nicknamed, "Monsieur l'avocat", by Louis XV, was dismissed as, "... too half-witted to hurt anybody but himself, "by Horace Walpole <sup>118</sup>. "Plus conseiller des enquêtes que prince du sang" <sup>119</sup>, he followed the same political career as Eprémesnil. Dakin, however, analyses him as one of the most dangerous men on the political scene, "From first to last he was a Frondeur"; he possessed good looks, personal courage (which he displayed by attending the parlement when a lesser man would have been on his death bed, lending a macabre aura of venerability to his words), and a compelling arrogance. He allowed secret printing presses to operate in the Temple and was responsible for the Maupeouana. Dakin even accuses him of master-minding the Flour War <sup>120</sup>. Somewhere between Walpole's and Dakin's accounts lies one of Turgot's most implacable opponents, dangerous by his prestigiousness if not from any higher political qualities. When he died in 1776 he was succeeded by Marche who had supported Maupeou thus ending the political importance of the House of Conti in the parlement.

Conti's career in 1774-6 was not so clear-cut as Dakin might have us believe - Stormont found out that Malesherbes was his speech writer over December 1774 to January 1775. In the debate of 9 December 1774 Conti, with help from Orleans, rallied a majority of 120 : 10 to vote against Monsieur's insistence that a remonstrance against the recall lit de justice would not be tolerated. It was noted with great surprise that Conti carried: Fitz-James, Richelieu, and Soubise with him. On 30 December 1774 Conti led the

debate on the remonstrance on the grounds of:- various technical points, the powers the government retained to coerce provincial parlements, and the retention of the Grand Council as a standing threat. Conti won a unanimous majority, but went on to counsel acceptance under protest of the recall. In the last resort a prince of the Blood had to be a force of conciliation if he were not to be Frondeur, which explains Conti's actions in 1771-4, and December - January 1774-5, but with death imminent and without a political heir in 1776 he no longer felt the need to act under restraint <sup>121</sup>:

Conti's speech against 'Inconvénients' was the high point of his career. He attacked the pamphlet as, "Poison ... of the most dangerous nature... levelled at the essence of the constitution, (it) tends to destroy all law and order, to confound all ranks, and by arming the peasants against their lords, kindles a most dangerous civil war, ... (a) specious veil of ... pretended philosophy ... subversive of all order, property, and law ..." <sup>123</sup>. Behind the polemic lay several important political ideas on the role of the parlement vis-a-vis the constitution, law and order, and society.

The sixth leading patriot was St. Fargeau. He was the principal link between the parlements and Choiseul. The House of St-Fargeau was one of the leading Parisian robe families and was to play an increasing role into the 1780's as a radical (to the point of being Rousseauist) force in the parlement <sup>123</sup>. If this family represented the radical wing of the patriots Séguier was their dévot side. Before considering Séguier's political position, his patriot credentials, which were suspect at the time, need to be proved: in 1771 Séguier condemned a Jesuit pamphlet, 'Plan de l'Apocalypse', as, "Un des chefs d'oeuvre de l'extravagance de l'esprit humain"; Séguier's support for the Church did not extend to its political pretensions <sup>124</sup>. In 1770 Séguier had been responsible for the severing of connections between the philosophes and parlements, and events proved that his actions had been too little too late as the magistrates were still accused of being materialists.

After the recall Séguier took a leading role in undoing Maupeou's work, but what marked him out was his desire to cement an alliance between the parlements and the Gallican church. In July 1775 Bachaumont noted, "La puissance ecclesiast-

tique concourent avec la puissance séculaire pour découvrir les auteurs, imprimeurs, distributeurs..." of proscribed books. In September Bachaumont reported an indictment of 'Diatribes à l'Auteur des Ephémérides' (anon. Paris 1775), a pamphlet viciously attacking Turgot's economic policy via the newly refounded 'Ephémérides du Citoyen' which enjoyed the Controller General's fullest patronage. It is likely that Turgot himself asked for the indictment, but must have regretted it when Séguier used it as the opportunity, "où il annonce que le moment est arrivé de la ré-union de cet Ordre (the clergy) avec la magistrature, et de leur précieuse harmonie, ce qui va ramener le règne de la religion". Bachaumont found the episode "revolting", thus demonstrating that the patriots reinstated in power had less and less use for the radical pamphleteers whose publications had served them so well 1771-4 <sup>125</sup>.

The bishop Lefranc de Pompignan's 'Avertissement de l'Assemblée générale du Clergé de France' of 1775 had been devoted largely to an attack on philosophie, demonstrating how civil society was as much endangered by it as the Church, "Le Christianisme en a resserré les liens: l'incrédulité les relâche ..." <sup>126</sup>. Séguier's indictment must be regarded as a reply in which he raised the spectre of a threat to, "throne and altar" ... "Les écrivains du siècle, que rien n'a pu contenir jusqu'à ce jour, redouteront cette union tant désirée du sacerdoce et de l'empire; ils craindront également et les censures ecclesiastiques, et les regards vengeurs des ministres de la loi" <sup>127</sup>. (That the alliance took root is confirmed by, 'Mandements de Monseigneur l'Archeveque et Comte de Vienne contre (Voltaire, Rousseau, and Raynal)' (Paris 1781), in which the most fulsome praise is heaped upon the parlement and on Séguier in particular for his work against philosophie.) An interesting footnote to this alliance was a speech delivered to the recalled parlement of Aix by Boisgelin, archbishop of Aix, in which he claimed that Maupeou's coup d'état had only been made possible by the division of magistrates and clergy, and their union, therefore, would be a sure way to prevent its recurrence <sup>128</sup>.

In 1776 Séguier became the link between Clugny's ministry and the parlement <sup>129</sup>. Thévenau de Morande took it upon himself to enlighten his reader as to the political situation

of the ministry, "Vous demandez ici, lecteur, pourquoi l'avocat-général Séguier qui a fait tant et de si plats requisitoires, contre les philosophes, lesquels ne prechent que la paix, l'ordre et les moeurs; qui a harangue plusieurs fois au sujet de ces philosophes, les chambres assemblées, avec le ton d'un père de l'Eglise et le stile de M. Lefranc; ... Séguier persécute les philosophes, lecteur, parce qu'il craint leurs historiens". Thévenau accused Séguier of organising the prostitutes of Paris, to whose pleasures he was addicted, for a network of political blackmail <sup>130</sup>. In 1777 Séguier's career, and notoriety in the capital, reached its zenith with the trial of Delille (de Lisle). Delille was a minor philosopher who followed 'Systeme de la Nature'; his work might have gone unnoticed - one nonentity among many <sup>131</sup> - had Séguier not picked on him to prove his dévot zeal. The hapless author was put on trial before the chamber of the Châtelet, the object being not so much to convict him of some dubious offence against the censorship laws as to force him to recant his philosophie. Bachaumont condemned it as "absurd", "fanatical", and "barbaric", and likened it to the Spanish Inquisition. Grimm and Linguet attacked it in similar terms, it was a great cause célèbre and reported in great detail <sup>132</sup>. In that Delille broke down and "confessed" the trial was a success, but it was a sorry spectacle which brought no credit to anyone concerned with it, and any political benefit was more than wiped out by Voltaire's triumphant entry into the capital in 1778.

Séguier's success in creating a throne and altar climate of opinion was matched in other directions of a wholly secular nature. In the debate over the corvée Miromesnil showed that, "Chacun (des) Ordres a ses droits, ses privilèges, peut-être ses préjugés" <sup>133</sup>. Inequality was no longer to be regarded as just a fact of social life, but a basis of social stability. Commentators had realised that the greater the number of divisions in society the less risk of social confrontation <sup>134</sup>. Inequality, however, whether juridical or economic, should neither give the privilégiés the right to oppress the underprivileged, nor did it lay upon the underprivileged the obligation to remain silent in face of oppression. This gave conservatism a social conscience, even if from political self-interest. The parlement further began to insist on the absolute primacy of law. It became a cornerstone of

opposition to all reform, whether the corvée, where Eprémésnil declared that the parlement should protect the state against those who sought to destroy old laws and substitute disorder and chaos, or whether agricultural reform of rights of way or common grazing <sup>135</sup>. The position of law was explained by Guyot in his account of banalities: jurists attacked a law when they had forgotten the origin and purpose of that law (the legal reforms of the sixteenth to eighteenth centuries), but once rational thought and research had re-discovered the circumstances and reason for the law, this understanding in itself, and the sanctity of traditions, justified its retention <sup>136</sup>. When applied to the corvée by Séguier and Eprémésnil Horace Walpole described the concept of "consacrée par l'ancienneté", as, "... thus the length of pedigree renders (abuses) respectable!" <sup>137</sup>. The concept of sanction by antiquity was expressed throughout Gin's 'Les Vrais Principes du Gouvernement Française' (Paris 1777) and and applauded by the Mercure de France <sup>138</sup>.

A test case for the primacy of law arose in 1776. A practising Jew, M. Colmar, purchased the duchy of Chaulnes which gave him the right to appoint the local clergy in the duchy. The local bishop (of Amiens) and the clergy protested that only a Christian could appoint clergy to their livings, and took the case up to the parlement of Paris. The verdict was delivered in 1777 that the court could only concern itself with the letter of the law, and the Jew's legal rights must be upheld. The case attracted great attention; Linguet reported it at length and drew the conclusion that thenceforth the letter of law alone was to concern the parlement; Arthur Young noted it as a quirk of French jurisprudence ten years after the event (he called the duchy the viscounty of Amiens) <sup>139</sup>.

The idea of France as a Gothic state, every part related to every other part, was brought out in the debate over the guilds. Séguier developed the concept of the corporations being links in a chain leading from the humblest journalier up to the throne <sup>140</sup>. (Louis XVI was unmoved by this argument, he had been taught to regard the corporations as spokes in a wheel whose hub was the crown, removal of one unit, therefore, would have no drastic consequences). Séguier put forward the prejudice that people could not work outside a judicial



framework, and that, as ever, the destruction of one corporation endangered the others <sup>141</sup>. From Séguier's speeches there can be no doubt that the parlements were claiming to be the defenders of law and order; Conti had used those two words in his speech against 'Inconvenients'. (The point does need to be made, some of the more facile accounts of the late old regime might lead us to suppose that the magistrates actively promoted civil disorder. Law and order, however, implied a rigidly conservative outlook on society including the maintenance of abuse or practices such as torture.) One of the central points of the attack on this pamphlet was that it had incited the duc de Montemart's peasants to attack him while he was hunting (as this was reported in April 1776 it was likely that the duke was hunting across growing crops, an issue which caused great bitterness). <sup>142</sup> Of the 'Monarque Accompli' Séguier painted the picture of an evil "enthusiast" inciting civil insurrection ("... le sang couler autour de lui par ses conseils.") against whom the parlements as, "... l'écho de la voix publique", were "chargés de veiller à tout ce qui peut troubler l'ordre public" <sup>143</sup>. From these pamphlets the parlement tried to show a community of interest between crown and magistrates defending social stability, property, and the constitution <sup>144</sup>.

One of the most important breakthroughs of the recalled parlement was the confirmation of its role as the defender of privilege. The magistracy wanted to make all the privilegiés of the realm realise that they had a vested interest in upholding the parlements. This could most easily be done through feudalism: "Le parlement qui avait protégé les roturiers contre les seigneurs de fiefs lorsqu'il était tiré de cette classe, défend aujourd'hui les intérêts des fiefs parce qu'il en possède plusieurs", an observation corroborated at the time by the Journal Encyclopédique, and confirmed in future research by Meyer in Brittany <sup>145</sup>. Guyot analysed a new socio-political balance in the Louis-seizième period: the individual (as citizen) was now opposed to the corporations <sup>146</sup>. If this balance appealed to Louis XVI, its creation was largely Turgot's work; he hoped to use it to cut the ground from under the parlements when they claimed to be representing the people <sup>147</sup>. The corporations proved the stronger to the mutual ruin of both themselves and the monarchy.

The fear that recall would encourage once again the *unité des classes* had proved groundless, a situation confirmed by Guyot's assertion that sovereign courts were by definition mutually independent, answerable only to the king or Council <sup>148</sup>. (Ardasheff notices the independence of parlements one from another, but ascribes it to a need to devolve power away from the centre to avoid another attack such as Maupeou's <sup>149</sup> - perhaps too profound an analysis of the one area where Maupeou's show of strength had taught a lasting lesson.) A report from Provence in January 1776 sums up the situation in this period, "Rien n'égalé la division qui existe dans presque tous les parlements du royaume", and named Grenoble, Pau, Bordeaux, and Dijon, as well as Aix <sup>150</sup>. The parlements, however, were not to abdicate their opposition to financial measures.

Montbarey reported that Maurepas had sounded out the recalled parlement on the possibility of a combined effort by the magistracy and ministry to pay off the national debt; it failed <sup>151</sup>. Finances were as ever the government's weakest point. In January 1775 a twentieth was forced through by a show of ducal strength which used up all the goodwill the recall itself had generated <sup>152</sup>. The government's firm attitude persisted as long as Turgot stayed in office, but under Clugny the parlement was able to assume the offensive. In 1777 the parlement put up a spirited resistance to Necker; in January 1777 it declared that it could not countenance loans at more than 5.25% <sup>153</sup>. The *arrêté* of 21 January 1777 was a detailed statement of intent: after fourteen years of peace the government had not done enough to reduce taxation, loans in particular were running at an unacceptable level, and the observation that a loan, "nécessairement est le germe d'une imposition", showed a keen appreciation of Parkinson's Law. While Louis XVI dismissed the *arrêté*, with its threat of a withdrawal of co-operation, as "fine words" <sup>154</sup>, Véri commented that the recalled magistrates, "... insinuant au roi que les impôts ne doivent avoir lieu que par le consentement de la nation" <sup>155</sup> (of the 1778 twentieth, for which see below).

The parlement had only one immediate solution to all financial problems: reduce expenditure whether in the armed forces, the Court, or on interest rates. Such a policy was impractical in an age when the scope of government was

increasing, but the parlement conceived a duty to keep up pressure for reducing expenditure. The parlement had assumed a political position hostile to capital; for them the ultimate resolution of society's problems was to be found in juridical or political terms. The correct structuring of government and society would eradicate economic problems at root. This attitude made itself felt on the guilds when Séguier warned that if their abolition caused economic expansion this would in itself produce problems the regime would be incapable of dealing with <sup>156</sup>. In 1777 an even more striking assertion was made: to increase revenue (in this case through the lottery) would only make the government's financial problems worse as long as they followed existing policies <sup>157</sup>. In a political context this was a robin answer to the militaire desire to remove money from the juridical structure.

The January 1777 opposition came to naught because the parlement was bribed into silence by the offer of the abolition of the Grand Council and Presidial courts. The average Presidial court, of which there were 100 in 1789, contained seven or more judges; it was a court which could judge any criminal case or any civil case where less than 2,000l. were involved; they allowed no appeal to the parlements. After the recall the position of the Grand Council and Presidial courts became extremely difficult. The Grand Council's remonstrance against their treatment was preremptorily snubbed by Louis XVI, and the Council went in decline thereafter <sup>158</sup>. A landmark in this decline was a bitter dispute in 1776 over the Council's insistence on re-registering an edict setting up Presidial courts in Lorraine and Bar <sup>159</sup>. In 1777 the Council tried to attack Beaumarchais, but was snubbed again <sup>160</sup>. For all this the Presidial courts were still a source of inspiration for reformers, Linguet recorded attempts to reform justice without the disruption caused by Maupeou using these courts, and Letrosne implied that these courts could be used as the basis for a restructured judiciary <sup>161</sup>. Miromesnil, however, pushed ahead relentlessly against the Grand Council, using it as a bargaining counter to keep the parlement quiescent, and going as far as to have prepared a draft edict for the suppression of both the Grand Council and Presidial courts by February 1778. Although the plan was vetoed by Monsieur <sup>162</sup> after 1776 the structure passes out of political reckoning

judged on its own merits.

Opposition to financial measures continued, and loans and naval expenditure were attacked at every opportunity. An event of particular interest was the reaction to Necker's mortgaging of the next *don gratuit*; in a bellicose *arrêt* the parlement condemned it as "unconstitutional". This harkened back to the parlement's reaction to the abolition of the Company of the Indies, when the court had tried to retain continuous control over any legislation it had registered previously. In the earlier case the parlement had declared unconstitutional the subsequent alteration of laws, in the latter it declared an expedient unconstitutional because the original measure had not been submitted to it <sup>163</sup>. In both cases Necker was the enemy. The other important trend of 1777 was renewed persecution of the former Jesuits. Louis XVI found he was unable to prevent this, however close to his heart the issue was, and Miromesnil and Maurepas privately did nothing to discourage it because it kept the parlements from disrupting the government's activities <sup>164</sup>.

The climax of parlementaire activity 1777-8 was the remonstrance in February 1778 over the twentieth, the subject of a study by Lardé <sup>165</sup>. Necker hoped that his November 1777 Council of State *arrêt* setting out his intentions for the tax could be slipped past the parlement in the autumn recess, "... it being in the form of an *arrêt* which interprets an edict already registered, it does not require essentially the parlement's cognisance" <sup>166</sup>. The parlement, however, took the opportunity to conduct an examination into the whole structure of the tax. The result of the enquiry was three grievances: the first the usual complaints about the state of finances in general, the second, that Necker proposed extending the scope of government, and the third, that changes and abuses were developing in the assessment and collection of the tax. The parlement's refusal to allow fiscal reform was reminiscent of the campaign to defeat fiscal reform in Burgundy <sup>167</sup>. Further developments were Séguier's insistence on the parlement's sanction for any structural change in the regime, and the invoking of the States General to look at fiscal problems in general. Two remonstrances were issued in February 1778 (on the 7th and 17th), both of which were dismissed by Louis XVI, but which did cause Necker to moderate his policies. Paul

Wentworth's information about the remonstrances was that they were being drafted by Joly de Fleury and Gerbier, and that their tactical aim was either to force the withdrawal of the twentieth or to force changing the arrêt into an edict in order to secure public debate <sup>168</sup>. Lardé's study shows the parlementaires in a favourable light as conscientious guardians of the constitution as they saw it.

Despite the 1778 crisis in Paris, and Rouen, over the renewal of the twentieth the climate of opinion had become hostile to the parlements over finance. They were accused of out-right dereliction of duty and the sacrifice of national to corporate interests by all but the most partisan commentators. Lévis cynically wrote that the parlements, enjoying fiscal privilege themselves, never tackled the wider problems of fiscal inequality <sup>169</sup>. The parlements' political activity began to be interpreted as political nihilism: to attack the monarchy wherever and however possible <sup>170</sup>. The accusation of being Frondeur, always endemic against the parlements, took deeper root in the final phase of the court's existence and persisted through into historiography <sup>171</sup>. Montbarey and Soulavie saw a dual threat to society: the parlements in politics and the philosophes in the intellectual sphere, both acting in clandestine concert and both abetted by ministers <sup>172</sup>. The evidence does not support this fear, but it became an important part of the regime's political mythology. Ségur's analysis is the more useful: had the crown responded to the parlements' position to create a political alliance, the parlements would have remained the monarchy's greatest safeguard, but the crown's hostility to the courts from the mid-century onwards drove the magistrates into an effectively republican position from which they were able to do more damage than any other institution <sup>173</sup>.

What happened 1774-78 was the parlement's attempt to convince the crown to take it seriously as a foundation of the monarchy's power, and the true guardian of its interests. The type of society postulated in the parlement's political stands was an essentially aristocratic one where juridical hierarchy and structure governed every part of society; the primacy of law defended the corporations and private property and was a bulwark of royal authority. Dangerous innovation was to be analysed and countered before it had a chance to disrupt society. This was no more than Montesquieu's vision of

politics and society, and at least one historian has claimed that by the end of the regime there was developing the concept, accepted by government, of a constitution based on the corporations<sup>174</sup>. If Cobban's analysis of the Revolution is accepted, then the parlements are more than vindicated in their attempt to oppose reform with conservatism, and their action was too little too late.<sup>175</sup>

The monarchy failed to respond, partly because the ministers most closely involved with the king were either unused to thinking in new political terms (eg. Maurepas) or were hostile to the parlements (eg. Vergennes). The conservatism which could have bolstered the monarchy was diverted into a politically damaging alliance of privilege which debilitated both government and society. By 1780 Lévis tells us that the whole Court regretted the recall, and Thévenau de Morande wrote of the parlement, "Je voudrais que, d'une seule lettre de cachet, on put envoyer, pour jamais, en exile, tous ses membres aux Antipodes!"<sup>176</sup>. The failure of an institutional conservatism to take root in France after 1774 is the missing chapter of French history which made it so different from subsequent British development.

Note on the Chamber of Peers

Tangential to the parlement itself was the attempt to create a separate chamber of peers. This traces a sub-theme of political life at the point where the peerage and parlement interacted.

A plan was presented to the king in 1765 by the *dévo*t peers. It started from the premise that, "Les Princes de votre sang ... et les autres pairs ... forment une cour dont V.M. est l'unique chef, absolument distincte de toute autre cour...". It was signed by nineteen peers, including all the ecclesiastical peers 177. Bachaumont attributed the plan to Moreau, via Vauguyon's patronage, and Moreau does record a passing involvement with the peerage at this date 178. Hardy attributed it to Vauguyon with the duc de Sully's help, but went on to report that it was so badly received by both the king and the public that it had to be dropped 179.

Croÿ gave a full report of the alternatives debated in parlement. The first was the status quo, which was supported by all the Princes as it institutionalised an involvement in politics when all others were discouraged. The second was to support the *unit  des classes*, and claim direct superiority over all parlements but at the expense of antagonising the Parisian magistrates jealous of their unique relationship with the peerage. The third alternative was the separate chamber. Conti led this debate, but nothing came of it except to give the idea a public hearing, and to suggest to the *ducs-non-pairs* that this new institution might afford them some institutional power 180.

A constitutional theory of the peerage was developed by Fitz-James, this may be dubbed the "*th se des pairs*". 181 The initial idea that in the Germanic forests all Franks had been peers had been proposed by Cantalauze de la Garde in 1764 182, Fitz-James went on to say that the peerage was, "... un droit politique inh rent a la constitution de la monarchie, n  avec elle...". From this it followed that the peers could claim a duty and a right to represent the interests of the disenfranchised (nb. derivation of 'franchise' is from 'Frank'). The prerogative this implied of being able to counsel and limit the monarchy was recognised by an anonymous pamphleteer in 1771 183.

Fitz-James claimed the following benefits for his scheme: it would halt the erosion of the peerage's privileges, it would arrest the disunity among the peers, and it would prevent the danger of France's constitution following the same path as Poland's - as it might if the parlements gained ascendancy over the crown. This "thèse des pairs" has been restated by the peerage's historian Barthélemy <sup>184</sup>. At the time, though, Guyot refuted it by maintaining that the peers shared the same origin as the Electors of the Holy Roman Empire <sup>185</sup>.

While Choiseul remained in power with the support of the Princes and the magistrates there could be no further developments. Maupeou opened up the possibility of change in the peerage, though at first there seemed to be the possibility of the peers losing their position. On 5 February 1771 the parlement of Rouen fulminated, "... les Princes et pairs sont plus intéressés que tous autres (citizens) à leur (the parlements') conservation, à raison de la prééminence de leur état et dignité" <sup>186</sup>. This gave the peers food for thought as a week later they were reported to be worried lest Maupeou dismantle the parlement of Paris and, "...deprive them of the small remains of their dignity, and reduce them to a par with the rest of the nobility" <sup>187</sup>. A stalemate developed in Maupeou's relationship with the peerage.

To break this stalemate Maupeou turned to the idea of a chamber of peers, hoping to outflank opposition with reform - as he had for the parlements as a whole. As ever, it is difficult to judge how far the idea was Maupeou's as opposed to Moreau's or Lebrun's <sup>188</sup>. The proposal had been revived during Aiguillon's trial - though for personal motives Aiguillon himself would not have given it long-term support - "En établissant ainsi le droit des pairs, on fait tomber, par une suite nécessaire, les prétentions du parlement de Paris, et du même coup, celles des parlements de province" <sup>189</sup>.

On 17 July 1771 Lord Harcourt reported, "... it had been surmised that a new Court of Peers is to be erected, to which not only the Princes and peers are to be admitted, but some others of the nobility, under the new title of, la Cour des Pairs. That the very name of the parlement is to be abolished, and a new court erected in its room, composed



of the members of the old parlement, under the name of la Cour Legislative, with a power of remonstrating, but without partaking of any of the privileges of the Cour des Pairs ... must prove (if it take place) an object of great importance to this crown". Harcourt personally doubted that the plan could be implemented. The plan has two points of outstanding interest, that the peerage would be expanded to form the upper chamber of a bicameral assembly, and that the robin magistracy would lose all participative functions in government <sup>190</sup>.

Two other commentators discussed the chamber under Maupeou. In February 1771 Miromesnil criticised the potential influx of politically inexperienced peers into the process of government, but feared that if the chamber were indeed set up it could prove far more dangerous to the monarchy than the parlements had been. He also feared that so radical a shift of political power towards the Great would upset the traditional balance between the Great, the Church, the magistrates and the people to the latter's detriment.<sup>191</sup> In January 1773 the Journal Historique analysed the issue, "Ce (the Chamber) serait cependant le coup le plus mortel qu'on put porter à la constitution du gouvernement; c'est l'objet des efforts multipliés des divers ministres ennemis de la magistrature; et ce serait la consommation et la confirmation des opérations de M. de Maupeou <sup>192</sup>". This suggests that a chamber of peers had become ministerial policy 1771-4.

As a footnote, Monsieur and Miromesnil collaborated in 1774 to revive the idea in the form of a "Chamber of Forfeiture", that is a court prestigious enough to sit in judgment on counsellors with functions extending into a participative role in government. Monsieur's plan agreed in many parts to Lord Harcourt's account of a chamber of peers, and it was Monsieur as Louis XVIII who instituted a Chamber of Peers <sup>193</sup>.

Given that the hypothetical chamber was supported by dévots, it would seem likely that it would have benefited the monarchy as against the parlement. It failed in 1765 because the ministry and the magistracy had a vested interest in the status quo; it failed in 1771-4 because Maupeou could not implement it against the opposition of the Princes; and it failed in 1774 because Maupeou had patronised it. It was to the monarchy's detriment that it was still-born.

SUMMARY

The parlements after 1771-4 had to seek new roles. The power they had enjoyed under Choiseul had been brutally curbed by Maupeou, and this had proved that they needed to find a basis for their existence, which would be proof against attack by the monarchy.

Maupeou's reforms, both in their process and content, did not form a firm basis for general reform of the regime. They were a narrow and isolated attempt to change the relationship between the crown and the magistracy in the ressort of the parlement of Paris. Maupeou's inability to handle the magistrates, and the logic of the events he had set in motion, meant that the scope of his reforms continually increased until it embraced the whole realm. It was regarded by contemporaries as too blatant and "unconstitutional" an exercise of royal power to be acceptable.

The exiled magistrates had evolved a political philosophy of the parlements as guardians of a society based on juridical inequality and an interlinked hierarchy of corporations. The Church readily accepted this ideology, and the parlements worked to extend it to include the crown after 1774. The parlements attacked any target which threatened to disrupt old social relationships, such as: capitalism, tinkering with fiscal law, dismantling corporations, or ill-considered reform.

The parlements sought constitutional authority for their political action by relinquishing their own claim to be a national assembly in favour of calling for an assembly of the States General. They insisted that the law was paramount over all other considerations, and that the antiquity of a practice or institution was its own justification.

From its side, the crown under Louis XVI took the magistrates' loyalty and gratitude for granted. In return it encouraged debate over great issues, and allowed the parlements their full prerogatives. The great areas of accord, though, were obscured by disputes over individual issues. The crown's support for Turgot's restructuring of society threatened to alienate the parlements, but this proved to be a short-lived and unsuccessful experiment. Lecker held out the hope of finding a more intelligent and sympathetic relationship between crown and corporations - if needs be in a reformed administrative structure.

FOOTNOTES

1. Dale van Kley 'The Jansenists and the Expulsion of the Jesuits from France 1757-1765' London 1975 pp. 209-10, 229-37.
2. A. Bourde 'Agronomie et Agronomes au 18<sup>e</sup> Siècle'.  
Paris 1962. p. 1083.  
  
Bertin to Croÿ December 1771, quoted Croÿ II p. 509.
3. Egret, Opposition Parlementaire p. 135.
4. Ibid. pp. 99-101.
5. Walpole, George III II p. 248. Similar observations in Sénac de Meilhan, du Gouvernement. p.82.
6. Véri I pp. 64-5 (ie. Aiguillon, Fitz-James, Dumesnil).
7. Deffand II pp. 166, 119.
8. Condorcet p. 28.
9. J-P. Brissot de Warville 'Bibliothèque Philosophique du Legis-  
Legislateur...' 10 Vols Paris & Berlin 1782. IV (printed in full).
10. Ephémérides 1768 V pp. 85-6.
11. Ephémérides 1768 X pp. 45-6, 61, 76-7.
12. Mercure de France 1768 VII pp. 193-4. Journal Encyclopédique  
1768 IV pp. 162-4. VII p. 162. A-T. Miromesnil 'Correspondance  
Politique et Administrative!' ed. P. le Verdier 5 vols. Paris 1903  
V p. 706.
13. Gruder p. 48.
14. Journal Encyclopédique 1768 V pp. 164- 166.
15. Archives Etrangères. Mémoires et documents. France 1366.
16. Regnaud I p. 130. Moreau I p. 246. J. de Maupeou 147.  
Daresté VII p. 4.
17. Condorcet p. 28. S.P. 78 282 p. 33.
18. Albertas I pp. 164, 277.
19. Thévenau de Morande, Mélanges Confus. p. 69.
20. French Historical Studies VIII pt. I (1973) 'In Defence of  
Reform: French Government Propaganda during the Maupeou  
Crisis' D. Hudson pp. 51-2.
21. Mercure Historique et Politique 1771 I pp. 527-9.
22. S.P. 78 281 pp. 266, 270, 282 p. 13a. Condorcet p. 23.  
Regnaud I p.54.
23. S.P. 78 282 pp. 32-3.
- 24.
25. This clearest account, following on from Miromesnil's  
analysis, comes from Regnaud I pp. 58-60.
26. Dancerville, Vie Privée IV pp. 157-8. Gazetier Cuirassé  
p. 17. Condorcet p. 42. Regnaud I pp. 77, 96, 179, 188,  
190, 195. S.P. 78 282 p. 55.
27. Journal Historique II p. 167. Walpole, George III IV p.342.

28. Journal Historique II pp. 49-50.
29. St. John 9 1237 p. 136 (Gaillard to Grand Master).
30. Miromesnil, Correspondance IV p. 284. Hardy II p. 179.  
J. de Maupoou p. 147. Journal Historique I p. 69. Danger-  
ville, Vie Privée p. 156. J. Flammermont 'Le Chancelier Mau-  
peou et les Parlements' Paris 1883. p. 436.
31. S.P. 78 282 p.55. Regnaud I pp. 58-60.
32. Regnaud I pp. 58-60
33. Léonce de Lavergne, Economistes p. 130.
34. Journal Historique I pp. 97-8, II p. 11. Isambert, XXII  
p. 512-15.
35. This, and most other information on the detail of Maupeou's  
reform, is taken from the only study to date: L'Organisation  
du Parlement de Paris et des Conseils Supérieurs d'après  
la Réforme de Maupeou 1771-4 R. Villers. Paris 1937
36. Journal Encyclopédique 1774 I p. 541. B.N. Mss. Fr. 6572  
(letters and draft speeches for May 1774).
37. Journal Historique I p. 70. Regnaud I pp. 39-40, 263.
38. Journal Historique III p. 140.
39. Espion Anglais I pp. 90-1, 101-2.
40. St. John 9. 1237 p. 296.
41. Albertas II p. 721.
42. Miromesnil, Correspondance V p. 286.
43. Albertas II p. 511.
44. S.P. 78 291 p. 94. (16 February 1774) (similar comment  
Montbarey II p. 99). This analysis illustrates how con-  
temporaries appear to obscure their very real understand-  
ing of events by interpreting them in terms of personali-  
ties.
45. Regnaud I p. 143.
46. Condorcet p. 42.
47. S.P. 78 291 p. 94 (similar comment in Etat Politique  
1777 p. 101).
48. Dangerville, Vie Privée IV p. 158. S.P. 78 292 p. 180.
49. 'L'Activité d'un Procureur-Général au Parlement de Paris à la  
Fin de l'Ancien Régime: Les Joly de Fleury' P. Bisson.  
Paris 1964. pp. 149-68 (Bisson, though, is as biased on  
his side as were the patriots on theirs).
50. Regnaud I pp. 13, 211. Journal Historique I p. 65 and pass-  
im. Hardy II p. 305. Mercure Historique et Politique 1771  
II pp. 83-4.
51. Journal Historique III p. 101. Regnaud I p. 191.

52. Regnaud I p. 186.
53. Journal Historique II pp. 66-7, 103.
54. Espion Anglais I pp. 231-74.
55. Journal Historique I p. 241.
56. Walpole, Letters VIII p. 250, Supplement I p. 210. 'Voltaire and the Parlements: a Reconsideration' R.S. Tate jnr. (Studies, Voltaire and the 18th century. 1972) p. 1537.
57. Hardy II pp. 3,8, 43.
58. eg. St. John 9. 1237 p. 160.
59. Espion Anglais I p. 183.
60. S.P. 78. 282 p. 38.
61. St. John. 9. 1237 p. 182 (Rességuier to Grand Master 10 April 1771).
62. Albertas II and III passim. S.P. 78 282 pp. 169, 204. Gazetier Cuirassé pp. 21-2. Condorcet p. 57. Gazette de France 1771 passim.
63. Croÿ II pp. 483, 494.
64. Albertas III p. 1273.
65. Albertas I p. 197. Journal Historique I pp. 111-13. Egret pp. 208-9.
66. Journal Historique I pp. 111-14.
67. Journal Encyclopédique 1771 II p. 490 (general comment), VIII pp. 488-9 (on Rouen). Mercure Historique et Politique 1771 I p. 677. Mercure de France 1771 XV p. 207. (A cogent defence of the new system was made in 'Le Voeu de la Nation'. anon. Versailles 1771).
68. S.P. 78 284 p. 248 (for Paris).
69. Archives Nationales H. 34. Artois 1771-4 p. 56.
70. Regnaud I p. 27. Dangerville, Vie Privée IV p. 147.
71. Regnaud II pp. 176-7. Journal Encyclopédique 1771 I p.492.
72. 'Maupeouana' 2 vols. Paris 1775. I p. 134. Besenval II p. 192.
73. Journal Encyclopédique 1772 III p. 491.
74. Véri I p. 73.
75. 'Gazette de France' May 1771 pp. 835-7. Hardy II p. 35.
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133. Turgot, Oeuvres VIII p. 245.
134. eg. Aubusson, Alambic des Loix pp. 436-9.
135. Bachaumont IX p. 39 'La Lutte pour l'Individualisme Agraire dans la France du dix-huitième Siècle' M. Bloch. Annales d'Histoire Economique et Sociale 1930. (Published in three parts) II p. 512.
136. Guyot II p. 112.
137. Walpole, Letters. IX p. 341.
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139. Journal Encyclopédique 1776 I p. 184. 1777 III p. 186.

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144. Hardy III p. 198. Journal Encyclopédique 1776 III p. 182.
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166. Auckland III p. 373.
167. see below Chapter IV.
168. Auckland III p. 476.
169. Lévis pp. 11-12.



170. eg. S.P. 78 301 p. 97.
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172. Soulavie I p. 202. Montbarey III p. 96-7.
173. Ségur pp. 14-15.
174. 'French Constitutionalism: Old Regime and Revolutionary B.H. Henry (Journal of Modern History 1949) p. 222.
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176. Thévenau de Morande, Gazette Noire. p. 242.
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179. Hardy I p.16.
180. Croÿ II pp. 195-6.
181. The material on Fitz-James comes from: B.N. Mss. Fr. 6832 (Fitz-James papers) 'Mémoire Concernant la Pairie', 'Mémoire sur le Droit qu'ont les Pairs de France de n'être Jugés que par leurs Pairs.'
182. 'Dissertation sur l'Origine et les Fonctions Essentielles du Parlement, sur la Pairie, et le Droit des Pairs, et sur les Loix Fondamentales de la Monarchie Française', 'Suite de la Dissertation Concernante la Pairie et les Droits des Pairs'. Cantalauze de la Garde. Amsterdam 1764. (Cantalauze's ideas were largely borrowed from Boulainvilliers).
183. 'Mémoire sur le Droit des Pairs de France d'être Jugés par leurs Pairs' anonymous. (Paris ?) 1771 p.80.
184. 'La Noblesse en France avant et depuis 1789'. E.M. Barthélemy. Paris 1858. p.144.
185. Guyot XII p.480.
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187. S.P. 78 282 pp.64-5.
188. Egret, Opposition Parlementaire p.194 believes that Maupeou was too cautious to have initiated such a reform.
189. 'Mémoire ... 1771' (see note 183 above) p.7.
190. S.P. 78 283 p.38.
191. Miromesnil V pp.284-8.
192. Journal Historique IV p.19.
193. 'A travers les Papiers de Louis XVIII' E. Daudet (Le Correspondant (Paris) 1910) pp. 41-4. See also Appendix I.

## IV

STATES: GENERAL AND PROVINCIAL

Of all the institutions of the old regime, none attracted more attention for their potential for expansion and reform than the assemblies of States; they were in the vanguard of both the process of decentralisation and the so-called aristocratic reaction <sup>1</sup>.

The problem of the States General, which had lapsed since 1614, was distinct from that of the still partly extant provincial States. The States General hovered on the edge of political thinking from 1614 onwards. Only ill-informed opinion could have been surprised that the States could be convoked in 1788-9; only the advisability was in question. Detailed instructions existed governing the convoking of the States General, and the election of deputies. From one generation to the next the functionaries concerned passed on these instructions and let the public know who they were and what would have to be done. In this rather extraordinary way the States General remained a living part of the regime's political culture if only at a verbal level <sup>2</sup>.

The States General had a very definite place in the old regime. Figaniol de la Force made it clear that while the States, like the parlements, were as old as the monarchy they were subordinate to it and could only advise the crown under normal circumstances. He refuted those who sought to turn the States General into a Venetian type senate. In five specific cases, however, the States had the right to assume full sovereignty: - if the deceased king had made no provision for a Regency the States were to assemble and appoint a Regent; secondly, the States had plenary authority if the royal house had died out or if the only potential heir was as yet unborn, or thirdly, if the king was captured without making provision for a Regency, or fourthly, if the king was insane and without an apparent heir or Regent; fifthly, the States were authorised to assume sovereignty if the king had violated a fundamental law (e.g. alienated part of the kingdom without good reason) <sup>3</sup>.

Réal, who was equally a supporter of the Louisquatorzième monarchy, was equally convinced of the States' General

constitutional position. Réal analysed them as being analogous to the British parliament<sup>4</sup>. This observation is significant for two reasons: it shows that the monarchy accepted a constitution of some sort, and it shows the monarchy holding off the pretensions of the parlement by calling on the lapsed States General; the parlement's answer was to claim for itself the authority of the lapsed States. In all cases, however, the States General were subject to the crown, and where official comment was made on them this hierarchy was stressed, "Après le roi, rien n'est égal aux Etats Généraux"<sup>5</sup>.

The most immediate relevance the States General had for politics was in taxation; only they had the authority to ratify new ordinary taxation. This had become a fundamental law which not even Louis XIV had dared to violate, and it meant that the twentieth was always an extraordinary tax levied for specific periods. As first president of the Court of Aids Malesherbes continually affirmed this prerogative<sup>6</sup>. Darigrand went a step further to claim that the parlements as the, "corps représentant de la nation", had inherited the States' General functions and authority. For Darigrand the parlements, acting on the States' behalf, were co-equal with the monarchy<sup>7</sup>. Malesherbes, however, regarded the parlements as political caretakers for the States, and he and most other commentators recognised the monarchy's seniority. Letrosne took it for granted that the fiscal reforms needed in his provincial re-organisation would necessitate the convoking of the States General to ratify them<sup>8</sup>.

The last assembly had been in 1614, and the debates and decisions of the late sixteenth century were still political currency two centuries later; the Grand Chamber for example, quoted their rulings on the need to abolish the Grand Council<sup>9</sup>, and Malesherbes was particularly fond of harking back to them. The debates had assumed something of a legendary quality, and by the late eighteenth century every shade of political opinion looked back to them for inspiration. Cérutti, on the dévot side, recalled their patronage of the Jesuits - in stark contrast to later Jesuit persecution by the parlements<sup>10</sup>. Both the Espion Anglais and Argenson set great store by their attacks on the financiers<sup>11</sup>. The abbé Coyer, for Enlightened opinion, was able to show that the States General had encouraged the nobility to follow useful civilian pursuits<sup>12</sup>.

Apart from the equivocal, and on balance, hostile attitude of the *économistes*, the Enlightenment was in favour of the States General. Both Holbach and Mably included a reformed States General in their programmes. The States General as a defence against despotism was implicit in Albon's work. Chastellux condemned the medieval States for allowing oligarchy to corrupt the monarchy (as had Aubusson), but still described them as an "assembly of the nation" and hoped that with a broader representation they could help the king establish a benevolent absolutism in the face of opposition from the Great and vested interest<sup>13</sup>. The most novel approval of the States General came from Mercier, who so despaired of the evils of the capital that the States, he wrote, should be convoked, should give the Parisians a year to wind up their affairs, and then order the city to be put to the torch!<sup>14</sup>

From the magisterial side, however, Cantalauze de la Carde made out a case that the States had usurped the political power which was rightfully the parlements', and thus the *unité des classes*, led by the peerage, would restore to France her true political forms after the aberrations of the States General, and the Bourbon absolute monarchy<sup>15</sup>. For the *militaires* Aubusson labelled the States an assembly of the too rich and too powerful controlling too much vested interest<sup>16</sup>; he went on, however, to propose their reform and reinstatement. (see below). This attitude permeated philosophic thinking on the subject<sup>17</sup>. Their real enemy, however, was the monarchy; the States General had been the greatest barrier to absolutism. (There is no paradox here with Réal's observations above, because Réal could not envisage the convocation of the States.) Henri IV was quoted in the *Ephémérides* as saying of the assembly, "Par dieu voilà de méchants gens et d'imprudents impostures"<sup>18</sup>. The royal thesis of the abbé Dubos laid the ideological foundations for depriving the States General of their political power by establishing a juridical continuum between the Roman Empire and the Frankish monarchy. Both Moreau and Gin ignored the complex debates on the origins, pretensions, and prerogatives of the States and concentrated on the absolutism of the monarchy. Gin dismissed any idea of a constitution as, "... de vaines chimères enfantées par l'ambition, ou par une fausse sagesse qui croit pouvoir calculer les effets des passions des hommes"<sup>19</sup>.

After 1614 the States General underwent hypothetical

evolution, the longer they remained unconvoked the greater the importance was attached to their eventual assembly; by 1788 they had become a political doomsday machine. The beginning of their re-entry into political thinking came with the duke of Burgundy's interest. Following on this the States became an aspect of "aristocratic liberalism". The hypothetical States General now answered the need which the aristocracy (as opposed to just the robe) felt to possess some institutionalised political power. (In the provinces, mirroring this national trend, the Great and the militaires became more and more involved in the local States as the century progressed.) The influence of Montesquieu and Rousseau enabled various proponents of the States to show them either as respectable adjuncts to an institutional conservatism or as potential organs of a democratic constitution; the two attitudes are exemplified by the parlements on the one hand and Mably on the other <sup>20</sup>.

An important addition to the thinking on the States was the noble thesis, which Boulainvilliers had intended for the States General, even if the parlements had taken it up on their own behalf; both institutions claimed to be descended from the Franks' military assembly each spring on the Field of Mars. While this was a political advantage up to 1788, it was used at the last moment to discredit both its proponents and the institution. Both Linguet, who had previously turned his attention to this area, and Siéyès ridiculed the noble thesis in the late eighteenth century, saying that whoever believed that events 1,500 years earlier in the Germanic forests were of direct relevance to 1788 should take themselves back to those forests. <sup>21</sup>

From Cardinal Richelieu's day onwards the States General had been regarded as the greatest potential threat to a reforming minister. The problem lay dormant under Louis XIV, but the ground was prepared by the duke of Burgundy's circle for an assembly of the States at the king's death. In the event the Regent decided not to convoke the States but to try the Polysydonie instead. Under Fleury the Louisquatorzième system was continued, but once he had died and the mid-century political environment had begun to develop, the States became an issue again. Louis XV had a phobia against States of any kind <sup>22</sup>, but the threat of precipitating a socio-political crisis of such dimensions that only the States could sort it out was held against both Machault and Maupeou.

When Maupeou faced this threat he gave Lebrun his opinion of States General. "Les Etats Généraux n'ont malheureusement été rassemblés que dans les temps d'orages; composés d'éléments discordans, de grands seigneurs ambitieux et diverses, d'un clergé puissant, d'un tiers état très faible, ils n'ont produit jusqu'ici que de tristes résultats... On aime mieux lutter contre des difficultés qu'on connaît, que de se jeter dans un abîme que l'on n'a pas sondé". He went on to complain that even if the assemblies were manageable the petitions of grievances would overwhelm the government, and there would be no way to resist the demand to turn the whole of France into States Countries ("mettre la France en pays d'états") <sup>23</sup>.

The political movement for the States General became sustained after Mirabeau's 1750 pamphlet, ('Mémoire Concernant l'Utilité des Etats Provinciaux' Rome 1750). It was then taken up by the parlements as much as a stick with which to beat the government as a serious political position, up to 1771 at least <sup>24</sup>. In 1771 Lauraguais published 'Extrait du Droit Public de la France' meant to refute Maupeou. The book was largely a compilation of Latin documents from the Frankish era in support of Boulainvilliers, whose work, Lauraguais explained, had captured his imagination from childhood. A theme of the book was that the Franks had had some form of social contract at the time of the conquest, and this had been constitutionalised in the States General <sup>25</sup>. The addition of contractual political theory to the States General was a radical, important, and - for the monarchy - dangerous development; to the politically uninitiated, furthermore, the difference between a Rousseauist and Lockean (as Lauraguais intended) contract was not obvious.

1771-4 saw two opportunities for the convocation of the States General. In 1771 several parlements accused Maupeou of violating fundamental law, warranting an assembly of the States <sup>26</sup>. The patriots took up the call in pamphlets such as the explicit, 'Requête des Etats-Généraux de France au Roi' (Paris ? 1772). The period of exile gave the magistrates time to consider how fragile the parlements had proved to be, and by 1774 most of them had come round to the position Malesherbes was to hold <sup>27</sup>. As a result there was pressure for their convocation at Louis XVI's accession. On 10 August 1774 Stormont listed the alternatives facing Louis XVI, "... others again

(are) for reducing the parlement to a mere court of judicature, assembling the States, and appointing a deputation of the States General, to exercise the powers the parlement has hitherto exercised, of making remonstrances, in registering the royal edicts, etc, etc.", but felt forced to add he considered the scheme "wild" <sup>28</sup>. The patriots were not alone in suggesting an accessional assembly of the States, even one dévot adviser suggested it <sup>29</sup>.

Once the parlement was re-established, and Malesherbes reinstated as first president of the Court of Aids, he campaigned actively for the States General. Openly, he described the benefits of rule by States General and provincial in the May 1775 remonstrance. Clandestinely, he submitted a memoir to Maurepas on the same subject. Soulavie was cynical about the whole affair, he believed that Malesherbes was able to rally support from the Great because they, through land ownership, would be able to control the States General. Malesherbes answered this criticism by showing the diversity of the institution, each type of organisation offering some different advantage. Some nobles preferred a Burgundian constitution, others a Breton; some clerics preferred Languedoc, others looked to Provence or Bigorre. Malesherbes concluded, with Turgot's support, that the Languedocian model, with its doubled representation of the Third Order, was the best: He also hoped to see Languedocian-style States established in every province <sup>30</sup>. Boulainvilliers and Mirabeau before him had considered the Languedocian constitution the best, and in as far as the Third Order had a political voice, it followed their lead. As will be seen below (Chapters V. and VI) the provincial assemblies proposed by Letrosne and implemented by Necker started from the assumption that Languedoc was the model of provincial government, and, by inference, of any national assembly. Malesherbes regretted that the parlements were forced to fulfil the States' functions, and anticipated a constitution of States which would be more efficient, more popular, and less abusive than the Louisquatorzième system. (Hudson records that an important parlementaire theorist, the president Jean-Baptiste Durey de Meinères who retired from politics in 1757 but remained active in writing, had worked out an account of the States General along Malesherbes's lines as early as 1763, but did not deem the time right to publish until after Malesherbes's speech). <sup>31</sup>

When Malesherbes left the courts to become a minister, the mantle of championing the States fell on Epr emesnil. He led several debates on the subject, culminating in 1777-8 with those over the renewal of a twentieth<sup>32</sup>. One of the representations on the subject invited the government to comment on the need for the nation (i.e. States General) to consent to taxes. The government declined to join in public debate on the issue, but V eri saw that the die had been cast, and that through the States General, in effect, the concept of 'No taxation without representation' had entered French politics. Of the eventual need to assemble the States he commented, "Je ne crois pourtant pas que le gouvernement puisse un jour l' eviter. Le d esordre de la finance est trop public et trop r evoltant pour ne pas amener   quelque r evolution semblable"<sup>33</sup>. It should not, however, go unnoted that there was a minority parlementaire opposition to the States; it had the misfortune, though, to be based on the naked self-interest of not wishing to abdicate political power. V eri recorded that Ormesson, the future Controller General, was leading this faction<sup>34</sup>.

Various reformers had been interested in the States General as the starting point for new institutions, but Choiseul proposed a rationalised structure of States, more rationalised than Malesherbes's, with a States General in permanent session. The eighteen proposed States Countries would provide 108 deputies. The States' function would be to watch over the administration, but political initiative would lie with a Chamber of Peers which would control the agenda and ratify the decisions made. The system would therefore be doubly aristocratic. (It is this scheme which seems to have been circulating in the capital in the summer of 1774 as reported (above) by Stormont). Choiseul would have done for States what Colbert did for the generalities, and the setting up of the Corsican States in 1768-70 was the first step in this direction. This plan raises several tangential issues, and it implies the complete loss of all political authority by the parlements in return for the setting up of the new States. The Chamber of Peers establishes some unexpected common ground between Maupeou and Choiseul. The fact that Choiseul did found States in Corsica means that the rest of the plan can not be dismissed from the realms of political reality<sup>35</sup>.

Aubusson finally presented a comprehensive reform plan



for the States General to go with his reformed conciliar structure. This was to be a part of the mechanistic monarchy. Sovereignty would reside in the States, and the king, as their hereditary president, would receive his crown from them - this promoted the moments when the States enjoyed full sovereignty from Piganiol de la Force's rare moments of dynastic or national crisis to an average of once every nineteen years when a reign changed <sup>36</sup>. The States would be composed of the king, the Dauphin (if aged 20 or over), the princes of the Blood, twelve lay peers, the members of the six reformed Councils of State, the Chancellor, one deputy from each chamber of the Parlement of Paris, and eighty provincial deputies - four from each province with doubled representation of the Third. (The plan, broadly, suggests an amalgamation of Choiseul's States General with his Chamber of Peers).

The States would be in continuous open session, meeting every Sunday morning at Versailles. Their competence would be: legislation, war and peace, the election of all executive officers of State, control of all finances, and to be the arbiter in all matters of religion, law and administration. The States would have control of the education of the royal children and of a Regency until the king was twenty. The king would be allowed to speak in the assembly but neither to vote nor otherwise to influence the proceedings. The provincial deputies would be elected by the provincial assemblies and would serve for one year only (Choiseul had also written in safeguards against monopolisation of the seats in the assembly). The voting structure was designed to give the crown a guaranteed block of forty votes from ex-officio deputies to create stability <sup>31</sup>.

The States were not convoked before 1788, neither were any reform plans given serious political consideration because, for once in the regime, the interests of the monarchy coincided with those of the robe as a whole to avoid the threat of new political institutions. Richelieu advised Louis XV, "J'abdiquerai plutôt le trône que d'assembler jamais les Etats Généraux" <sup>38</sup>, such was the fear of the States, and the straits to which the realm would have to be reduced before the monarchy would convoke them. Had, though, the House of Bourbon died out in the senior line, it would seem that the States would have assembled themselves automatically.

There was comparatively little general interest in the provincial States, except for Brittany and Languedoc, shown in Paris. This contemporary neglect has been reflected in historiography. Tocqueville felt that Languedoc alone deserved attention. Marion's dictionary of institutions gives them little space. Many of the relatively few studies (eg. Rebillon's) have tended to be antiquarian <sup>39</sup>.

Why study them? In the first place nearly a quarter of France came under their administration, and a further quarter could envisage their creation. The failure of central government to solve some of the regime's more basic problems drew attention to those institutions which appeared to be operating more successfully than Bourbon absolutism. The provincial States exercised a preponderant influence on reformers of the late century, who had studied their regime's institutions carefully, and whose horizons were wider than just Court and capital. Hardly one of the well researched or deeply thought out schemes for national regeneration through provincial reform did not use them as a point of departure. Within the nobility, the old robe seeking to differentiate itself from the post-1715 nobility found the Second Order the perfect outlet for its political talents and aspirations. The States, therefore, display some of the regime's most interesting socio-juridical interactions. Lastly, recent historiography has started to discover two further areas of interest; firstly, the States often patronised agricultural reform, and secondly, detailed research into provincial administrations have revealed the true extent of their importance <sup>40</sup>.

There was no uniformity of States, but three main patterns emerge and the very diversity of the institutions, as Malesherbes had noticed, provided inspiration for different reformers. Every constitution had something to offer <sup>41</sup>. (To unburden the text tables and maps are provided). At the extreme of the first type came Brittany with its anarchic constitution allowing every noble who resided in the province to attend. These States attracted the most attention, held the widest administrative competence, and wielded the greatest political power. Alone of the States those of Brittany controlled their own agenda, and thus retained political initiative <sup>42</sup>. The president of the assembly was the archbishop of Rennes, (Girac, who was hostile to the central government). The gubernatorial staff were indispensable, and the late century saw six Great involved, with greater or lesser success, in the assembly: Aiguillon, Duras, Fitz-James, Penthièvre, Condé, and Aubeterre. The intendant had become little more than the

governor's secretary. The States had a reputation of unruliness which was caused by the lack of structure in proceedings - any deputy could raise any issue which the government had not vetoed. Sessions were also of no fixed duration, and during the mid century they began to lengthen to six months. The government put a stop to a trend which might have ended in continuous session, but the sessions in Brittany remained the longest of any States.

Typical of the biennial sessions was that of 1776. 647 nobles signed in at the opening, although only 250-300, sat out the whole session. The main piece of business was voting the don gratuit (4,639,000l.) to the government. This in itself gave the States the opportunity to debate the state of the nation, government expenditure, and the fiscal system; the government could not halt these debates because the States were an important creditor<sup>43</sup>. After this debate in 1776 the assembly discussed: taxation (internal), troop movements and billeting, roads, stud farms, customs duties, charity and begging, relations with the central government as it affected local privilege, militia and police, commerce, and public works. A further part of the financial debates was that the States paid the salaries of the province's administrators - another opportunity for interference.

The royal commissioners were generally able to keep a balance between the First and Third against the Second in most political debates. This was because the bishops and ex-officio mayors owed their offices to the crown. On matters of local privilege, however, all three chambers tended to unite against the government. This was one of the most pervasive and important phenomena of States, that the ranks closed in the face of outside pressure. On matters of local taxation the Third defected from the government while the First allied with the Second to defend privilege. The government managed to avoid the Armageddon of all three Orders uniting against it on a political issue; when this threatened to happen in 1772 over Maupeou's reforms Vrillière warned that he would peremptorily suspend the States<sup>44</sup>.

The political history of the States in the eighteenth century was of the government's failure to reform them. Under Louis XIV the States threatened to lapse from lack of interest, but the Regency revived their fortunes. Fleury kept the States

in abeyance, and attempted reform in 1736. The 3,000 nobles eligible to attend the States were an unmanageable mass of, "... poor provincial gentry who hated taxes, viewed government and public works with suspicion, looked down on lawyers and tradespeople, and constantly disputed with the royal intendant"<sup>45</sup>. Yet, such are the misconceptions under which historians have laboured, that it was not these hobéaux whom the government tried to exclude, rather it was the politically educated and active robin anoblis. The 1736 reforms attempted to exclude all but those nobles who could prove 100 years of fief holding in the province - the standard requirement of almost every other States. The regulations were ignored.

1759-1770 saw a hardening of opposition to the central government, precipitated by the first dispute (over road-building) with Aiguillon. In 1762 Bertin discussed the problem with Croÿ, saying that the States were, "presque révoltés", and could only be controlled if the nobility were curbed<sup>46</sup>. Aiguillon, alone of the late century commissioners, was prepared to face local opposition while also facing active opposition from the ministry and Court. The consequences, however, were a crisis of national scope when Aiguillon was tried in the parlement of Paris. The local opposition was so effective because the parlement and States sank any differences and presented a united front. The political conflict was exacerbated by personal hostility.

The climax of Aiguillon's campaign of institutional reform in the province was the 1767 Letters patent (implemented 1768). These regulations attempted to cut away the top and bottom of noble representation by excluding those - from the robe - who could not prove fief-holding in either 1532 (the date of unification with France) or 1668, and by excluding - from the hobéaux - those who paid less than 30l. per annum capitation. The 1768 States were held under these regulations which proved to be so strict that even the Order of St. John found its interests threatened<sup>47</sup>. Aiguillon was masking political reform behind genealogical improvement; he made a special point of excluding the wholesalers, whose nobility was technically dormant but who tried to exercise noble privilege while indulging in commoner pursuits. The new regulations gave the government greater powers of censorship outside the assembly and of excluding undesirable deputies within it. (Previous

governors had had to resort to house arrest by lettre de cachet). A final measure was the greater subdivision of the province into its nine dioceses for the purpose of electing deputies; a remonstrance complained that the government hoped thereby to discover and institutionalise regional conflicts of interest within the province. In a wider view, this was the first step towards creating a Languedocian structure of assiettes.

The regulations fell with Aiguillon's departure from the province in 1768. The Choiseulist Duras, who took over the government, restored the old forms both in the States and parlement. Maupeou's reform of the parlement, however, threatened to be extended to the States. Under Maupeou the gouvernement was entrusted to the dévot Fitz-James. To establish a defence against possible dissolution the States refurbished the historical ideology of the institution - just as the parlements had. The States claimed to be the sovereign power in Brittany under the terms of the Treaty of Union. This position depended on the Treaty of Union being a contract between two nations, whereas it had been, as the government was quick to point out, a contract between two sovereigns in which the people it affected had no say. The idea of the States as a sovereign body persisted, and became incorporated in the patriot opposition to Maupeou. Carried to its logical conclusion in every province this assertion would have reduced the French monarchy to a Dutch or American type of federation <sup>48</sup>.

The 1772 session was the most important of the States' history. The nobility had wanted an outright confrontation with the government over Maupeou's reforms, but moderation, aided by government intimidation and corruption and by the Princes' vacillation, prevailed. Nearly 500 nobles must have been approached personally, and the result was a docile rump Second Order. Even this, however, could not be persuaded to vote money for the salaries of the new parlement's consellers <sup>49</sup>. The extreme weakness of the Second allowed the Third to get out of hand. Before the States had opened a correspondent reported that, "... on prétend que le Tiers Etat ou du moins le peuple, le paysan, le cultivateur, gémissant sous le joug des deux autres, ne serait pas fâché de les voir abolir, dans l'espoir d'une moindre servitude. C'est lui qui supporte la plus grande partie des impôts, et qui semble ne travailler, ne vivre, n'exister que pour ses maîtres". The Third did

indeed rise to the challenge and attempt to initiate reforms leading to fiscal equality<sup>50</sup>. This, again, illustrates a phenomenon of all States: when the Second was weak or absent the Third aired its grievances - or took action - against fiscal inequality. This should not be misinterpreted, it was not a class confrontation: the Third were lawyers or office holders attempting to have their own taxes reduced by spreading the burden; they only attacked privilege from self-interest, never from any wider view of an egalitarian society, but the debates served as a useful apprenticeship for revolutionary politicians<sup>51</sup>.

The 1774-5 session was radically different. Louis XVI's own initiative in pardoning and compensating Chalotais set the tone for the assembly. The recalled magistrates were accorded a tumultuous reception in the States. Behind the scenes Maurepas had worked with Girac, Aranda, who commanded considerable patronage in the province, and Penthievre, the governor, to end the legacy of fifteen years of political conflict and rancour. (Spain's links with Brittany through Aranda were not only commercial but also political; seventeenth-century political dissidents had looked to Spain and links established then still persisted.) As a further earnest of the government's good will Condé put in an appearance<sup>52</sup>. This euphoric session set the seal on two aspects of the States: the nobility's grip on them was confirmed, and the intendant finally had to relinquish any political power.

The 1776-7 session (described above for its administrative content) tried to strike a balance between the two previous sessions. The gouvernement was now under Aubeterre, a royalist but of acknowledged local background. Political crisis had been feared from Clugny's ministry whose anti-provincial attitude had antagonised the States of Burgundy<sup>53</sup>. Clugny's death removed this danger. The session started well, but ended disastrously when Penthievre made an unexpected intervention. He insisted on nominating the intermediary commission, which had usually been freely elected with the proviso that unacceptable deputies could be vetoed. This caused great ill-feeling<sup>54</sup>. The period 1777-89 was one of almost uninterrupted development of provincial autonomy encouraged first by Necker and then by Calonne.

If Brittany's States were the most important politically, Languedoc's were the most important institutionally<sup>55</sup>. The

two dominant figures were the president (archbishop of Narbonne), Dillon, who ruled the States "with a rod of iron"<sup>56</sup> through control of the agenda, and the president of the First, the archbishop of Toulouse, Loménie de Brienne. The administrative importance of the States was such that even Colbert had recognised it in ordaining that the province's two generalities should share the same intendant. The basic tax was the *taille réelle* levied on an up-to-date cadaster by the local *assiettes* with the full cooperation of the Court of Aids (at Montpellier). The equitable and profitable nature of this tax was the envy of the government and of other provinces, and proved that the old regime could bear heavier taxation if the system was rationalised. Even more than in Brittany the States were creditors to the government (e.g. February 1777 they loaned 12,000,000l. to Necker<sup>57</sup>), and could use this position to retain complete internal control of the province.

The nobility was confined to the twenty-three owners of the baronies of the province, and after 1770 these nobles had to be able to prove 100 years of fief-holding in the province<sup>58</sup>. The Third was composed of ex-officio mayors and consuls; here the province had produced a unique adaptation to Colbert's venalisation of local government when the States bought most of the offices and put its own appointees in them. However, praiseworthy the doubling of the Third in the assembly, it was not democratic. A degree of democracy, however, was welcomed in 1766 when Laverdy abolished the venal structure of the municipalities. Terray's revenalisation caused great consternation, the 1772 deputation to the Court complained that they would not want sitting in their States the type of man who would buy Terray's offices. They bought them all, again, for 4,000,000l.<sup>59</sup> The majority of the Third deputies were nobles of the robe or *cloche* - excluded from the Second - who had usurped the prerogatives of commoners: the assembly was exclusively aristocratic in all three Orders.

The provincial infrastructure of Languedoc was the most highly evolved of all. Over the centuries the dependant States had been absorbed into the orbit of the provincial States until by the eighteenth only three still styled themselves, "Etats particuliers du pays"; these were Gevaudan, Vivarais, and Velay. Otherwise the province was subdivided into twenty-one (secular) dioceses each with an *assiette*<sup>60</sup>. The *assiette* of Toulouse has received the most attention; it was dominated by Loménie de Brienne. The *assiette's* competence was wholly

executive, meeting each year after the States to implement their rulings. The assiette did take initiative in road building, to such an extent that the provincial States had to declare a moratorium on public works until debts had been paid off. In the assiettes the clergy dominated. The barons had still not regained their interest in such local assemblies before 1789. The Second, however, did act through protégés in the Third, which embraced all the lay political talent of the diocese. As we have seen in the 1772 session in Brittany, the Third agitated against fiscal privilege when it was free from the Second. Between the States and assiettes of the province, Languedoc displayed every form the States could assume.

If we are to make sense of the multiplicity of forms in the States Countries - and account for the reformers' interest in States - we must see Languedoc as the model towards which provinces were being rationalised. This is confirmed by Necker's subsequent adoption of the Languedocian model for his first Administrative Country in Berry. Languedoc was praised by the Restoration publicist Trouvé, "Dans les temps où la science du gouvernement était enveloppée de la plus profonde obscurité, (l'assemblée) semble deviner tous les secrets de l'économie publique ...". They combined loyalty to the crown with concern for public welfare, and were able to attract the regime's greatest political talent. Trouvé saw the States in the forefront of the attack on abuse <sup>61</sup>. The success of the Languedocian States was threefold: the doubling of the Third, the assiettes, and the taille réelle and cadaster. Not only were these States used as the model for Corsica, but every provincial reformer used their structure as inspiration and starting point for their own ideas.

The original States of Provence had been abolished in the seventeenth century, but the province was found to be ungovernable without them and a stop-gap Assembly of the Communities was set up. The president of the Assembly was the archbishop of Aix, Boisgelin, who united in his person the executive authority, which would be exercised elsewhere by: the president of the assembly, the intendant, and the governor (or his deputy). Deputies were summoned by lettre de cachet drawn up by the intendant. Despite not being directly represented, the nobility was still the dominant Order. As in other States where they were excluded altogether (see below). the nobility



(100 year fief-holders) met separately before the Assembly to give their position on the issues to be debated<sup>62</sup>.

The province enjoyed the *taille réelle* and a separate cadaster in each community (of which Boulainvilliers seemed to think there were thirty, but no other commentators clarified this). Boisgelin hoped to introduce more extensive fiscal reform<sup>63</sup>. The revival of interest in States led Provençal opinion to expect the recreation of plenary States, a project shelved under Maupeou<sup>64</sup>, but realised in 1788. The Assembly enjoyed the support of the parlement of Aix, but not of the Court of Aids<sup>65</sup>.

As in Languedoc, Provence had dependant assemblies. The three "lands reputed adjacent" did not send deputies to the main Assembly, but met independently. On even years Marseilles held its assembly, and Arles on odd years; of the third, Barcelonnette, nothing has been recorded in Paris, perhaps because they were geographically the most remote States.

The triennial States of Burgundy were the most embattled. The Bourbon seventeenth-century drive to abolish provincial autonomy had petered out in Burgundy, but the apparently unfinished work still attracted ministerial attention. At the same time the provincial States were still suppressing their own dependant assemblies. From the government's side the States had lost control over the *taille*, which was raised by *élections*. From the States' side Auxonne lost its assembly in 1639, Charolais in 1751, and Mâconnais only just retained its assembly when the tide turned in favour of devolution. Bresse, Bugey, and Gex remained active, and under Turgot there was even talk of promoting Gex to being independent States<sup>66</sup>. Unlike Languedoc, the Burgundian dependent assemblies met before the provincial States to pass on petitions of grievances and requests for the decisions affecting them.

The president was the bishop of Autun, but the diocese never generated a tradition of administrative clerics, and the governor (Condé) was the dominant figure. Soulavie, however, recorded that Luzerne, bishop of Langres, was active in local politics. Condé managed and attended nearly every session in the latter half of the century. The intendant was a standing member of the intermediary commission. These States showed the closest institutionalised cooperation between local and central authorities. After 1754 nobles had

to prove 100 years of fief-holding, and all deputies were subject to a lettre de cachet. Competence extended over extraordinary taxation and public works. In the late century the intendant lost ground, and in 1775 the States reached their apogee when Condé, fresh from his triumphant role as opponent of Maupeou in Paris and then Rennes presided over the most brilliant and numerous assembly ever<sup>67</sup>. The next year, however, the States suffered a political mauling through their deputation which had to bear the brunt of Clugny's anti-provincial offensive. A distinction these States enjoyed was that their elections to the Third were reputed the most democratic of all.

The States of Mâconnais received particular attention from the government as those most ripe for suppression. They were small, their composition not being thought worthy of note, and had almost no competence whatsoever, having lost control even of bridges and highways to the election. In a memoir of 1778 Amelot claimed that these States had cost their tax-payers 248,7381. 1757-1773 for no return, the money being spent on sending a deputation to Versailles, where it had no business to transact but spent the money enjoying themselves in Paris<sup>68</sup>. The States played an ambiguous role under Maupeou, which can best be interpreted as that of a pawn<sup>69</sup>. Mâconnais shows the States Countries in their worst light, being run by small cliques of self-interested and parasitic notables. While such ministers as Amelot would like to have us believe that the same applied to all States, Mâconnais was an exception to the general rule of competent, efficient, disinterested administration. As a general observation it seems that political power generated a sense of public responsibility and duty in the nobles able to exercise it in the provinces, as opposed to the more usual picture of a frivolous and irresponsible nobility painted by the commentators in the capital.

The dependent assemblies of Burgundy showed similar development to those of Flanders and the Pyrenees (see below)<sup>70</sup>. The effective withdrawal of the nobility had produced a devolution towards informality which makes them difficult to analyse. The dominant local figure was the Syndic of the Third who co-operated so closely with the intendant that Castries could see little difference between these States Countries and pays d'élection. These Syndics had usurped

all the powers of both the absentee Orders; this was probably the lesser of two evils for the province as its constitution allowed the intendant complete discretion when the Orders failed to reach unanimity. The dependent Burgundian States sent deputies to the later assembly of the provincial States to represent their interests there.

The Syndic of Bugey in 1775 drew up the most revolutionary petition of grievances before 1789, "Le Tiers Etat du Bugey gémissant depuis longtemps sous le poids accablant des cens et des servitudes qu'ils payent au clergé et à la noblesse; le crédit de ces deux Ordres avait jusqu'ici étoufflé ses plaintes (nb. despite their absence from formal participation in institutions), mais soumis à un monarque qui veut être le père de ses sujets et qui comte le Tiers Etat pour quelque chose, nous osons parler avec cette espérance flatteuse que nos cris une fois entendus d'un roi bien faisant, nos vœux seront exigés (?). Hommes et français, nos personnes et nos biens ne peuvent et ne doivent être soumis qu'à V.M. elle seule à le droit de disposer de nos bras et d'imposer nos fortunes, une autorité étrangère à la votre, fondée sur l'usurpation, ne peut pas être un titre suffisant pour ravir notre liberté, et la partie la plus nette de nos fonds. La taillabilité ou la mainmorte sont pour une partie des habitants de Bugey, ce que l'ignorance des siècles antérieurs a inventé de plus plus barbare ... ils se voyent impitoyablement dépouillés du bien et de leurs ancêtres, et privés d'une fortune que leurs travaux ont augmentée" <sup>71</sup>.

This document shows how bitter was the feeling against privilege without service, against abuse without justification and against oppression without reciprocal obligation. While the Syndic establishes his humanitarian credentials by his attack on mortmain, he himself was a privilégié who sponsored policies such as enclosure, which was detrimental to the landless peasant. It is of note that the Syndic's language has more than an echo of Turgot's, which suggests the possibility that the petition was drawn up in Paris under Turgot's guidance - in order to convince the king, whom it flatters, that Turgot's policies had a following in the country - perhaps in return for some promise on enclosure legislation. The changes suggested tally exactly with those in Turgot's memoir on the municipalities. Granted these possibilities, however, it is an example of the States at their most radical

and shows the spirit of Siéyès operating in the Third.

The States of Artois were the most business-like. The president was the archbishop of Arras (Conzié) who ran them with an eye to the ministerial preferment which Loménie de Brienne eventually received <sup>72</sup>. By the end of the century the Second consisted of ten gentilhommes chosen from an electoral college of 120-130 100 year fief-holders nominated by lettre de cachet. Of all Second Orders that of Artois retained the most militaire outlook. Competence extended over every aspect of local affairs. The States were hostile to Maupeou. The province's reputation for industry and harmony frequently managed to win through the most blatant political wheeling and dealing. The history of the division of the commons gives us the level of political morality in the States. In 1772 the Second, with the indifferent support of the First, had the measure passed, and many of the villages supported the measure. Probably for short-term political gain the Third, who represented urban interests, chose to champion the rights of the peasantry. The measure was grudgingly accepted but remained in contention 1772-1778. In the face of the villages' ungrateful insistence on dividing up their own commons the Third's opposition weakened, and in 1778 the Second did a deal with the First to give serfs the same rights over the divided commons as free peasants; in the face of the combined opposition of the two privileged Orders, the Third capitulated <sup>73</sup>.

The States of Cambrai deserve our attention for showing the fastest development, mostly under Choiseul's patronage; his brother was archbishop of Cambrai until 1774 <sup>74</sup>. Between their annexation in 1677 and 1754 they were little more than a vestigial institution, but following on bureaucratic reform in 1746 the nobility began to attend regularly after 1754. In 1766 the archbishop was made president, given plenipotentiary powers, and ducal status <sup>75</sup>. The president reformed the States, to the detriment of the intendance, and involved himself in it. In 1773 and again 1781 the number of noble deputies was increased. The States were aggressively aristocratic, the Second being militaires and the Third magistrates or notables. The Third were accorded a uniquely low representation. Sénac de Meilhan's biographer conceded of the assembly, "Le seul fait de son existence donné à Cambrai et

au Cambrésis une physionamie distincte et originale", and was forced to admit that the unfortunate intendant had moved from Aix to Valenciennes only to find himself overshadowed by an assembly in each <sup>76</sup>.

The two States of Flanders (Walloon and Maritime) had devolved into Burgundian or Pyrenean informality. The States of Walloon Flanders were the larger, and a model for Maritime Flanders. The States proper consisted of four magistrates who met with the governor (Soubise) and the intendant (Cau-martin) to transact the province's business. The origin of this unique institution was the theory that as the privilégiés paid no taxes they deserved no say in local affairs. (There was a passing reference to this problem in Buat's work; if the aristocracy were reorganised into provincial colleges then all financial affairs would be left to the commoners (see below Chapter V ).) The First and Second, however, met in a separate and informal assembly, as with the fief-holders of Provence, to give their advice. Castries had two observations: that these States cooperated the most closely of all with the intendant, and that the clergy were agitating vigorously for the establishing of a plenary States where they, as in Cambrai, would be predominant.

The largest Pyrenean States were those of Béarn <sup>77</sup>. The dominant force was the president, bishop of Lescar (Noë) acting in conjunction with the intendant. For a provincial, as opposed to dependant, States they showed the unique feature of the First and Second sitting as a single chamber. In voting this had the same effect as doubling the Third, but it failed to attract attention as a possible model for reform. The privilégiés dominated the assembly, and the Third tended to be made up of their sons. If the two chambers were deadlocked the motion fell; so as to avoid this there was a procedure to set up a joint commission to find a compromise. The States enjoyed full local competence.

The second largest Pyrenean States were those of Foix. For the Second, as in Artois, the fief-holders of the province (60) acted as an electoral college to elect twenty deputies. These States were the last to enjoy a revival when Boucheporn, the intendant who had supervised the setting up of the Corsican States, moved there in the 1780's. They enjoyed full local competence. (Boucheporn here is the clearest example

of a generation of intendants who specialised in the administration of States Countries. A study of the problem was made of Provence under Boisgelin: in Aix the archbishop and intendant between them dominated the political activity. The first intendant Boisgelin had to work with was Montyon, whom he liked personally but who was immediately at loggerheads with the Assembly over taxation. The resultant administrative impasse could only be resolved by Montyon's replacement, at Boisgelin's instigation, in 1773 by Sénac de Mailhan. Sénac himself went on to Valenciennes, another States Country, in 1775. The role the intendant played as deputy to the local plenipotentiary, mediator between local assembly and central government, and moving towards the idea of forming the executive of a States Country's administration was radically different from the Louisquatorzième model of the intendant as the all-powerful local agent of government.)<sup>78</sup>

The rump of the former kingdom of Navarre enjoyed its own States, and the province still harked back to its illustrious past. The local plenipotentiary was the seneschal, who was beginning to reassert his authority in the late century, but the bulk of the work had to be done by the intendant. There was no formal presidency, different bishops taking it in turn. As in Béarn the First and Second sat together, but unlike Béarn they retained separate votes. The States enjoyed full local competence. On non-fiscal matters the Third took the lead and dominated the assembly. On taxes, however, the assembly was in a state of chronic deadlock. The First and Second used their institutionalised power to buttress total exemption while the Third remonstrated in vain.

The States of Bigorre attracted more attention than any others in the area. Their president, the bishop of Tarbes (Couët du Vivier de Lorry) dominated proceedings as effectively as Dillon in Languedoc. The local plenipotentiary was the seneschal, who exercised no real power. Every deputy had the right to speak, implying a constitution of Breton fluidity. Bigorre may have attracted attention because of its stipulations for the Second which were genealogically the most lax. The province possessed twelve baronial families, whose seats in <sup>the</sup> assembly were hereditary. If the baronry itself was sold the family retained its seat, but the new owner - robin or militaire, noble or commoner - could also sit as a baron.

This was the only province where commoners might exercise noble privileges and where property rights superseded juridical barriers. From Bigorre came the most definitive statement of fiscal autonomy, "Les membres des Etats sont députés pour ouïr le compte du receveur, faire l'imposition, dresser l'état des charges et généralement traiter de toutes les affaires qui regardent le service du roi et le bien du pays" <sup>79</sup>.

Of the smaller Pyrenean States Castries wrote in despair, "... on ne peut donner aucun renseignements; leurs affaires étant tellement dispersées en différents bureaux" (in Versailles). Soule was run by local notables from a loose framework of thirty Third deputies. The States of Marsan, Nebouzan, and the Quatre Vallées could not muster enough deputies to establish a formal structure. There were no clergy and few nobles interested in them, and the intendant generally established informal but effective cooperation with the Third. Finally, the pays Basque was run as a "pays abonné" with two insignificant assemblies, but which met the need to assert some local independence.

The setting up of an administration by States in Corsica after 1768 marks the political coming of age of the institution, and it also marks the connection between States and Choiseul's patronage in the centre and militaire support locally <sup>80</sup>. That States were chosen instead of a pays d'élection was a breakthrough for devolution, for physiocracy, and for the militaires. The object of States locally was to persuade the island's notables to transfer their allegiance from Genoa or Paoli, and the French promised "... considération et distinction pour les nobles, dignités pour les ecclésiastiques et les gens de loi, emplois pour les particuliers et gens du Tiers Etat" <sup>81</sup>.

The first problem was representation; the province was subdivided into ten units which were represented by a deputy from each Order for every 1,000 hearths. This was the only example of a numerical basis for representation in any States Country. It was, however, repealed in the mid 1770's, because, "... cependant chaque province a le même intérêt dans les affaires qui se traitent, la différence de population n'est qu'une chose du moment ... C'est le règle de toutes les assemblées ecclésiastiques, civiles, ou politiques, qui ont lieu en France: on n'a point d'égard au plus grand ou au moindre nombre d'habitants de chaque ville, province, ou

diocèse, chaque communauté est regardée comme membre de l'association générale" <sup>82</sup>. This account of representation reflects the mood of institutional conservatism which was putting stability above rationality in politics.

A further development of ideas on representation came from the clergy. (An initial point here is that the presidency of the States was never able to develop as it had on the mainland because the senior cleric remained in Genoa, and the old regime never managed to have an archbishopric created on the island <sup>83</sup>.) The original composition of the First had excluded the mendicant Orders on the grounds that they neither owned property nor paid taxes. This was subsequently discovered to have been mistaken, and the mendicants were given representation. While the clergy had originally been included in States for their administrative training and supposed spiritual qualities, the influence of physiocracy gave them a new basis of representation - their property. As well as owning much land in their own right, they paid taxes through their tenant farmers <sup>84</sup>. From this discussion we can extract the eighteenth century States' theory of representation: firstly by historic community, secondly by property, and hence taxation, and thirdly, and very much the least important, by population. Taxation, however, held the public interest, and Stormont reported that American ideas on representation were a fashionable topic of coffee-house conversation <sup>85</sup>. Between the States of Corsica and the provincial assembly of Haute-Guienne the emphasis shifted from the first to the second point.

The next problem in Corsica was creating a nobility. The political vicissitudes of the island had resulted in the élite being either suppressed or outlawed. The militaire gouvernement of the island insisted on the highest standards: proof of 200 years of nobility. As few or no such proofs existed on the island the authorities had to fall back on the legal formula that a man was "reputed noble" if twelve proven nobles signed affidavits to that effect. Using this formula a viable political nobility was built up by 1772. Expanding from this a feudal structure of land ownership was set up with seigneurs, terriers, and vassals. The newly created nobility (which included the Buonapartes) was to be the politically dominant influence in the island, and elections to the States were held by assemblies of: the local mayors, magis-



trates, heads of communities, and all those proven or reputed to be noble <sup>86</sup>.

The first assembly was in 1770, but was only a meeting of nobles and clerics to prepare the ground for the first plenary session in 1772. This assembly of the States of Corsica in 1772 is the focal point of our study of States, it was the vindication both of the survival of States into the eighteenth century and of the post 1750 interest in them; it was the first successful experiment in restructuring provincial government, and it offered the hope of further reform. It was reported as widely as the Breton States of the same year. Opening the session the bishop of Nebbio declared, "... que l'érédction de cette île en pays d'états, est pour elle une prérogative dont jouissent peu de provinces en France, est les plus distinguées seulement, quoique toutes les désirent" <sup>87</sup>.

The most important piece of business was taxation. The Code Corse recorded the ruling of the 1772 States that the basic tax should be the taille réelle, and there should be no exemptions at all. A cadaster was ordered to administer the tax. Other business transacted in 1772 included: internal regulations, troops, municipal and ecclesiastical administration, roads, forests, fishing, salt, pasture, bandits, education, and local privilege. It would be fatuous to presume that the province passed from the chaos of the 1760's to stable political maturity in 1770's. The apparent smoothness of the 1772-3 sessions was due to the intendant's efforts and coaching, and even then the government warned the States that if harvest figures continued to be falsified the province would lose the right to levy its own taxes <sup>88</sup>. Generally speaking Corsica 1772-89 was more of a problem than an inspiration to the government, because all the decisions taken there were political rather than practical.

Two separate structures of administration lead away from States: the royal commissioners and the intermediary commissions. The commissioners were the link with the central government and, where relevant, they carried the government's instructions and lettres de cachet. The fullest commission was Brittany's and consisted of: one, two or three members of the gouvernement (usually one), three royal lieutenants of the province (militaire notables), the intendant, up to half a dozen presidents of courts, an equal number of legal

advisers and representatives of the central bureaucracy (e.g. grand master of the waters and forests). Down in the small dependant States the commission might be reduced to a single man. Choiseul defined their most important role; they, "... en inspectant les délibérations, contiendraient la chaleur des opinions et celle des passions; ils tiendront la balance des Ordres ..." <sup>89</sup>. Almost without exception the commission helped rather than hindered the States, and only in Brittany was friction common. In the last resort the commission had the authority to prorogue any assembly, but there is no record of this authority having to be exercised. The commission's two most important procedural functions were to present the government's request for taxes and to present the government's proposals for the legislation asked for in the previous session - this was the procedure for most enclosure.

The intermediary commission, which also fulfilled the role of deputation to the court, was the most important development in States in the century. It had two origins: bureaucratic exigency, and balancing the intendant. The commission of both Brittany and Languedoc in their final form date from 1734, and must mark an important step in the recovery of their States' political power. The official function of the deputation to the Court was to present the States' petition of grievances. This document, however, had largely degenerated into a formalised lament on the failure to extirpate abuse, and the vagaries of local climate. With much ceremony the deputation was presented at Court, but the real business was transacted in private session with the ministers. The most important deputation was that of Languedoc which enjoyed ambassadorial status and maintained a continuous presence at Court. Political crisis over the deputations has already been recorded for Languedoc in 1772 and Brittany 1777. The larger States consistently elected the Great to their deputations, which gave the Great an institutionalised base for their patronage of provincial interests.

Within the province the commission was generally plenipotentiary. In terms of the ratio of personnel to business transacted these commissions were the regime's most efficient organisation, and were the direct inspiration for Letrosne's provincial councils. The commissions of the larger States

were in permanent session, those of the smaller met once every six months, a few States either failed to develop commissions or failed to have the commission convoked (Fyrenees); in Bresse, Bugey, and Gex the Syndics fulfilled the commission's functions. The main function of the commission was to supervise the business decided on by the States (i.e. taxation), but owing to the regime's failure to develop a concept of the separation of powers, the commission could act on its own initiative whenever it saw fit, with the proviso that the commission was accountable to the States. In Provence there was no elected commission, the necessary business was transacted by the archbishop and the consuls of Aix.

In Brittany it was the commission which took the initiative against Aiguillon in 1769 and again 1770; forced to justify this démarche the commission claimed to be the "representatives" of the States who were in turn representatives of the Breton nation, and were, "... chargés de leur (the States') pouvoir, et remplis de leur esprit, (et) doivent agir comme les Etats seraient eux-mêmes, pour la conservation des droits de la province et des citoyens" <sup>90</sup>. It was language such as this that prompts Rothney to observe that the Second taught the Third how to be Revolutionaries <sup>91</sup>. The larger commissions also involved the intendant, whose authority they eroded, and in Languedoc's case the problem was examined in some detail showing the intendant on the defensive. The intendant presided at the commission because he had to "justify" the expenditure he authorised, to "support" what the subdelegates had done, and to "defend" the administrative errors and short-comings for which he was responsible <sup>92</sup>.

It was in Burgundy, however, that the most dramatic development occurred <sup>93</sup>. The States had lost competence over taxation, which had devolved to the chamber of Elus Généraux, which was also the intermediary commission. The Elus had managed to gain almost complete autonomy from the States, and the normal roles of the two institutions were reversed, the States being reduced to a debating chamber rubber stamping the fiscal decisions of the Elus through their control of the agenda. On enclosure, for example, the Elus sent draft edicts directly to Versailles without reference to the States. <sup>94</sup>. In general the Elus had assumed a dominant role in the province, by virtue of their connections with the generality.

and parlement. The Elus had turned the other provincial institutions against the States, but in turn found every hand turned against themselves.

The composition of the Burgundian commission was unique: one deputy from each Order of the States, two officers from the Chamber of Accounts, the intendant ('élu du roi'), and the mayor of Dijon. (The two Third members, and the two magistrates exercised, respectively, only one vote between them.) The political battle over the amount of power the respective institutions could wield became centred on the mayoralty of Dijon. The Elus wanted to have it created an hereditary post to give them an administrative continuity which they still lacked while all but one of their number was changed every three years. The States and parlement allied against this, causing an administrative impasse<sup>95</sup>. The Elus and the intendant were attempting to initiate fiscal reform, while the parlement and States, with intermittent help from Paris (hence Malesherbes's involvement) blocked them. The confrontation reached its climax when an attempt to reform the taille 1776-7 coincided with Clugny's attack on local privilege.

The Elus were a force for radical reform in the province. They hoped to break the hold of propertied privilege on tax assessment. Their plan was simply to levy the taille with the machinery for the twentieth. This latter tax was more efficient and took less regard of privilege, and the 'danger' of transferring its method of assessment onto the taille had long been a fear for the privileged. After the reforms of the Elus each community possessed some sort of cadaster and was able to negotiate its taxes with the Receiver of the bailiwick, who was an appointee of the Elus. Defending this system the Elus made an overwhelming case for its being both more efficient and more equitable. It was, however, reversed by vested interest in an arrêt of the Council of State, 28 July 1776 which ruled that the reforms were 'despotic'. (This was the occasion of Clugny's political attack on the deputation of States, who were, of course, the Elus Generaux; to a general attack on provincial autonomy, therefore, must be added the complication of provincial in-fighting ramifying up to Versailles.) Based on its intermediary commission the States of Burgundy had the opportunity to create a reformed fiscal structure, the chance, however, was lost; it was

incidents such as this which created the myth in Paris that the States were a conservative force against which the more radical robin agencies of government should be encouraged to act. This myth was finally dispelled by Necker.

Through their social composition the States were aristocratic through and through, and nowhere was this more obvious than in the First which was composed almost entirely of the aristocracy of the Church (i.e. bishops and abbots); there is no record of any curés being involved in States before the States General. Across the breadth of the States Countries the majority of First deputies were noble in their own right, and felt a community of interest with the nobility. A substantial block of ecclesiastical interest was the cathedrals who usually sent deputies to the assemblies. By the late century the government had lost control of the First which was coming to regard itself as an adjunct to the nobility.

A particular breed of cleric associated with the States was the administrative bishop, identified by Soulavie as a fifth column of democracy, equality, and toleration. He listed: Dillon, Loménie de Brienne, Boisgelin, Choiseul, Conzié, and Luzerne, whose activities have already been noted, and Colbert, Champion de Ciccé, and Phélypeaux in Necker's provincial assemblies<sup>96</sup>. These bishops shared a philosophe outlook, ranging from the more conservative Choiseul to the radical Ciccé, marking them off from other bishops (e.g. Girac in Brittany); all were well connected at Court, half being closely related to late century Secretaries of State. This group of men were perhaps the single most influential force for devolution able to act at Court, in the General Assembly of the Clergy, their provinces, and finally in the ministry itself. They were a focus of public attention<sup>97</sup>.

Their role in States was defined by one historian, "L' évêque y siège à la fois en qualité de grand propriétaire, de grand personnage, comme héritier de privilèges et bénéficiaire de coutumes, contrats et pactes qui, au moyen âge, le faisaient membre de la féodalité du pays"<sup>98</sup>. (This, in a different form, is a restatement of the idea of representation by historic right.) Within his province Dillon was the most powerful of these bishops. His niece painted a picture of his opulent power: "Le président des Etats passait bien avant le roi dans l'esprit des Languedociens". He overshadowed both the comman-

dant (Périgord) and intendant (St-Priest). Dillon patronised industry and mining. He only attended the province in November and December to preside at the States, spending the rest of the year in Paris and Versailles representing Languedoc's interests; in both places he lived and entertained lavishly keeping up better stables and kennels than the king and failing to make ends meet on 500,000l. <sup>99</sup>.

Talleyrand equated the philosophe bishops with political ambition <sup>100</sup>, and none illustrated the point better than Loménie de Brienne. Hardly a ministerial change occurred 1768-70, 1774-87 but that his name was suggested on the strength of his provincial record. Conzié, according to Lévis, whose father was governor of Artois, aspired without success to a similar position <sup>101</sup>. These bishops, Loménie de Brienne above all, were overwhelming Choiseulist. Reaction to them divided along the lines of the anti-Jesuit alliance. From the dévot side Caveirac wrote, "Nous considérons les évêques comme nos pères, nos tuteurs, nos libérateurs (from heresy)", but could see only a spiritual justification for their presence in States <sup>102</sup>. On the other side Choiseul went out of his way to stress that land owning clerics should be involved in the political process in the States Countries <sup>103</sup>. Necker, as ever, tried to strike the balance (see above).

The type of noble in the assemblies changed to a mixture of the great and the militaires by the end of the century. This trend played a major part in the militaire reaction of the late century.

The noble representation produced a significant conflict of interest within the Order. The robe was naturally based on the parlements, but by the various regulations it was prevented from uniting this franchise with representation in the States. As the robe tended to own land nearer to the towns than the militaires, it resulted in the States and parlement of a province rarely being able to cooperate on an agricultural policy. Depending on the structure of agriculture, one tended to promote enclosure, abolition of vacant pasture, etc., while the other opposed it. In the south-west, for example, the militaires were more dependent on livestock in the poorer more distant lands, and therefore resented reforms, while the robe's landed wealth was more dependant on arable farming which benefited from them <sup>104</sup>.

The representation of the Third changed as much as the Second. Parlementaires had always been barred from sitting in the States but during the century the robe was progressively excluded from the Second. The need for robe representation was filled by their acquisition of the Third seats. These were generally filled by ex-officio mayors, and were supposed to be elected commoners; Colbert's venalisation of municipal government changed both qualities. Even in Burgundy, which had retained the outward form of election, the candidates for election were magistrates. Linguet commented acidly, "... le Tiers Etat n'est composé que de députés choisis parmi les plus riches de l'Ordre des roturiers, leur intérêt dans presque toutes ces bruyantes et inutiles assemblées, est toujours y bien plus d'écraser le peuple que de la défendre..." <sup>105</sup>. Here, for once, Linguet had missed a point which Mirabeau made, "En effet; les trois corps ... ne sont autre chose que le clergé, le militaire, et la magistrature" <sup>106</sup>. The encroachment on Third prerogatives by the Second was taken a step further - to its logical conclusion - by a ruling in the States of Corsica which condemned those who, "... supposent faussement que les fonctions de députés du Tiers Etat et celles d'officiers Municipaux sont au dessous de l'Etat de noble" <sup>107</sup>.

This disenfranchisement of the Third discredits the conservative formula that each Order had its own duties and privileges. There is, however, no evidence that this trend caused ill-feeling at the time - while there had been a juridical change in the status of the Third deputies there was no sociological change. The real resentment was caused by the oligarchic nature of the franchise whereby the seats were committed to specific people or groups; it was this that made every provincial reform scheme specify a degree of democratic choice. The myth had grown up that Languedoc enjoyed a democratic constitution, in reality, as seen above, those States exercised complete oligarchy by owning their Third seats. The control of seats, however, went even further than this; an incident in 1764 showed that the Order of St. John could nominate some of the consuls in Languedocian towns - in other words that they had bought up some of Colbert's municipal offices. This enabled the Order to exercise the kind of political patronage analogous to that of the pocket boroughs

in Britain, and in 1764 they were using this patronage as a political bargaining counter <sup>108</sup>. Every seat in every States' Country which was not held by right of birth or office was owned by someone, or some group, who could dispose of it as they saw fit (Corsica excepted). Despite this handicap the States Countries still managed to be more efficient and more acceptable than the *pays d'élections*, owing more to the efforts of the nobles and clergy than the Third. One last point on franchise was that the urban interest was greatly over-represented as against the rural; specifically rural commoner deputies had to be innovated by reformers.

The Louisquatorzième opposition to States persisted in the eighteenth century. The Espion Anclais disparaged them, "Les Etats ne sont plus qu'un simulcre où figure la vanité de quelques Grands, qui concourent de tout leur pouvoir à opprimer le pays dont ils devraient défendre les franchises et les privilèges", whose power was devolving to the parlements <sup>109</sup>. This was the parlements' position before they allied themselves with the movement for States. Several writers were still not used to the idea that the absolutist tide had turned, and were still wary of the loss of power to the monarchy that the States represented <sup>110</sup>. Naveau was highly critical of States on the grounds that they encouraged abusive privilege and squandered funds (c.f. Maconnais), but he did recognise the value of local fiscal control. He made the damaging observation that States Countries tended to be rich not because they were better run but because they were richer in the first place <sup>111</sup>; there was indeed a correlation between a province's economic strength and its ability to retain its political corporations. With the exception of Mirabeau, the physiocrats tended to dislike the States; the Ephémérides condemned Mirabeau for not being more radical in this respect <sup>112</sup>. Turgot, again, believed in local determination, but not in the juridical structures States entailed, "Mais étant composés d'Ordres, dont les prétentions sont très diverses et les intérêts très séparés les uns des autres et de celui de la nation, ces Etats sont loin encore d'opérer tout le bien qui serait à désirer pour les provinces à l'administration des quelles ils ont part" <sup>113</sup>.

These opinions were in a minority. Starting from the duke of Burgundy the majority of publicists were in favour of States. Of Louisquinzième ministers before Choiseul



both Machault and Argenson were said to favour turning the whole of France into States Countries; the Old Dauphin too was interested in these ideas which were descended from his grand-father's circle <sup>114</sup>. In 1750 Mirabeau published his first book, 'Mémoire concernant l'Utilité des Etats Provinciaux'. This book caused a sensation - it did for the States what Montesquieu had done for the parlements <sup>115</sup>. This pamphlet was in the same political generation as Réal, but with several variations. Where the dévots warned against philosophie, Mirabeau used very similar language to attack absolutism, which, "... pourrait un jour produire, d'un côté la violence et le délire; de l'autre la crainte, les murmures et le désir de secouer le joug". Like Réal, Mirabeau believed in the concept of public law and enlightened submission. He was concerned to prevent the collapse of social order, and believed that States were one of the best ways to preserve it. He saw the monarchy as the cornerstone of the hierarchy of corporations <sup>116</sup>. On other aspects of administration Mirabeau showed that States complemented other forms (e.g. intendant) without offering any political dangers. He praised the benefits of local fiscal determination - more efficient, more equitable, more acceptable - and pointed out that the solvent States Countries could offer the government loans at favourable rates, 5% as against the General Farms' 10%. Mirabeau stressed the value of States as government by notables, and condemned the practice in pays d'élection of the intendant having to consult men of lower birth interested only in personal gain. Mirabeau suggested setting up twelve extended States Countries to cover the whole of France <sup>117</sup>.

A second work was 'Précis de l'Organisation ou Mémoire sur les Etats Provinciaux' which was reprinted several times in different contexts. The work started from the Newtonian premise that a "constitution" was a "political machine", which would function more smoothly than the haphazard royal agencies. Mirabeau proposed a subdivision of the Third into Civil and Municipal Orders, to serve as more useful doubling. The municipal Order would be the non-magisterial notables and would work on a basis of limited democracy. The whole structure would reinforce privilege and juridical distinction and would contain the two damaging trends of the incursion of capital and robin corporations into politics. States possessed three advantages: efficiency and equitability

in taxation, greater permanence, and "économie" and "doceur" in internal administration. Mirabeau also hinted at the abolition of tax farming. He added, finally, a plan for turning Guienne into a States Country <sup>118</sup>.

A third work which, if not by Mirabeau himself, was a compilation of his ideas, existed as a manuscript for reference by the government <sup>119</sup>. This covered all the same ground as in previous works, but expanded on the benefits of the taille réelle and an up to date cadaster. The taille réelle acted to spread fiscal privilege evenly through society as noble land was bought and sold over the centuries ( a process which had been allowed to reach its logical conclusion in Foix). This memoir was a very matter-of-fact account of the structure and advantages of States Countries, one example was the 35% drain on funds caused by moving money from a pays d'élection to Paris and back out again which took a year. A States Country regulating its own finances could dispense more money more promptly from the same income. The tax farms cost the government 6,000,000l. a year - the equivalent of a whole province. The idealised fiscal bureaucracy of a States Country was for the province's General Treasurer (who was either a member of or working in cooperation with the intermediary commission) to have under him the Receivers of each subdivision of the province (e.g. diocese or bailiwick) who in turn co-ordinated the Treasurers of each community. (This was the structure the Elus of Burgundy were trying to set up.) Such a structure levying the taille réelle on a cadaster could raise a total of 7,580,000l. in a province (probably a projection of Guienne's potential). Mirabeau made three important political points: given political power the privileges of the provinces would acquire a sense of public service; given provincial self-determination the three Orders would work in perfect harmony, and chains people forged for themselves caused no complaint.

In 1758 Chaumont de la Galaisières had Mirabeau's 'Précis ...' republished with his own introduction. This book does not merit attention in itself, but Chaumont was Chancellor of Lorraine to 1766 (and intendant of Metz and Nancy thereafter), a protégé of Choiseul, and charged with bringing the administration of Lorraine into line with the rest of France prior to its incorporation into the realm.

Thus his interest in States opens up the possibility that Lorraine might have been created a States Country in 1766 <sup>120</sup>. In the same year the abbé Caveirac wrote a devout eulogy of Mirabeau's ideas. He believed that States offered the best hope of combating heresy and of repairing the economic damage done by the emigration of the Huguenots. He described Languedoc where, "Un heureux mélange de la noblesse et du peuple y fait le sureté, la tranquillité, le félicité commune. La fureur des tribuns ne vient pas troubler nos assemblées, les ministres de la religion y président ...". This was government by Catholic aristocracy, and was the most consciously Montesquieuan analysis of States <sup>121</sup>.

From Chaumont we move on to Choiseul. In language similar to that Guibert was to use he wrote, "La vertu patriotique dégénère chaque année en France ... un des objets de mon système d'administration est de rétablir, l'intérêt, l'amour de la patrie dans les coeurs français ...". Choiseul proposed eighteen States Countries, with Normandy as his model. The three Norman generalities would be broken down into seventeen cantons each returning six deputies (two from each Order). The canton would elect its deputies at a triennial assembly composed of: all land-owning clergy, all nobles (robe as well as militaires) and an unspecified number of bourgeois appointed by the intendant. Choiseul's scheme would have ended the magisterial hold on the Third. In a different context Choiseul analysed the Third as a series of segregated local interest groups who would never normally be a political force of any strength; were they to get out of hand, however, they would pose a major threat to privilege. The competence of the States would be: 'budgetary' management of finances, public affairs, and elections to the States General (see above). Choiseul's eventual aim was a British type of constitution, but where Mirabeau said that the people were more docile in chains of their own forging, Choiseul believed that the French - too accustomed to despotism - were not yet mature enough for political responsibility. Two important points on this scheme: it was the only one put forward by a Secretary of State, and it was the most aristocratic of all. The strength of Choiseul's patronage of States is demonstrated by his provincial initiative in 1766 when his brother was allowed to restructure Cambrai, and Lorraine was brought into the kingdom as a potential States Country (it possessed a

greater degree of fiscal autonomy than a pays d'élection even though no assembly had been set up). This coincided with Choiseul's appointment of six intendants as a demonstration of his provincial patronage. Choiseul did take one step beyond Mirabeau in warning that should the States ever invent a *unité des classes* the monarchy would be in dire peril, far more than from the parlements <sup>122</sup>.

From the heady days of Choiseul's patronage the States passed straight to the threat of dissolution under Maupeou. The Spring of 1771, however, saw the parlements ally themselves with the States, claiming that reform of the courts could not be undertaken without the authority of the States General in Paris and the local States in the provinces. The best known and most widely publicised of these calls for States was the parlement of Bordeaux's February 1771 *arrêté* on the subject. The alliance between parlement and hypothetical States was wholly self-interested: better to share power with the States than to lose it to Maupeou. Only in Brittany did any effective political co-operation between parlement and States exist, elsewhere the States were too easily controlled by the government for any long term political activity to be sustained. The call for States under Maupeou came at the point of changover in the socio-political aspirations of the hypothetical States. In the 1750's and 1760's the parlement of Rouen had called for States, culminating in the 1772 deputation to Orleans, but the next mention of the States of Normandy (in September 1778) was analysed as a complex ploy to subvert the political power of the local magistrates - implying that while the robe might have hoped to dominate the States in 1772, it recognised potential exclusion from the States of 1778 <sup>123</sup>.

The problems under Maupeou proved to be fiscal. In 1771 Maupeou asked for a prolongation of the twentieth. Years before the duc de Luynes had noted that States could be pressurised into ratifying new taxes more easily than the courts <sup>124</sup>, and to Maupeou's great discomfort he was proved right again in 1771. In December 1771 the Gazette de France published a supplement in which Louis XV exhorted his parlements, "Imitez l'exemple des Etats des mes provinces de Languedoc et d'Artois et de l'assemblée de Provence" <sup>125</sup>. In 1772, however, the various States did object to having to ratify a new tax to pay for Maupeou's "free" justice. The tax was

forced through. (Ratification of taxes was usually smooth, the Russian noble von Vizine left an account of the procedure in Languedoc, where the governor delivered a speech outlining the governments financial needs for the coming year, a speech which moved many deputies to tears, but which was rarely questioned <sup>126</sup>.) The legacy of Maupeou was the desire to decentralise away from a potentially dangerous government; all Louisseizième reform schemes were decentralising <sup>127</sup>.

The creation of States in Corsica, set in motion by Choiseul reached fruition under Maupeou. Hostile reaction came from Dangerville, who scoffed at a nobility indistinguishable from the peasantry which Marboeuf had had to create to make the system work <sup>128</sup>. Linguet was more enthusiastic, "On est fort attentif à tout ce qui doit se passer dans cette célèbre assemblée. Les objets qu'on y traite sont de la plus grande importance. Il est question d'établir une forme nouvelle, plus solide et plus simple de lever les impôts" <sup>129</sup>. One commentator, plagiarising Aubusson's plans for provincial reform, made the crucial connection between the island and the mainland, "Le gouvernement paraît aujourd'hui convenir que la régime par des Etats est celle qui peut le plus attacher un peuple, et le rendre heureux. C'est cette forme d'administration qu'on a choisi pour la Corse" <sup>130</sup>. Devolutionary provincial reform was an irresistible trend of the last two decades of the regime.

In 1765 Jacques Varenne, an advocate of the parlement of Dijon hired by the Elus Généraux, could ask, "L'utilité de l'administration municipale n'est - elle pas universellement reconnue?" <sup>131</sup>. As if in answer in the new reign the Journal Encyclopédique in 1776 wrote, "Le projet de mettre les provinces ce royaume en pays d'Etats ... semble avoir réuni la plupart des suffrages" <sup>132</sup>. The prime case in point was Dauphiné; after a false start in 1771 the issue of the corvée provoked the parlement to call for the recreation of the States with a doubled Third. Necker pacified the call by promising a provincial assembly - always regarded as a second best <sup>133</sup>. The failure of the government to honour this promise in the face of unrelenting pressure for autonomy led to the unilateral recreation of these States in 1788 <sup>134</sup>.

States owed their popularity to three factors, the first that they represented in themselves a constitution. "Aux

Etats Generaux de 1789," wrote Piétri, "la certitude que l'ancienne monarchie obéissait a une constitution régulière, sinon écrite, du moins fixée par une coutume solide, se retrouve dans la plupart des cahiers de la noblesse" 135.

Secondly, they answered the aristocracy's, and particularly the Greats' and militaires', need for legitimate institutionalised political power. Thirdly, they had the unique advantage over every other type of reform of disturbing no existing structures and offending no vested interest, with the possible exception of the General Farms. They were politically radical while remaining juridically conservative.

### SUMMARY

This chapter has looked at the assemblies of States. It looked first at the States General to show how the attitudes towards them - and the expectations held of them - developed over the century. The States General emerge as a part of the regime's political currency, but not, at this date, the weapon with which to destroy it.

Looking, secondly, at the provincial States, it becomes clear that they had managed to solve many of the regime's problems. They were able to co-exist with the monarchy without the tensions generated by the parlements. This was because their administration was defined and patently efficient. They had also accommodated the changes taking place within the nobility, but at the expense of the middle classes.

They were thoroughly aristocratic institutions in all three Orders. They pointed towards a monarchy founded on an alliance between crown and aristocracy in the institutions. At the same time their administration was conscientious and efficient, and the conferring of political power on provincial élites had generated an unexpected sense of public service. The multiplicity of local forms, and the willingness of some assemblies to experiment, proved to be a source of confidence and inspiration to reformers.

Without the successful example of the provincial States, it is unlikely that Letrosne would have seen a solution to the regime's problems in terms of a reformed provincial administration (explored in the next chapter), nor that Necker would have adopted such a programme.

Whatever strengths the regime still possessed were to be found in the provincial States.

TABLE III

PROVINCE	CLERGY	NOBILITY	THIRD	MAJORITY NEEDED	INTERMEDIARY COMMISSION	DOMINANT FORCE
States General	300	300	600	2:1	-	Revolutionaries
Brittany	60	up to 500	60	2:1	18	Nobility
Languedoc	23	23	46	51%	18	President
Velay	8	15	9	-	-	President
Vivarais	13	13	13	-	-	President
Gevaudan	7	8	18	-	-	President
Assiette of Toulouse	1(president)	1(absentee)	24	-	-	President
Provence	2	2	36		President & Consuls of Aix	President
Corsica	23	23	23	2:1	18	Intendant
Artois	22	10	22	2:1	not given	President
Cambray	16	15	6	2:1	not given	President
Burgundy	70	up to 293	70	2:1	6	Elus Generaux
Béarn	5	up to 540	42	Unanimous	24	President, Governor or Intendants
Navarre	8	60	28	2:1	not given	Seneschal
Bigorre	8	12-24	not given	2:1	10*	President
Foix	(?)8	20	120	2:1	President & Treasurers	President
Guienne	20	20	40	51%	not given	Third
Normandy	34	34	34	2:1	not given	not given
Dauphiné	50	165	276	51%	-	Notables

Notes: Figures in brackets indicate Orders sitting together, which relates across to the majority needed to pass a measure.

Elections generally changed only half the deputies at a time to preserve continuity of personnel.

These figures represent the final form of the States. Figures for nobles in Burgundy, Brittany and Béarn, and Foix represent the officially recognised number of 100 year fief-holders.

On Dauphiné the situation was confused, Egret defined the deputies as "notables" rather than retaining strict juridical divisions, which, in any case, broke down in the assembly presaging the experience of the States General in 1789<sup>136</sup>. (The practice of Dauphiné fell midway between the theories of Mirabeau and Choiseul.)

\* 1 cleric, (the president), 1 baron, 4 nobles, 4 commoners meeting only twice a year for up to four days in all. Salaried respectively at 181. per day, 91., 61., and 31.<sup>137</sup>.

FOOTNOTES

1. The French term "pays d'états" will be translated "States Country (-ies)" which is both more accurate than the contemporary British "State Country", has the advantage over the French of forming a plural, and is in line with current Channel Islands usage. (The Channel Island constitutions are descended from medieval Norman political practice, and display many of the features today that French States displayed in the eighteenth century, from Jersey's relationship with the crown to Alderney's dependent assembly.)
2. Figaniol de la Force I pt. I pp. 529-49.
3. Ibid. pp. 515-28.
4. Réal I p. viii, II pp. 31-2, IV p. 133.
5. Archives Etrangères. Mémoires et Documents. France 1375. 'Addition' (to 'Premier Mémoire sur l'Administration'). Puget de St-Pierre. October 1774. This position also maintained in Etat Politique 1777 pp. 19-20.
6. Grossclaud p. 233. Court of Aids May 1775 remonstrance.
7. Darigrand pp. 6, 24. C. Collé 'Journal et Mémoires 1748-1775' Geneva 1967 3 vols. III p. 307 (April 1771) quotes the parlement of Paris putting forward the same pretension.
8. Letrosne I p. 151 (this would be prior to the States' own supersession by a reformed national assembly).
9. Journal Encyclopédique 1768 V pp. 164, 166.
10. Cérutti, Jésuites I pp. 40-1.
11. Espion Anclais I p. 102. Argenson p. 154.
12. Coyer p. 124.
13. Chastellux II pp. 23, 29-30.
14. Mercier II p. 235.
15. 'Dissertation sur l'Origine et les Fonctions Essentielles du Parlement, etc.' Cantalauze de la Garde. Amsterdam 1764 argument summarised pp. 131-2.
16. Aubusson, Alambic des Loix p. 270.
17. e.g. Holbach and Mably, see Chapter II.
18. Ephémérides 1770 VII p. 18.
19. Moreau, Leçons de Moral and Devoirs du Prince. Gin, Vrais Principes pp. 104, 358-79.
20. 'Les Etats Généraux de France' C. Soule. Heule 1968. pp. 170-4, 180-9, 193.
21. 'Quelle est l'Origine des Etats Généraux' Linguet (Paris ?) 1788.



22. Maugras, Louis XV p. 296.
23. Lebrun pp. 19-20.
24. 'The Parlements of France in the Eighteenth Century' A. Cobban. History XXXV 1950 p. 77.
25. 'Extrat du Droit Public de la France' L. de Brancas (comte de Lauracais) , (Paris ?) 1771.
26. e.g. Albertas I pp: 749-85 (Toulouse, April), II p. 1094 (Rennes, October).
27. Capefigue, Louis XVI. I p. 29.
28. S.P. 78 293 pp. 84-5.
29. Archives Etrangères, Mémoires et Documents France 1375 'Second Mémoire sur l'Administration' Puget de St-Pierre October 1774.
30. Soulavie III pp. 334-5.
31. Court of Aids May 1775 Remonstrance. Augéard pp. 39-41. Hudson pp. 113-116.
32. Espion Anglais V p. 231.
33. Véri II pp. 79, 74.
34. Ibid II p. 8.
35. 'Mémoires du Duc de Choiseul' Paris 1904 pp. 436-44.
36. Nineteen years was both Newton's calculation of the average reign of a sovereign, and Jefferson's calculation of a generation.
37. Aubusson, Alambic des Loix pp. 408, 414-15, 422-8, 446.
38. Allonville I p. 176 (Probably in 1770).
39. Tocqueville, Appendix, Marion, Dictionnaire des Institutions. 'Les Etats de Bretagne' A. Rebillon. Paris 1932.
40. e.g. 'L'Intendance de Bretagne 1689-1790' H. Fréville 2 vols. Rennes 1953 'D'Etigny et l'Administration d'Auch 1751-1767' 2 vols. Paris 1957 M. Bordes.
41. The information on States Countries is drawn from: 'Etat de la France' Boulainvilliers 3 vols. London 1727. 'Dictionnaire Géographique, Historique et Politique des Gaules et de la France' Abbé Expilly. 6 vols. Paris 1762-70. B.N. Mss. Fr. 7509. Collection de Castries (on provincial administration) probably 1787. These three compilations draw from independent sources of information, almost all other accounts of France in the eighteenth century are based on the 1699 survey, which Boulainvilliers used.
42. Information on Brittany from: Rebillon, Fréville, Espion Anglais VII pp. 36-78. B.N. Mss. Fr. 14400 'Rélements de Bretagne'

43. Marmontel II pp. 130-1.
44. Journal Historique III p. 268.
45. Palmer I p. 42.
46. Croÿ II pp. 35, 41, 47-48, 51.
47. St. John 9 1239. 12 April 1768.
48. 'Preuves de la Fleine Souveraineté du Roi sur la Province de Bretagne' attrib. Poullain du Parc. Paris 1765. pp. 34-5. Bachaumont VI p. 54.
49. Albertas III pp. 1310-11. Hardy II pp.108-9, 145. Coquer-  
eau p. 177.
50. Journal Historique II p. 242. Journal Historique et Polit-  
ique 1773 IV p. 53.
51. e.g. Barnave in Grenoble. Behrens p. 71.
52. Albertas V p. 2109. (The Spanish connection has three  
origins: the Spanish Bourbons retained their interest in  
France, Brittany's trading relations had always given her  
an extroverted attitude, and thirdly, there was a tradition  
of Breton political exiles living in Spain).
53. Hardy III pp. 240, 261.
54. Espion Anclais V p. 169.
55. Information on Languedoc: 'Les Etats de Languedoc au Dix-  
huitième siècle' E. Appolis. Albi 1951.
56. 'Calonne the Assembly of French Notables of 1787 etc.' A.  
Goodwin pp. 329-30. English Historical Review September 1946.
57. S.P. 78 301 p. 149.
58. Véri I p. 184 Journal Historique et Politique 1774 IV p.  
222.
60. Information on Assiettes: 'Les Etats Particuliers du Dio-  
cèse de Toulouse aux Dix-septième et Dix-huitième Siècles'  
T. Puntous. Paris 1909. 'The Nobility of Toulouse in  
the Eighteenth Century' R. Forster. Baltimore 1960.
61. 'Essai Historique sur les Etats Generaux de la Province  
de Languedoc' L. Trouvé. 2 vols. Paris 1818 I pp. ix-xii  
265, and passim. 'Le Cardinal de Boiscelin 1732-1804' E.  
Lavaquery. 2 vols. Paris 1920. I pp.s 101-78.
62. Albertas V p. 2614.
63. Albertas II p. 1229.
64. St. John 9 1237. (29 April 1772).
65. Goodwin, Calonne p. 331.
66. Soulavie II p. 238.
67. Journal Encyclopédique 1775 IV p. 562.
68. 'Mémoire sur la Nécessité de Supprimer l'Administration

- Particulière du Nâconnais' Amelot A.N. k.692A. p.44,
69. Journal Historique II p. 2 4.
70. Account of the structure of Burgundy in Bordes, Intendants p. 48.
71. A.N. H.131 Cahier de Doléance Bugey 1775.
72. Lévis pp. 201-5.
73. B.N. Collection Joly de Fleury 2539 (Provincial Administration 1770-89) 'Mémoire Concernant les Marais d'Artois'
74. Information on French Flanders from: 'Lille et la Flandre Wallonne au Dix-huitième Siècle' M. Braure. 2 vols. Lille  
'Sénac de Meilhan et l'Intendance d'Hainault et du Cambrésis sous Louis XVI' L. Legrand. Valenciennes 1863  
'Les Etats Généraux du Cambrésis de 1677-1790' M-R. Vilette. 1932.  
Cambrai 1970.
75. 'Les Ducs et les Duchés Pairies Français avant et depuis 1789' E.M. de Barthélemy. Paris 1807. p. 67.
76. For information on other Flemish States Legrand pp. 151, 29, 151-2. Buat, Eléments III p. 412.
77. Information on Pyrenean States from: Bordes, D'Etigny.
78. Information on Foix from: 'Un Intendant Eclairé de la Fin de l'Ancien Régime: Claude-Francois Bertrand de Boucheporn' M. Bordes. Annales de Midi 1962. Guimbaud pp. 129-47  
Lavaquery, Boisgelin I pp. 109, 116, 199. Legrand p. 29.
79. Bordes, D'Etigny I p.438
80. 'Thought and Practice of Enlightened Government in French Corsica' T.E. Hall. American Historical Review. February 1969. 'The Development of Enlightenment Interest in Eighteenth-century Corsica' T.E. Hall (Studies, Voltaire and Eighteenth Century 1967). General information on the background of the States 1768-70 from 'La Corse de 1768 a 1789' L. Villat. 2 vols. Besançon 1924. I pp. 121-249.
81. 'Code Corse' 3 vols. Paris 1778 II p.66.
82. 'Mémoire sur le Projet d'un Nouveau Règlement pour les Etats de Corse', 'Projet d'Arrêt de Règlement Général pour les Assemblées d'Etats de la Province de Corse' A.N. K. 686.
83. Archives Etrangères. Mémoires et Documents France 1549. Corsica 1771-1829. Marboeuf to Vergennes 15 June 1778 and subsequent correspondence.
84. Most fully explored, Mecker, Administration II pp. 296-9.
85. S.P. 78 294 p. 105.
86. Code Corse II pp. 22, 43-65, 70, 89.

87. A.N. K. 685 Procès Verbal 1772 States of Corsica p.44.
88. Procès Verbal, 1772 pp. 133-40 1773 p. 42 Code Corse III p. 169.
90. Dangerville, Vie Privée IV p. 123. Bachaumont V p. 104 Mercur Historique et Politique 1770 I pp. 443-9.
91. 'The Brittany Affair and the Crisis of the Ancien Regime' J. Rothney. New York 1969 p. 24.
92. B.N. Mss. Fr. 7509 'Mémoire sur l'Administration des Biens des Villes et Communautés des Provinces qui sont en Pays d'Etats'.  
 93. 'Mémoire pour les Elus Généraux des Etats du Duché de Bourgogne Contre le Parlement - Cour des Aides de Dijon' and 'Sécond Mémoire' J. Varenne Paris 1761, 1765. Archives Etrangères. Mémoires et Documents. France 1497. Burgundy 1764-1778.
94. A.N. H. 173 p.4.
95. A.N. H. 143, 149. Crossclaud p. 213.
96. Soulavie III pp. 4-6.
97. Levy-Schneider pp. 7-10.
98. Ibid. p.7.
99. Marquise de la Tour du Pin 'Journal d'une Femme de Cinquante Ans' 4 vols. Paris 1907. I pp. 6,8,9,43,44,49,53.
100. Talleyrand I p.24.
101. Lévis pp. 204-5.
102. 'Apologie de Louis XIV et de son Conseil sur la Révocation de l'Edit de Nantes' Abbe Caveirac (Paris ?) 1758 p. 340.
103. Choiseul, Paris 1904. p.440.
104. e.g. Bordes, D'Eticny II p. 630 (on Béarn).
105. Linguet, Théorie des Loix Civiles III p.91.
106. Mirabeau, Ami des Hommes I p. 194.
107. Corsica, Procès Verbal 1772 p. 210.
108. St. John . 2 155 p.21.
109. Espion Anglais I pp. 290-1, 101.
110. e.g. Véri II p. 145. Argenson 1765 passim.
111. 'Le Financier Citoyen' J-J Naveau 3 vols. (Paris ?) 1757. II pp. 256, 266.
112. Ephémérides 1769 I p. xxvii.
113. Turgot VII p. 393.
114. Piétri pp. 8, 21, 23.
115. V. Mirabeau 'Mémoire concernant l'Utilité des États Provinciaux' Rome 1750. L. de Loménie 'Les Mirabeau' 5 vols. Paris 1889-91 II pp. 107-9, also in Hertzberg 'Sur la Forme des Gouvernements' Berlin 1784 pp. 23-4.

116. Mirabeau, Utilite pp. 1,4,5,10.
117. Ibid. pp. 17,19,23,27,28,39,41.
118. 'Précis de l'Organisation ou Mémoire sur les Etats Provinciaux' (Part IV of the Avignon 1764 edition of 'Ami des Hommes') V. de Mirabeau 2 parts.
119. A.N. K. 680 Mémoire sur les Etats Provinciaux 75 pages. undated unsigned.
120. 'Précis, etc.' Chaumont de la Galaisière (Paris ?) 1758 Introduction: 'Dialogue entre le Surintendant d'O. et le Docteur H.' 114 pages.
121. Caveirac pp. 339-40. Jarrett p.88.
122. Choiseul, Paris 1904 pp. 36-44. Jarrett p.88 Choiseul, Chanteloup I pp. 165, 204, 209.
123. Métra VII pp 9-10.
124. Luynes XVII p. 13.
125. Gazette de France Supplément 16 December 1771.
126. 'Lettres de France' D.I. von Vizine Paris 1388 p.21.
127. Ardascheff I p. 109.
128. Dangerville, Vie Privée V p.33.
129. Journal de Politique et de Littérature 1775 II p. 358.
130. B.N. mss. Fr. 7771 'Projets de Finance présentés au Ministère de France pendant le Dix-huitième siècle'. 'Réflexions sur l'Administration des Finances' Lavelanet. January 1775 p. 602.
131. Varenne, Sécond Mémoire p. 176.
132. Journal Encyclopédique 1776 I p. 473, reviewing 'Essai sur l'Impôt' Amiens 1775
133. Piétri p.6.
134. Egret, Dauphiné II pp, 127, 129, 135, 159.
135. Piétri p.4.
136. Egret, Dauphiné II pp. 291-2.
137. A.E.M.D. France 1650 Languedoc 1749-1773 'Mémoire sur Bigorre'.

ALTERNATIVE IDEAS IN POLITICS AND SOCIETY: BACKGROUND TO A NEW MONARCHY.

Even after looking at the obvious institutions and social groups, there remain large areas of political and social thought untouched. These areas can be designated the intellectual background to the mechanistic monarchy (introduced in Chapter I), and to many of the new directions taken in social and political thought 1774-8.

If, as part of a new era of monarchy, Louis XVI hoped for a restoration of mores, one of the first writers we should look to is Rétif de la Bretonne. Rétif's view of the regime forms the backbone of Funck-Brentano's study of the period. Rétif was born a peasant - stretching the term to its upper limits - and much of his writing was a lament for lost rustic innocence while a famous *littéraire* in Paris. Rétif was the only self-professed peasant of the century to write extensively. In Marxist terms Rétif was a traitor to his class, not showing the peasantry as modern research - or as Young and Linguet show it, but developing a "Merrie France" interpretation. In Rétif's view of society the rustic idyll was married only by the iniquitous towns. Rétif was not alone in this rejection of urbanism, Delacroix presented it in 1770, though in a more realistic light, and Aubusson called towns, "... les sales répairs de tous les maux" <sup>1</sup>. This cultural tension between town and country was a symptom of the deeper economic tension which showed itself in the peasant revolution of 1789 <sup>2</sup>.

Not being a political so much as a cultural writer, Rétif's political ideas are difficult to pin down in precise statements, they have to be presented as attitudes across the breadth of his work. Rétif appealed to the nineteenth century as a rational man of good sense, but moderate and virtuous. He produced an ideology of society not dependent on the old regime's juridical framework but nonetheless strictly divided into classes, a society in which every man had a God-ordained place. His puritan sexual morality and insistence on male dominance were easy to interpret as the virtuous middle class rebelling against the decadent aristocracy. Rétif had no specific ideas for

reform, indeed the whole tone of his work was of political quietism. Rétif represented an important aspect of the cultural climate of Louis XVI's reign : the assertion of puritan and conservative values after the laxity of Louis XV's time <sup>3</sup>. (It must be recorded that Brissot dismissed Rétif as unworthy of study <sup>4</sup>).

A writer of very different style and background was Duclos. In general attitude to the regime he shared much in common with Rétif, but was witty, sophisticated, and taken far more seriously by contemporaries. Again, however, it is difficult to pin down political statement, and in a cursory analysis we can only discern broader attitudes. Duclos became historiographer royal in 1750, and secretary of the Académie in 1754. He was ennobled in 1755 on the recommendation of the States of Brittany and was active in the States thereafter <sup>5</sup>. Duclos was a man of letters rather than a true philosophe (as with Bachaumont), he was the first man to analyse the Enlightenment and its effects on society; his 'Considérations sur les Moeurs de ce Siècle' (first edition, Berlin 1751) was continuously in print for the rest of the regime.

Duclos influenced militaire thinking through his obvious lack of sympathy for the robe and his pose of enlightened common sense, he was also an obvious influence on Linguet, Buat, and Aubusson amongst others. A review of one of his supplementary works discerned a social programme based on taxing: social status, social mobility, and celibacy. He insisted on looking forward for new solutions to society's problems rather than searching the past for inspiration - he advocated teaching Voltaire rather than the classics in schools. Duclos, however, moves back into his period when he made it clear that he was writing to halt a disastrous decline in population and to shore up a disintegrating social edifice <sup>6</sup>. Following on Duclos came a host of ideas about changing, reforming, shoring up society. These are most conveniently considered under the two categories of partial reform schemes and schemes embracing the whole of society. An extraordinary number of the ideas to be described below were taken up by Necker; when we come to the all-embracing reform schemes,

it will be clear that they point forward to Letrosne's synthesis, which became government policy under Necker.

Only five years after Duclos Coyer put forward ideas of

lasting importance. Coyer's proposal was that the nobility - "... en temps du paix ... un corps paralytique..." - should be drafted en masse into commerce <sup>7</sup>. This would have been little more than an extension to the whole of France of the Breton model of dormant nobility ("la noblesse dormante") whereby the prerogatives of nobility could be set aside to avoid derogation. The advantages of such an arrangement would be: wider cultivation from an influx of capital from commerce to agriculture, an increase in population, an increase in consumption which would stimulate agriculture and commerce and benefit finance in general by speeding up the flow of money through the economy, and improved shipping which would benefit the colonial empire. Although some concessions were made to Coyer's ideas they remained largely unimplemented. There were a number of reasons for this, most obviously that such a drastic shift of economic activity would have changed the regime, but also because there were very few nobles in a position to enter commercial enterprise who either had the surplus capital or who had not openly or clandestinely engaged in commerce already.

Coyer remained an influential figure, a constant reminder of a more logical and rational structure of the regime. He was in the public eye again in 1770 with a 'Plan d'Education Publique' (Paris, 1770), in which he wanted to replace the Jesuit educational system with a civic one, designed, amongst other things, to encourage Frenchmen to enter commerce. He must have been gratified when a 'Compte Rendu aux Chambres Assemblées' presented to the parlement for its debates on education in the same year endorsed his suggestions <sup>8</sup>. Events overtook the proposals. The 'Noblesse Commerçante' was reprinted under Necker, and Coyer enjoyed another vogue. Coyer was typical of those figures who had accepted the Enlightenment, and tried to reconcile it to the old regime; he was unusually successful in feeding ideas into the government which were well-received and sometimes acted on.

A year later Naveau produced a reform scheme which remained definitive in its field. Like Coyer, Naveau was a constant source of interest and inspiration in political life. Naveau's idea was that the General Farms could form the basis of a rationalised structure of finances and administration. Naveau acknowledged a debt to the duke of Burgundy, and claimed also to have adapted Montesquieu's approach with the magistracy to the problem of finance. He welcomed the idea of an autonomous



financial élite whose members, he believed, should be able, disinterested, enlightened, and patrons of art and public works. His plan was to establish a single General Farm with competence over all financial affairs, but which would exclude the Court and which would devolve itself into the provinces to break Paris's stranglehold on the country. Naveau was a partisan of the parlements, and hoped that they would acquire the expertise to turn their justified concern over finance into valuable and constructive advice. He would have abolished taxes on robe offices and created a uniform type of office for law and finance with guaranteed security of tenure. Naveau was a firm believer in provincial autonomy, but did not seek the extension of States into all provinces, on the grounds that States afforded protection to local abuse and inefficiency. He hoped, however, that the fiscal infrastructure of the States Countries could be adapted to the pays d'élections; such a scheme was proposed by Invaux in November 1768 <sup>9</sup>.

Alone among financial reformers, Naveau dismissed Vauban's *dîme royale*, accusing it of causing crushing over-taxation and of taxing people rather than wealth. He preferred the idea of a properly organised proportional *taille réelle*, taxing the clergy, and exempting only nobles on active military service - very much Machault's plan. (Naveau's ideas on taxation were refurbished by Groubentall who used them as an attack on Glanvières's plan (q.v.); and re-presented them for implementation under Louis XVI <sup>10</sup>.) Naveau, however, believed that this was just tinkering with irrelevancies beside the real need, a solution to insolvency, which was to speed up the circulation of capital through the economy. Government patronage of commerce, industry, and agriculture, combined with steps to increase population and consumption, would all automatically increase government revenue. All debts could be paid off and credit restored; a single General Farm would be the crowning glory of the scheme. This was an enormously appealing scheme; it offered a painless panacea with no harmful side effects. Naveau flattered every vested interest except the most important - the Court. His vision of harnessing vested interest and privilege to help the state was a comforting one. Naveau was a member of a small enlightened élite trapped inside a corporation otherwise characterised by inertia and abuse <sup>11</sup>. While he proves that reform can flourish in the most barren of ground, Naveau's offer of a painless panacea helped to breed a fatal complacency and an

unwillingness to tolerate painful reform.

Vauban's *dîme royale*, although dismissed by Naveau, spawned a whole school of reform. In general the physiocrats had endorsed it, but as just part of wider programmes; the physiocrat dominance in the Control General 1759-69 and 1774-6 gave rise to the hope that it might be implemented. In 1763 Roussel de la Tour, a counsellor in the parlement of Paris, reissued the idea <sup>12</sup>. By this stage of the old regime's development, however, any challenge to the existing fiscal structure was regarded as a covert attack on the General Farms; in the same year Darigrand made this very point overtly in his definitive attack on the Farmers General <sup>13</sup>. Roussel would have divided French society into twenty classes, and each head of household (of whom there would be 2,000,000) would pay an appropriate tax. He believed that 740,000,000l. could be raised. Bachaumont recorded the pamphlets, and also that Roussel had distributed them free. After initial interest from the Control General opposition from the Farmers General forced its suppression; the Farmers General used Naveau's arguments to attack it. Bachaumont called the plan "... le voeu de la nation" <sup>14</sup>.

Turgot's freeing of the press in 1774 allowed the scheme to be revived, this time by Richard des Glannières <sup>15</sup>, who managed to be the first to take advantage of the relaxation of censorship. Various emphases were changed, but the ideas were still largely Vauban's. There were to be eight classes in this version, a reformed *taille réelle* administered by the intendants, a cadaster, and fiscal uniformity. Two *économistes* attacked Glannières in 1775-6, Groubentall on the grounds of practicality, and an anonymous author wrote, 'La Dixme Royale de M. le Maréchal de Vauban Comparée avec le Plan de (Glannières)' which accused Glannières of both plagiarising and debasing the original. Roussel's work was disinterred to attack Glannières as 'La Richesse du Roi de France', which included a plan for the liquidation of the national debt by public subscription <sup>16</sup>.

Glannières attracted as much attention as any one pamphleteer of the century, and it was felt possible that Turgot was using the pamphlet to advertise his intentions. Regnaud was well-disposed to Glannières because of his loyalty to the parlements and because of the benefits of system <sup>17</sup>. Hardy noted the plan, but held out little hope: the *économistes* opposed it, the landowners feared an increased tax burden, and the

various governmental agencies would have objected to its implementation<sup>18</sup>. The Nouvelles Ephémérides published a detailed critique of the plan by the abbé Baudeau. It was refuted on two main points: that the new tax would be twice as onerous as the old, and that the demographic calculations were inaccurate; Glannières was insisting on a population of 18,000,000 when his scheme would only work with 36,000,000<sup>19</sup>. The Mercure de France was sceptical, and gave a more favourable review to an attack on the plan. This attack held that the cure would be worse than the disease<sup>20</sup>. Later in the year Tifaut de la Noue condemned indiscriminate taxation on land, when a tax on wealth and superfluity was needed<sup>21</sup>. The Année Littéraire was at first non-committal, but pointed out the plagiarisation of earlier writers. The économiste attack, however, won Fréron over to Glannières' side<sup>22</sup>. Already in these reviews Naveau's insidious influence can be seen undermining sincere attempts at reform.

The dîme royale was the simplest and most direct fiscal reform - there were a host of more complex schemes. In 1763 the chevalier de Forbin had put forward a variant on the dîme, in which each individual would voluntarily contribute 10% of his income<sup>23</sup>. This was to become a recurrent idea in the old regime (e.g. 'La Richesse du Roi de France'). In 1777 another variant on the dîme was presented to Necker<sup>24</sup>. In 1775 'Indications Politiques sur les Finances'<sup>25</sup> sought to have set aside a fund to pay off the national debt. Later in the year a 'Plan pour la Libération de la Dette Nationale'<sup>26</sup> was published to refute both the banker's approach of Law and the dîme royale of Glannières. It presented a six point programme for financial recovery: balance the budget, restore credit, maintain all existing taxation until a surplus had been established, judicious borrowing, stimulate agriculture and commerce, and, a rather complex suggestion, increase the population to change the ratio of people to specie thus opening up new economic possibilities<sup>27</sup>. A much simpler scheme later in the year recommended that an improvement in agriculture and communications alone would restore solvency<sup>28</sup>. In April 1776 an 'Essai des Finances' proposed abolishing all existing taxes, taxing all drinks, a taille proportionnelle on all land, and the encouragement of manufacturing, fisheries, and commerce<sup>29</sup>. This was a very similar programme to Groubert de Groubentall's in 'La Finance Politique' which was, however, as much concerned

with attacking other reformers as making constructive suggestions. This is only the briefest look at the mass of ideas which flourished under Turgot's freedom of the press, but the majority of these pamphlets were rehashes of the physiocrat ideas of the 1760's. This impulse was cut off by Clugny, and never resumed despite Necker's cautious reopening of freedom of the press.

The ideas in print were paralleled by the manuscript ideas presented to the Control General. A scheme in 1770 asked for nineteen specific reforms. It started from the premises: that France's adequate wealth was being mismanaged, that those who most needed reforms were those least able to ask for them, that the government had lost touch with the people, and that the welfare of the individual was the only basis of the state's prosperity. This scheme called for a *dîme royale*, a free market economy, and social mobility. The juridical structure of the regime would have been untouched; credit, money-lending, and financial dealings were in general condemned. This plan anticipated some of Turgot's and some of Necker's ideas while trying to reconcile new economic ideas with very old political and social ones. In 1774 a scheme for taxing grain was presented, in which the different types of grain would be taxed proportionately to their quality. This, it was proposed, would be an equitable tax reaching all Frenchmen, stabilising the price of food stuffs and encouraging agriculture. Another plan in 1774 attacked the physiocrat obsession with taxing land while ignoring capital. This plan hoped for a free market economy with taxation of wealth not property.

A small group of reformers suggested financiers' solutions to France's economic problems. In 1775 a correspondent suggested that fixing interest rates at 4% would be the universal panacea. The next year another reformer analysed the difference between Britain and France as being that Britain enjoyed 3 % interest rates against France's 6%, and suggested that France's solvency would be assured by a rate of 2.5%<sup>30</sup>. In the same vein in 1776 a plan for the universal solution of financial problems recommended that the government launch a new tontine<sup>31</sup>. Conversely several writers were coming round to the idea that nascent capitalism was the cause of - not the solution to - France's problems. Aubusson would have abolished usuary and credit in general and the idea was taken up in more detail

in 'Moyens d'Extirper l'Usure'<sup>32</sup>, which advised a state monopoly to run credit at as low a rate as was feasible. The spirit of this phase of reform as a whole was captured in 'Les Intérêts du Roi et ceux du Peuple', which stated that France's problems could be solved without a "révolution générale" if only a general reform of taxation were initiated; the converse proved to be the case<sup>33</sup>.

Less immediately relevant to the problems of Louis XVI's ministers, but more in key with the king's own ideas, were the significantly large number of dévot writers calling for a more theocratic approach to politics. Some ultramontane writers would have liked nothing better than to see France placed directly under Papal rule, (e.g. 'Traité du Gouvernement de l'Eglise et de la Puissance du Pape' Febronius. Venice 1769.) most hoped simply to see more notice taken of Catholic doctrine in political life; the vast majority were naive, inconsequential and impractical<sup>34</sup>. There was a constant stream of reprints of old Gallican tracts, indeed there were more of these than philosophe works. In political terms this was a rear-guard action, the upper clergy were concerned with entrenching political power in lay institutions, the lower clergy were never in a position to exercise political power, and organised religion had lost the power to influence political life.

One of the most consistent advocates of a more theocratic constitution was the abbé Caveirac, whose most comprehensive programme was set out in 'Apologie de Louis XIV et de son Conseil sur la Révocation de L'Edit de Nantes' (Paris 1758). Caveirac was politically intolerant, he felt that there was still work to be done against the Huguenots, to say nothing of the new threat from the deists and atheists. He brought his ideas up to date for the late century with 'Appel à la Raison' (Paris ? 1764), which linked the attack on the Huguenots with the need to attack the enemies of the Jesuits. His aim was to show France how it could vanquish its spiritual enemies without suffering economic ruin. In many ways Caveirac was a dévot Mirabeau, whose inspiration he acknowledged. He had no interest in social change, he endorsed all Mirabeau's ideas on the need for fewer nobles to enjoy more privilege for example, but hoped to turn some of the Enlightenment's better political ideas against the enemies of the Church. Taking the Jesuit state of Paraguay as his model, Caveirac put forward a ten point

programme: the maintenance of religion through the family as the basis for all else; secondly, he wanted to cut out the dead wood from the legal system, speed up the process of law, which, while outstanding, was the only abuse in an otherwise near perfect institution; thirdly, he required a pacifist foreign policy; fourthly, a reduction of superfluity; fifthly, a better lot for the poor; sixthly, he asked for a general lessening of the tax burden to be achieved by, seventhly, the introduction of Vauban's *dîme royale*; eighthly, he would have implemented Mirabeau's provincial policy; ninthly, he called for the abolition of abusive taxes, singling out the *gabelle*; and tenthly, he would have abolished the *corvée* and replaced it with the Roman system of using the army to build roads. Caveirac was by far the most sophisticated and comprehensive writer of his genre.

In the late 1760's a small school of writers grew up whose ideas were noticed by more wide-ranging writers such as Mably and Guibert, and enjoyed some success in action in the 1770's and 1780's. This was a school who called for civic virtue to be put above self-interest, juridical barriers, or local privilege. This was very much an expression of the *Louiseizième* monarchy, and under the new reign there was a vogue for lighting streets, cleaning cities, building magnificent new *hôtels* and public works, and rediscovering and restoring ancient monuments. (e.g. the Roman ruins at *Nîmes*). This might be interpreted as a symptom of the growing desire for national unity and sovereignty, seeking some object of pride and loyalty above things juridical. Tocqueville espied this deep need in eighteenth-century Frenchmen which the social, juridical, and political institutions all thwarted. Another aspect of this trend was a belief in civic education to inspire youth with a spirit of benefit to the community rather than devotion to religion. There was a definite link between this concept of civic virtue, culminating in Guibert's ideas (q.v. Chapter II), and the emergence of the *militaires* as a new socio-political group (as witnessed by the title of the books quoted here). The regime proved unable to harness this energy <sup>35</sup>.

A final reform project, 'Principes de la Législation Universelle' (Anonymous, 2 volumes. Amsterdam 1776), was a synthesis of many of the ideas of the period, and one of the last books to come out before Clugny's censorship was imposed. It deserves an important place in our study for bridging the

gap between the type of reform schemes described above and the Revolutionary activity of the 1790's. It seems to have been the first book to bring together the slogans: 'Liberty, Equality, Fraternity', but added to them: 'Property' and 'Happiness'. It was the half-way house between Linguet and Rousseau, combining the revolutionary vision of the latter with the social critique of the former. It called for a free market economy in one direction, but a tightening up of feudalism in another, and gave an anti-capitalist analysis of western economies. It trotted out all the usual accepted wisdom about breaking the hold of specie and increasing the population, but linked them into the Enlightenment's concepts of progress, the pursuit of happiness, and natural equality. It was an attempt to reconcile the new ideas from America with the forms of the old regime <sup>36</sup>.

Discussions of equality and Revolutionary concepts lead towards Rousseau. It could be argued that no survey of the late old regime's political culture would be complete without an account of Rousseau. In practice Rousseau was a remote, obscure, and little understood figure in his own day. For example, reviewing the 'Contrat Social', Bachaumont could write, "Il est très important qu'un pareil ouvrage ne fermente pas les têtes faciles à s'exalter: il en resulterait de très grands désordres. Heureusement que l'auteur s'est enveloppé dans une obscurité scientifique, qui le rend impenétrable au commun des lecteurs." <sup>37</sup>. Rousseau, in fact, only became intelligible to eighteenth-century Frenchmen after the Revolution had given his works an unexpected relevance and immediacy. (The opposite fate was to befall Linguet). Contemporaries took little notice of him as a political writer, but picked up a simplified account of the clichés on the corrupting influence of civilization, the noble savage, or Voltaire's quip about longing to go on all fours <sup>38</sup>. To do justice to Rousseau's complex position before the Revolution would require a study of its own, and as a political theorist he is more aptly studied in the Revolutionary context. For all these reasons, in this study his existence as a radical writer contributing to the late-century climate of opinion is noted, but not explored.

Of the general (ie. complete political and social restructuring of society) practical reform schemes, one of the earliest and most influential was Argenson's. It was a political land-mark. As a Secretary of State turned "embittered renegade" <sup>39</sup>, his detailed study of the bankruptcy of the Louisquatorzean system and the need for enlightened devolutionary reform caused a sensation. There were two versions of his 'Considérations sur le Gouvernement Ancien & Présent de la France' (1765 and 1784). This can be accounted for by the Marquis having left a mass of papers which his son was able to edit

into two separate books to suit the mood of the moment <sup>40</sup>. The 1765 edition was by far the most important, and such was its impact that Bachaumont, citing the Académie des Belles Lettres, believed it had been ghost-written by Rousseau <sup>41</sup>. It attempted to capture the mood of physiocracy interacting with Enlightened Despotism.

Argenson operated from all the premises of the duke of Burgundy's circle, and his most basic complaint was that Louis XIV's personal absolutism had not coalesced into a centralised monarchy, and that some system was needed to avoid the excess of absolutism under Louis XIV or its lack under Louis XV. Like all others of the period, he believed that he needed to help repair the damage to agriculture and the population caused by Louis XIV's wars. In society he saw that the robe, through the magistrates and intendants, had achieved supremacy, but without fulfilling the true role Louis XIV had envisaged for them as servants not rivals of the crown <sup>42</sup>. He proposed a complete restructuring of the political organisation of the realm both ideologically and geographically. The generalities would be broken down into departments, which would in turn be broken down into subdelegations or municipalities. Argenson's plan would have resulted in approximately 180 departments and 1,800 subdelegations. At the top of the structure the king represented monarchism. At the middle level (Conciliar and provincial) aristocracy was to rule (in the Platonic rather than Venetian model) to such an extent that every noble in France would be pressed into the administration. At the subdelegation level magistrates would organise municipal democracy. Argenson believed he had taken Colbert's reforms to their logical conclusion and infused the merits of three types of government into France. Argenson had not yet reached the concept of a Newtonian machine, but he was the link between the duke of Burgundy and the physiocrats, and more specifically Aubusson <sup>43</sup>.

Generally regarded as a physiocrat version of Argenson's ideas was the 'Mémoire au Roi sur les Municipalités' of 1776. Although patronised by Turgot, this plan was the work of Dupont de Nemours, and it lies in the mainstream of the économiste thinking of the 1760's; it looks curiously out of place in the political environment of the new reign which had moved on to the concept of the mechanistic monarchy. Like Argenson, Turgot



proposed a structure of local representative democracy, but it lacked the political depth, subtlety, or sophistication of Argenson. The system was based solely on property ownership which conferred notability upon a holder of a sufficient quantity. The notables would meet in the parish each year to elect the local officials and to elect a deputy for the cantonal administration. One feature of the scheme was that those below the property qualification could club together to make up enough property to exercise a vote between them. The cantonal assembly would send on one deputy to the provincial assembly, each of which would send on one deputy to Paris. Extra deputies would be allowed for Paris. Although the plan is not very specific it would seem to rest upon roughly thirty provinces each with thirty cantons <sup>44</sup>.

This reform scheme being one of the closest of all to the regime's political power, it was forced, accordingly, to tread carefully. It insisted on running parallel to all existing political, social, or juridical structures. Turgot did, though, have the definite hope of weakening the grip of privilege, specifically economic privilege, on society. One of the features of the scheme was the waiving of all juridical privilege within it. The object of the scheme was to reawaken France by giving her a simple and effective constitution which would at one and the same time involve all the notables of the realm in a political structure which would function smoothly without outside intervention, and yet still give greater scope to a just and reforming monarch. The assemblies in the scheme would have competence over: taxation, public services and works, and the implementation of a uniform graduated tax based on a cadaster. All officers would be elected from within the body of deputies, and would be paid expenses. The concentration on notables was a feature of much late regime thinking; it was strong in Choiseul's provincial writing. For all its good intentions, the memoir lacked political scope and a real grasp on the problems of the new reign; it was still drastic enough to arouse intense opposition.

At a further remove from Argenson was Buat. Although Buat went through considerable literary contortions to avoid naming any contemporaries, one passage can refer only to Argenson, who is rejected <sup>45</sup>. Nonetheless Buat's first work is pervaded by attitudes and assumptions made by Argenson, notably on the structures and relationships of different types of government.

Buat started from the assumption that the Louisquatorzieme system had served France well in the seventeenth century, perhaps even up to Fleury's death, but had now outlived its usefulness and was threatening to destroy society. By 1773 France, "... mérite à peine ...", the name 'monarchy'. Commerce, overtaxation, the blurring of social distinctions, the ease of acquiring titles, the failure to patronise hobéreaux and martial values, the failure to adapt chivalry to modern warfare, and the decay of feudalism had begun to undermine society <sup>46</sup>. Buat set out his fears for the future: "En effet, si le désordre qui règne aujourd'hui doit toujours durer, si l'ordre de la noblesse doit toujours être la sentine de tous les autres états, en recevoir les membres les plus corrompus et les plus décidés à être un poids inutile pour la société, il faut de deux choses l'une; ou que l'ancienne noblesse périsse, ou que tout ce qui est opulent dans l'état devenant noble, on abroge toute loi, tout privilège, tout exemption, comme autant de distinctions odieuses, inutiles, onéreuses, qui ne servent qu'à favoriser l'oisiveté jointe à l'opulence, à ennoblir les richesses, et à dégrader la pauvreté, par la honte et le mépris" <sup>47</sup>. In other words Buat feared that the nobility would be transformed into a socio-economic élite analogous to nineteenth and twentieth century bourgeois ruling classes, with the resultant loss of all noble values.

Buat produced detailed plans to structure society around education and land-holding designed to reintroduce feudalism, but Buat also made vaguer references to reorganising the rest of society. Buat was a devolutionist to the fullest extent, each province was to have fiscal and administrative autonomy and possess the infrastructure of: canton, district, community, individual. The individual was included as the lowest political unit, this was a shift away from the family (or hearth) as the basic unit and anticipated Turgot and Necker. The community would have been synonymous with the fief, and the weight of administration including rudimentary social welfare, was to be shifted there. The fiscal structure was to be reorganised to avoid the existing situation of specie drying up once taxes reached a certain point. Buat considered taxes in several contexts, and while not directly contradictory, some of his ideas were ill at ease with others. His most basic premise was a tax of 20% on landed income for commoners and 10% for nobles, but supplementary to this was taxation of basic commodities at consumption; Buat

made two specific recommendations, that nothing should be taxed twice, and that the leisured townsman should not escape contribution<sup>48</sup>.

At a national level there were to be four branches of government: food, money, law, and defence, and an additional fifth body concerned with public mores to be in effect a rigorously reformed Court<sup>49</sup>. Each branch of government would be run by an elective structure ("intermediary body"), which would be a bureau of deputies<sup>50</sup>. This was an unashamed limitation of royal absolutism in the interests of devolution, efficiency, and participation. Taking the intermediary body for food as a model, Buat outlined its structure. The nobles and notables of each district would elect three noble and four commoner deputies; by a process of co-options and further election each province would have a bureau of twenty deputies, a president, and two secretaries. So far elections were to be annual, but at the provincial level a triennial election of three deputies would produce the national bureau. Assuming Buat worked from the generality, the national body would consist of a hundred elected members from the provinces with two procurators general, two advocates general, one secretary and a president (these "king's people" to be half elected from the bureau and half royal nominees). Government was to be conducted as far as possible by consultation between crown and bureau. Buat was as good as proposing an elective civil service<sup>51</sup>.

The parlements as a separate judiciary were to be retained, but with all the reservations Moreau was making. The magistracy could retain its identity as a "classe", but must abandon venality, "... cet établissement monstrueux ..." whereby, "... l'amour paternel deviendrait un principe de corruption...", it generated false values and sectional self-interest. Along with almost every other commentator Buat desired improved personnel in the courts, and this tied in with previously examined plans to make the magistracy a recognised noble career. The peerage would remain in the parlement, but the idea of an élite within the élite was to be discouraged, and the institution encouraged to lapse<sup>52</sup>. Other jurisdictions, specifically martial, noble, and ecclesiastical, were to be rigidly separated<sup>53</sup>. Buat kept three principles in mind in reorganising society: utilitarianism tempered by aristocracy and feudalism. Although Buat seems to be setting up autonomous self-regulating administrative structures, he can not be said to be proposing a mech-

anistic monarchy. The administrative machinery was designed to free the crown and nobility from routine drudgery thus allowing them greater scope and power above and outside these structures.

For the breakthrough to the political culture of the new reign we must look to 'L'Ami des François'. This was both the title of the book and the author's pseudonym<sup>54</sup>. The identity of the author, however, is problematic. The last work in this category is signed 'Augustin Rouillé', and subsequent commentators and cataloguers have taken this to be the intendant Rouillé d'Orfeuill. This identity, however, is not tenable as the intendant was Gaspard-Louis not Augustin, and what we know of him neither recommends him as the author nor tallies with the occasional autobiographical comments in the works.<sup>55</sup> Furthermore, the house of Rouillé could offer no other suitable candidate<sup>56</sup>. The tone of the works suggest authorship by a militaire, and is hostile to the robe; public opinion reacted on this assumption, particularly the Journal Encyclopédique which described the anonymous author as a rich, well-born militaire, and "Lavelanet" described himself as an "ancien militaire"<sup>57</sup>. Bachaumont went a step further and named the author as the vicomte d'Aubusson<sup>58</sup>.

In the eighteenth century, however, the house of Aubusson boasted no viscounts; that line having died out centuries earlier, nor were any other members of the family plausible candidates<sup>59</sup>. The viscounty of Aubusson, however, was being exercised by Chazerat, the first president of the Court of Aids of Clermont-Ferrand. The president, at last, is a viable candidate for the 'Ami des François'. He came from a twelfth century Bourbonnais family which had moved into the judiciary in the eighteenth century. Chazerat still united the outlook of the militaires with the experience of the robe. In 1767 he united the post of first president with that of intendant, and in 1771 he became first president of a new Superior Council in Clermont-Ferrand<sup>60</sup>. This does still leave us with some loose ends, as both the Journal Historique and Bachaumont reported their viscount to be an Anglophile recluse, friend of Lauraguais, and enemy of Maupeou<sup>61</sup>. These biographical comments could refer to Pierre-Arnaud d'Aubusson who was indeed an obscure patriot pamphleteer in collaboration with Lauraguais; Pierre-Arnaud, however, neither styled himself viscount nor possessed the political outlook of L'Ami des François<sup>62</sup>.

While some doubt must always remain, taking Chazerat as the author solves more problems than it raises, and we may speculate that this provincial president was hoping to make a great national reputation as the first political theorist of the Maupeou era.

Grimm read 'L'Ami des François' and called it, "... un rêve politique, qui avec le ton le plus emphatique et le plus ennuyeux, propose un système complet de gouvernement pour la France; ... On pourrait meme soupçonner l'auteur d'en avoir voulu dégôûter les lecteurs les plus intrépides". He thanked the government for banning it, and strongly discouraged people from reading it<sup>63</sup>. The Journal Encyclopédique expressed the same view, but hoped that its literary failure would not obscure its political merits; such "romans politiques", born of a desire for public welfare might, "... faire germer dans l'esprit de ceux qui gouvernent (la société), l'heureuse idée d'adoucir quelques uns de ses maux"<sup>64</sup>. Otherwise Aubusson attracted little attention before 1775 when Groubert de Groubentail called L'Ami des François an, "... ouvrage qui présente quelques objets assez bien vus, mais noyés dans une mer d'idées et de moyens impracticables"<sup>65</sup>. This is a just comment for across the breadth of the works Aubusson frequently changes his mind and contradicts himself. It has not been possible to reconcile all these contradictions, notably on the abolition and retention of titles.

Abusson took these criticisms to heart; he précised and reissued his ideas in the second and third works cutting out the cumbersome dialogue and much of the offensive arrogance. The Journal Encycopédique now praised both the content and the form<sup>66</sup>. Aubusson's basic fear was that France would follow in Poland's footsteps, and already he saw the rot setting in in a society where "chaos affreux" was presided over by an "administration stupide", vitiated by luxury, corruption, self-interest, and idleness. France had six major constitutional failings: decisions which should have been taken by thousands were in the hands of a single man, there was no separation of powers, the judiciary was subject to political interference, there was lack of uniformity, and with neither elections nor accountability public appointments were based on self-interest and ministerial despotism had deprived the administration of a basis in law. The parlements were neither able to fulfil their true role nor cut out to fulfil any other (e.g. national assembly).

Agricultural wealth was compromised by an abusive fiscal system and an army of tax collectors. The intendants acted like gods and could, or would, do nothing to attack abuse. Aubusson was presenting a more radical version here of Malesherbes's ideas on the regime and he was concerned about the central rather than peripheral provinces.

Aubusson criticised the juridical structure of the regime. Hereditary nobility was an abusive chimera - no one could be certain who his father was. The only roles Aubusson reserved to a nobility were to mark a function or as reward for service, he would have abolished hereditary and venal nobility and instituted life-titles. On a different tack, he desired the abolition of naval and military establishments outside the reach of the law (a point Mably and Holbach were both concerned with). He objected to privilege which transferred a financial burden from one person to another, and was especially outraged by the farming out of privilege (e.g. banalities) to self-interested "mercenaries". Like Mirabeau, Aubusson was concerned about the true nobility and wanted to halt its debasement - even if at the cost of destroying all hereditary titles. He was saddened that chivalry had decayed into a façade for debauchery.

Aubusson attacked the clergy in similar terms: they were rich, self-interested libertines. He would have abolished all ecclesiastical posts except those of bishop, curé, and vicaire. The Gallican Church was to be brought more firmly under domestic control. He objected to celibacy as a factor in depopulation, and believed, for demographic reasons, that civil divorce should be instituted. Aubusson proposed making marriage a civil contract renewable annually - with provision for the children. He insisted on toleration. He laid the blame for the excessive number of holidays at the door of the clergy. In reforming the Church, he would have cut it back to a nucleus of twenty bishops (one per province) and 70,000 curés salaried in kind at, respectively, 10,000l. and 1,000l. per annum. He made no mention of a role for them in the new political structures. This was a . . . radically militaire programme,

Despite his legal ideas about marriage, Aubusson believed the family was the basic unit of society and the foundation of social stability. He hoped for a society where each family was a self-sufficient unit - politically, socially, and economically

introverted. This structure would reduce, if not eradicate, the opportunity for social tension and disintegration. The cohesion of the family would be ensured by virtue (i.e. puritanism), "l'unique source du bonheur". Women would have fewer rights in Aubusson's system than even under existing legal codes. They would remain legal minors all their lives with no rights of inheritance, and an alimony of only 5% of the husband's income would be accorded to them at divorce. In another direction Aubusson suggested a reform which would have been one of the great humanitarian achievements of the century - a properly organised system of adoption for all orphaned or foundling children.

Aubusson's concept of well-ordered and virtuous marital relationships was carried to great lengths. The age of majority for men was to be raised to thirty-one, and only then would they be allowed to marry women of twenty-five years or more. Before marriage Aubusson set the highest store by chastity. There is some evidence that the ages Aubusson quotes reflected the economic realities of marriage for the poor, who had to work and save money for half of their life-expectancy before being able to afford marriage and children. Nonetheless, implemented across the board, given eighteenth-century demographic realities this measure would have caused irreversible decline. Aubusson's aim was to create a stable population in which there would be no Malthusian pressures causing social disintegration. He stands alone among contemporary writers in giving serious thought to the political consequences, and the means of avoiding, over-population. He is also one of the few writers to grasp that restructuring the generations is the only sure means of controlling population.

Aubusson held a variety of idiosyncratic ideas he would have liked to impose on society. Just as Linguet attributed most social ills to cereal culture, so Aubusson held that the social and economic structures needed to produce meat were the origin of most abuse and iniquity; Aubusson was, therefore, a vegetarian. He would not just have banned meat, but also: alcohol, coffee, tobacco, perfume, and mushrooms (because of the risk of eating poisonous fungi by mistake). He would have also banned such superfluities as balls and carriages, and regarded as all but 500 of the books ever written as worthless. He feared servants as "spies" and "enemies" - the viper in the privileged bosom - and warned that

on no account should they be allowed to handle firearms. Foreign policy he dismissed in toto, he would have solved the problem of external relations with a dyke from Dunkirk to Avignon. He loathed the Court as a source of every possible vice, and urged seigneurs to live on their estates.

To correct all these problems and abuses Aubusson proposed a new social and political order, the mechanistic monarchy, where, as in a Newtonian machine, reason, balance, and harmony would reign. Before this could be done vast stretches of the old regime would have to be dismantled: censorship, restrictions on commerce, the colonial empire, particularist jurisdictions, existing abusive legal processes, feudalism, the corvée, credit and usuary (by withdrawing any legal redress against debt), formal education, the infrastructure of the generalities, and the bureaucracy in Paris. (The first seven points were all features of Turgot's administration of the Control General.) The mechanistic monarchy was to be based on a separation of powers. The king would be the hereditary head of the executive presiding over six Councils of State (Police, Commerce, Finance, Religion, War, and Foreign Affairs). Each Council would be composed of five Counsellors of State and one Secretary of State. The three former Councils would be composed of former intendants, the Council of Religion of ex-bishops, and the two latter of relevant specialists. The Council of Finances would be charged with drawing up a cadaster and instituting the *dîme royale* - the duke of Burgundy's programme. The king in this plan has come to occupy the analogous position of the Amercian president, an indication of like-minded political thinking across the Atlantic community.

In the reformed judiciary each of the twenty provinces would have a local court of appeal, and Paris would retain a parlement as a national court of appeal. The reformed parlements would consist of six chambers: criminal and police, family law, divorce, feudal law, commerce, and property. The chambers would be made up of fifteen salaried magistrates: president (15,000l.), twelve counsellors (12,000l.), and a procurator general (3,600l.). A grand chamber would have a first president (24,000l.), twelve counsellors, a clerk of the court (100,000l. misprint?), a procurator general, and two advocates general (12,000l.). Below these courts would come 7,000 local courts where the commissioner of police served as judge. The judiciary



would form a single corporation and a distinct social category able to elect its own membership. This scheme recognised all the social pretensions of the *unité des classes* while satisfying all the political criteria of Maupeou's reforms.

The legislature would be based on a reformed States General which would be the seat of sovereignty and, "... un corps solide, formé par les représentants de toutes les classes de citoyens, dépendant directement et uniquement de la nation". They would be formed of: the king, Dauphin (if over twenty), princes of the Blood, twelve lay peers, thirty Counsellors of State, Six Secretaries of State, Chancellor, one representative from each parlement, and four deputies from each province, with the country-side more heavily represented than the towns. All eighty provincial deputies would be renewed annually by election from the provincial councils. The competence of the States General would be: legislation, war and peace, all appointments, finance, and acting as arbiter over the judiciary and executive.

Below the States General came the reformed structure of provincial government. The provinces were to be run by: a governor, lieutenant-general, bishop, parlement, provincial council ("*conseil d'intendance*"), intendant, and receiver general of finances. All the provincial officers would have to reside in their jurisdictions - an ideal Louis XVI held dear. The intendant would lose all his legal attributes, be moved to a different province each year, and be a man of far greater integrity, talent, and experience than under the old regime. In these ideas Aubusson was looking both back to the original concept of the offices and forward to a professional apolitical civil service. The officers were all to be appointed by the States General, and answerable to them. The provincial structure was a replica (and lower chamber) of the States General and king. All provincial decisions had to be ratified by the States General. The province was subdivided again into twenty districts run by a commissioner of police, the district was to be divided into its component parishes whose affairs could be handled by a syndic. The representative democracy in the system was vested in the canton, where notables elected four deputies every January 1st who served on the provincial council. A final revolutionary feature was a clearly established career structure: the commissioner of police was to be promoted to the provincial appeal court, whose counsellors were the recruiting ground for intendants, who were in turn the pool of talent for Counsellors

of State. For Aubusson the most important unit was to be the district, and the most important official the commissioner of police; these men united all three branches of administration in a stable local institution.

The keynote in Aubusson's thinking was stability, at almost any cost. One of the duties of the Council of Police was to supervise a reformed social structure with ten levels: the Great, the militaires, the upper magistracy, (those of the capital), the lower (provincial) magistracy, landowners, the urban middle classes, retailers, cultivators, artisans, and journaliers. Only the clergy lay outside this structure as a career of talents. Each class was to have its own dress, education, and was immutable, there being no social mobility.

Aubusson never received any official patronage. He was, however, the link between Argenson and Letrosne, who was, over and over again, inspired by him. Aubusson produced a vast pool of ideas drawn on by almost every future reformer. His ideas were presented to Turgot in 1775 by one Lavelanet, who plagiarised him to such an extent that one suspects it may have been Aubusson using a pseudonym. To some extent this plan was a compromise between Ami des François and Alambic des Loix, and its terminology was the most interesting: the canton was called a "department" presided over by a "Praetor", each district would be run by a "Prefect", and each parish by a "bourgeois censor". Only the praetors, prefects, and censors would be eligible to stand for higher election. Justice would be free, and the Presidial court would become the basis of provincial justice. Privilege would be abolished in general, but retained to reward individuals. Taxation would be based on a cadaster, but the newly presented dîme royale of Glannières (qv.) was rejected. Where Buat's scheme traced the outline of a rigidly structured society with self-regulating administrative machinery, Aubusson filled in the details and produced a blueprint not only of the mechanistic monarchy, but also of much of the politics of the next reign. Aubusson was trying to come to terms with a militaire view of society, with Maupeou's impact on politics and administration, and with the new philosophe ideas, while seeing a more distant vision of an administrative structure taken out of the political arena, freed of the defects of monarchy, yet accountable to the nation. This vision fired Letrosne and Necker.

Looking forward over the seven years after 1771, large areas of Aubusson's thought were implemented - though never the central vision. Maupeou's reforms cleared the ground for wider reform by the attack on the political power of the robe. Turgot took up several individual points, such as the abolition of the guilds or of feudalism. Necker was interested in several of Aubusson's ideas, such as the basic fault of old regime economics being the mismanagement of otherwise ample resources. Given the problem of authorship, Aubusson himself believed that Louis XVI was the king to implement his ideas; in his open letter he asked only for a king who would be open to disinterested advice and appoint a committee to examine it. He claimed to have been well-received and, much publicised, but to have seen others steal his ideas and take the credit.

Aubusson, for all the breadth of his vision, remained an obscure writer, but his successor in the field, and the author of the most important of these reform schemes was a minor celebrity who enjoyed public acclaim and ministerial patronage. This was Letrosne, who lacked Aubusson's originality, but produced a scheme which caught the mood of the times and formed the intellectual background to Necker's reforms.

Letrosne was a Presidial magistrate (1753-73) from Orléans who had turned his attention from law to administration <sup>67</sup>. Letrosne's earliest publicised work was a 'Discours sur l'Etat Actuel de la Magistrature' 1763 <sup>68</sup>, which as yet showed no philosophe influence, taking Séguier's approach to the magistracy. He went through the standard evolution of the late century of endorsing philosophe and économiste ideas, though not uncritically <sup>69</sup>. Letrosne's career in the 1760's was close to Linguet's or Necker's, but it developed to be more constructive than the former and more intellectual than the latter. As a magistrate Letrosne became a leading reformer, the climax of whose career was 'Vues sur la Justice Criminelle' (Paris 1777). Reviewing this work the Mercure de France described the author as, "... un magistrat qui par son experience et sur-tout par ses meditations profondes, pouvait le mieux apprécier les bons ou mauvais effets de nos loix pénales" <sup>70</sup>. A feature of Letrosne's work was an attitude to social mores reminiscent of Rétif de la Bretonne's, developed in 'Réflexions sur les Moeurs' (1764), which helps build up the picture of a climate of opinion in which only a fresh breath of provincial virtue would be able to rescue politics from the moribund corruption of the Court

and capital <sup>71</sup>. Another feature of Letrosne's ideology was his qualified respect for the magistracy, which led him to make it clear that he disapproved of Maupeou's reforms <sup>72</sup>; this in itself dispelled much potential opposition. Brissot's final comment was equivocal, "... sans chaleur, sans passion, et par conséquent sans véritable beautés" <sup>73</sup>.

Letrosne's 'De l'Administration Provinciale et de la Réforme de L'Impôt' was written in 1775, revised 1779 <sup>74</sup>, published to give depth of Necker's reforms in 1780, was incorporated into the 1787 edition of Moreau de Beaumont's study on taxation, and then reissued for the second wave of provincial assemblies in 1788. Although influential behind the scenes, Letrosne did not achieve public recognition until the book won the Académie of Toulouse's prize for an essay on provincial administration in 1779 (which itself prompted publication). The work briefly achieved the same impact as Necker's essay on Colbert. Letrosne was a personal friend of Turgot and Condillac and had contributed to the Ephémérides; it was the association with Turgot that had prompted his turning his attention to political writing. Letrosne represented the link between Turgot and Necker, and was the intellectual apogee of a new Louisseizième monarchy. Daire establishes Letrosne's connection with Turgot, and Renouvin then establishes patronage from Necker thus justifying Brissot's comment, "On remarque dans son ouvrage il s'est beaucoup rapproché des principes de M. Necker". Necker may have inherited Letrosne directly from Turgot - Clugny made no impact on this side of the Control General whatsoever - and decided to go ahead with his scheme. Piétri traces a line of evolution from Argenson's ideas through to Turgot, on to Letrosne and finally reaching fruition in 1791 <sup>75</sup>.

Brissot was in fact the only contemporary to establish the link between Necker and Letrosne; it is instructive to see the other guesses made at the time. Lebrun attributed Necker's ideas to Champion de Cicé (bishop of Rhodéz) who was to become president of the assembly of Haute Guienne <sup>76</sup>. Moreau saw the whole scheme as a philosophe plot guided by Loménie de Brienne, he and Necker being, "... également ennemis de la religion de nos pères et du trône de nos rois" <sup>77</sup>. These two candidates are logical choices, being old school friends, and in a circle which also included Turgot, Morellet, and Véri. The lie, however, is given to their candidacy by Véri's assertion that the

idea was a combined project by Necker and Maurepas, whose nephew was president of the assembly of Berry<sup>78</sup>. Allonville believed that Choiseul was the éminence grise of the provincial reforms, but this idea does not survive a reading of Choiseul's essay on provincial reform in the Chanteloup edition of his memoirs (see below)<sup>79</sup>. The general opinion was recorded by Arthur Young, that Necker had simply developed Mirabeau's ideas<sup>80</sup>, but the gap between Mirabeau's patronage of States Countries and Necker's of Administrative Countries is too great to be bridged by any simple evolution of ideas, although the Boulonnais experiment does establish a link. Letrosne was a synthesiser, just as Necker was, and was at the simplest level a mixture of Aubusson and Turgot. This, however, does not do justice to the depth and scope of Letrosne's work, which was the most cogent and coherent reform project of the century.

Letrosne was not modest about his work and its place in the late century: the period 1660-1775 had been an administrative disaster, but finally the principles of government had been discovered and could now be implemented. He claimed his work to be the climax of this discovery. His analysis of the regime started from its failure to balance its books, and was a milder version of Aubusson's, with similar phrases occurring at similar points. He believed, like Necker, that the Control General was the hub of government and that restructuring society must start from taxation. By the 1770's he had rejected physiocrat grain policy as one of high prices, and, in terms similar to Linguet, commented caustically that the people were unable to appreciate high prices as a benefit of Enlightened government. On the clergy Letrosne proved that they paid an appropriate amount of taxation through their tenants, an important foundation for Necker to build from. He made a large number of points important from Necker's point of view: that industry and commerce were more in need of help than agriculture (Necker planned to exempt manufacturing from the 1778 twentieth<sup>81</sup>), that the support of public opinion was the key to successful reform, and that the greatest opposition would always come from Paris, the home of vested interest<sup>82</sup>.

He laid down a radical programme of reform for a minister who should let nothing daunt him, and whose personal qualities were those laid down by the dévots and reinforced by Necker. The minister should announce his programme, should make a show of confidence and efficiency, and act with speed, courage, and

resolution. These qualities would be sufficient to defeat the opposition of vested interest. Implementing the reform programme with justice and humanity would rally support to the ministry. There were to be two phases of reform, the first: économie, pruning pensions, a universal third twentieth (i.e. a 15% tax on income), taxes on salt marshes and vineyards, the abolition of internal customs and excise, bringing the States Countries up to a par with those of the pays d'élection, and forcing the clergy to accept the capitation. (This programme harks back to Machault's abortive reforms 1749-54). A prerequisite of true reform would be the breaking down of the esprit de corps of the various autonomous groups in society, who were preventing a national community of interest being readily perceived. In the short-term this would require a "revolution", but in the longer term a reorganised educational system would teach people to abhor such unpatriotic aberration. There would be some period between the abolition of the corporations and the full implementation of the second phase of reform, this period would be weathered by appealing to public spirit, by not dismantling existing administrative machinery until the last moment, and, if all else failed, by loans <sup>83</sup>.

The second phase of reform was the complete restructuring of provincial government, devolving power into thirty generalities (initially excluding five States Countries) subdivided into nine districts and again into nine arrondissements. In language reminiscent of Guibert, Letrosne anticipated a national revival. The structures would be built from the top downwards with the government nominating notables in each province to organise the new structures; at each level committees of twelve (nine elected and three nominated) would supervise the initial four or five years of the new Administrative Countries. The government would also encourage the growth of representative democracy from the bottom upwards. Letrosne, as ever under the old regime, looked back to the glories of Pepin and Charlemagne, rather than forward to some hypothetical future <sup>84</sup>.

The new structures would involve a separation of powers between legislative and executive. The single most important institution was to be the provincial assembly, which could be the representative body, the seat of accountability, and the institution which could conduct debates. The assembly would consist of forty-eight deputies, two from each of the district councils, and thirty elected members. The assembly would have

absolute competence over local taxation. The backbone of the executive would be the hierarchy of councils. The arrondissement elected a council; which sent on one deputy to the district council and two to the provincial assembly. The district and provincial councils would have twelve deputies (the district council was specified to consist of two each of: clergy, nobles, wholesalers, bourgeois, merchants, and artisans), allowing three to serve at the next level and the remaining nine to specialise into some specific competence. The three deputies on the provincial council not drawn from the district councils would be nominated by the provincial assembly; thus establishing strong reciprocal links between the various branches of administration. There was, finally, to be a national council composed of one deputy from each province and the Ministers of State, the king would be the honorific president though the office would be exercised by the Controller General. The council would be in permanent session and, "... sera vraiment le représentant de la nation". The provincial councils were clearly modelled on the Intermediary Commissions of the States Countries, and had analagous functions<sup>85</sup>.

The system would create a narrow political élite of some 200,000 active members of the political nation, supported by the electors at the arrondissement level assessed on the property qualification of an annual revenue of 6001. This was also a subtle ploy to flush out all those at this level of wealth onto the electoral register, and hence the tax roll. As in Turgot's system, those below the property limit could club together to exercise one vote. Those standing for election at a provincial level had to prove an income of 10,0001. Elections to replace half the deputies would be held annually, and any one man could only stand for election twice consecutively. Although no expenses or salaries would be paid, the stipulation of personal wealth was designed to prevent corruption. (There is great similarity here with the Ephémérides's critique of the magistracy in 1768, which derived its original inspiration from the British J.P. system.) This élite would have made very little difference to the regime, and would have institutionalised the political power of the existing élite in return for relinquishing its fiscal privilege (reckoned at 4,000,0001. on the taille). The parlements would not yet experience radical reform, but would find themselves excluded from political and administrative competence sufficiently to warrant their

being the separate judicial branch of government; Letrosne was more realistic about the power of the robe than Necker was to be <sup>86</sup>.

Letrosne laid down a detailed plan for the first five years of the new administration. The first priorities were fiscal. A new tax, based on a cadaster revised every ten years and levied at the arrondissement through its assembly of 1,200 notables and the council, would balance the state's books. The national debt would be divided between the provinces and paid off through them. The clergy would lose all fiscal privilege and juridical independence in return for the payment of their debts. The corvée would be abolished in favour of a new tax flowing into a new Department in Paris which would take control of all communications. Parallel with the cadaster would be a full ordnance survey of the realm. The tax system would be progressively reformed, the taille personnelle changed to a taille réelle, and eventually an "impôt réelle" would replace all former taxes with a dîme royale. Weights and measures would be standardised. A full physiocrat programme of agricultural reform would be implemented with emphasis on technical improvements and larger units of production. The increased prosperity in the provinces would eventually finance free education and medicine, and some rudimentary poor relief. At some stage the States Countries would be absorbed into the system <sup>87</sup>.

A central concept of Letrosne's new regime was the transformation of the state into, "... un seul corps social", where, as Turqot had envisaged, there were no autonomous corporations standing between the king and the people. To achieve this all superfluous corporations and offices (including the guilds) would be abolished, but unlike Maupeou or Turgot, Letrosne assured the priviligiés that they would be sacrificing the lesser juridical advantage to the greater political one. Only four categories of office-holders would be allowed to continue: priests, soldiers, magistrates, and the administrators. These posts would have become charges with the abolition of the Paulette. The eventual reform of the parlements was to take the form of consular courts based on the district; each court would be composed of salaried men, accountable to other branches of government, and replaced regularly. By implication the consular courts would be derived from the Presidial. At a provincial level there would be a consular appeal court. In a similar vein internal police would be increased and reformed,



the militia reformed, feudalism dismantled - with the seigneur's co-operation - and the royal domain integrated into the rest of the state. Close to his heart was his hope that a reformed society could rid itself of brigandage.<sup>88</sup>

Letrosne made no mention of central government institutions but it may be presumed that he might have endorsed Aubusson's ideas here. He made a cryptic reference to the need to establish a system proof against an incompetent king, but hoped his own scheme would still give full scope to a reforming monarch<sup>89</sup>. He was determined to show that his ideas did not exist in a vacuum (as did Aubusson's), he quoted extensively from physiocrat sources, pointed to Sardinia/Piedmont as a country where similar reforms had been successfully implemented and claimed universal applicability for his ideas<sup>90</sup>. Although Letrosne did not use the term himself, his plan was a more sophisticated version of Aubusson's mechanistic monarchy. Again, although Letrosne did not draw attention to it, his plan bears many similarities with the new American political thinking, particularly in such concepts as the king being president of the executive.

The ideas and schemes in this chapter have fulfilled a number of functions. They illustrate the interest in reform and the breadth of thought it generated from Rétif's rustic idylls to detailed administrative structures. They also show how the gap between the ideas of the duke of Burgundy's circle and the reforms of 1791 were bridged by the late regime's reforming writers. Most important of all, they show a steady progression towards political reality from Rétif's or Duclos's moral writings through to Roussel distributing his pamphlets in the street, and on to Letrosne who enjoyed ministerial patronage. Along the same lines they illustrate the change in the regime's political culture from Argenson who wrote to justify his fall from office on to Letrosne whose work is a manifesto for reform in prospect. Letrosne lastly, carries us from political theory into political practice when Necker chose to base his provincial reforms on his writings.

SUMMARY

This chapter has extended the study from the regime's actual institutions into areas of contemporary speculation about political structures and social attitudes.

The general survey of printed and manuscript material, aimed at convincing the ministries of the period to alter their approach, establishes an intellectual foundation for Louis XVI's concept of the monarchy and Necker's reforms. There was an evolution of thought towards the grand reforming and restructuring vision of Letrosne. The aim of these reformers was to preserve the best features of the regime while restructuring it to remove its faults. In the background, they remembered Maupeou's experiment with "despotic" power, and were determined to find a more acceptable way of solving the regime's problems.

In the next chapter it will be seen that a very great number of the ideas examined here were to be taken up by Necker.

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'Les Effets de l'Impôt indirect ...' Paris 1770.

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FOOTNOTES

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5. Behrens p 78. Stickeln, Philosophe's Political Mission pp. 146-7. Jarrett p. 25.
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8. Année Littéraire 1770 VI pp. 317-43.
9. 'Le Financier Citoyen' J-J. Naveau 3 vols. (Paris ?) 1757 I pp. 395, 397, 382, II pp. 121-161, 26-7, 116-20, 180-91, 217-18, 252-6, 286.
10. Boshier, French Finances p. 94.
11. Matthews, Royal General Farms p. 203.
12. 'Richesse de l'Etat' and, 'Développement du Plan Intitulé "Richesse de l'Etat"' Roussel de la Tour. Paris 1763.
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27. Aubusson, Ami des Français p. 320 (marginal note in author's own hand, says that there was a general belief that France possessed 200,000,000l. of specie as a fixed sum in bullion. Put into its mercantilist context, this belief would have profoundly influenced economic thinking).
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33. by "A. de L." Amsterdam 1775 (Mercur de France 1775 XII pp. 133-4).
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36. Journal Encyclopédique 1776 V pp. 7-34, 218-238.
37. Bachaumont I p. 133.
38. Testified to by Arthur's reports on Rousseau's influence, pp. 57-8.
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40. J. Gallanar, 'Argenson's Platonic Republics' (Studies, Voltaire and 18th Century 1967) pp. 856-9. (NB. almost every subsequent historian has felt compelled to make mention of Argenson).
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43. Ibid. "Plan du Gouvernement proposé pour la France" pp. 215ff.
44. Turgot, Oeuvres VII. Dakin, Turgot p. 273. Renouvin pp. 40-1.
45. Buat, Eléments III pp. 396-7.
46. Ibid. III p. 412. II pp. 301, 306, 334-5, 360-1, 370, 374, 377, 400.
47. Ibid. II p. 368.
48. Ibid. II p. 236, III p. 108, II pp. 334-5, II pp. 398-9, 327-8.
49. Ibid. III p. 168, 176-90.
50. Ibid. III pp. 170-6.
51. Ibid. VI pp. 98-100, I p. 325.
52. Ibid. V pp. 171, 172, 173-4, 175, 210-13.
53. eg. Ibid. V pp. 215-280.
54. Relevant to Aubusson:  
'L'Ami des François'. "Constantinople" 1771.  
'L'Alambic des Loix'. "Hispaan" 1773.  
'L'Alambic Morale'. "Maroc" 1773.  
(The bogus places of publication are a comment on both the author's opposition to censorship, and the futility of that policy).  
'Réflexions sur l'Administration des Finances',  
and  
'La Politique Française, ou Réflexion sur l'Administration de la France'. (Lavelanet) (January 1775, May 1776, BN Mss. Fr. 7771).  
'Lettre de l'Ami des Français à M. Groubert de Grounentall' (A. Rouille) London 1776.

(The Goldsmith's Library copy of 'L'Ami des François' is one of the few to have survived. It is annotated in the author's own hand). These six works form a unified whole, even if three separate authors were involved. The last work is in a different style to the others, and may well be by a separate author, but having adopted the name and ideas of L'Ami des François, it will be taken as an integral part of "Aubusson's" work. The number and complexity of these works, and the number of cross references needed to produce a coherent account make detailed foot-notes impractical.

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56. Bluche, Dictionary of Magistrates.
57. Journal Encyclopédique 1773 I p. 261. BN Mss. Fr. 7771 (Lavelanet) p. 593.
58. Bachaumont VI p. 301.
59. Chenaye des Bois, Dictionnaire...
60. Guimbaud pp. 107-10.
61. Bachaumont VI p. 29. Journal Historique II p. 187.
62. Balteau, entry for Pierre-Arnaud d'Aubusson.
63. Grimm II pt. II p. 407.
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65. Groubert de Grounentall 'La Finance Politique' Paris 1775. p. 46.
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68. All Letrosne's important work up to the essay on provincial administration are reprinted in Brissot's collection on jurisprudence.
69. Brissot II p. 230.
70. Mercure de France 1778 II p. 88.
71. explored at the beginning of this chapter, qv.
72. G-P. Letrosne 'De l'Administration Provinciale et de la Réforme de l'Impôt' 2 vols. Basle 1788. I pp. 170-1.
73. Brissot II p. 229.
74. Letrosne I p. ii.
75. Brissot II p. 232. P. Renouvin 'Les Assemblées Provinciales de 1787' Paris 1921 pp. 51-3. Piétri pp. 64-71.
76. Lebrun p. 51.
77. Moreau II p. 326.
78. Véri II p. 145.

79. Allonville I p. 121.
80. Young p. 58.
81. Auckland III p. 373.
82. Letrosne I pp. v, 160, 62-4, 172, 164, 173, 195, 196.
83. Ibid. pp. 193, 200-4, 476-514, 207-12.
84. Ibid. pp. 534-6, 542-50.
85. Ibid. pp. 530-74. II p. 17.
86. Ibid. I pp. 555-86, II pp. 52-7, and Chapter IV.
87. Ibid. I pp. 518-27, 582, II pp. 2-255.
88. Ibid. II pp. 256-358.
89. Ibid. II p. 435.
90. Ibid. II pp. 230-9, I p. xv, and passim.

## VI

NECKER AND THE IMPLEMENTATION OF A NEW MONARCHY

After the disruption of Choiseul's system 1768-70, no one figure had been able to dominate more than isolated parts of the regime, and all had experienced political failure. 1776-8, however, saw a fresh attempt to reshape the regime around one man, an attempt which gave every indication of being more successful than Choiseul's, and which embodied Louis XVI's ideas on the old regime and was based on the best of the reform schemes of the period.

From an historiographical point of view Necker is one of the most difficult people to come to terms with; by 1784 both Necker himself and his enemies had produced coherent and radically divergent accounts of the first ministry in an attempt to prejudge and dictate to future historiography. (This approach illustrates Hampson's claim that the Enlightenment pioneered "historical time" "as a new dimension" in the context of a politician thinking in terms of justification in the eyes of history <sup>1</sup>.) Equally, though, there is comparatively little printed prospective material on the minister, making an unfavourable comparison with Turgot; as a result Turgot has always proved, historiographically, the more interesting and sympathetic figure. (The inevitable comparison between Turgot and Necker, and the controversy between them, tends to detract from the wider observation that Louis XVI's early ministries produced two major, and several minor, reforming ministers within three years). The orthodox attitude is that of Dakin, that early successes had turned Necker's head, and that, possessed of, "...all the assurance of men of little minds", he proceeded to ruin the country <sup>2</sup>. More recently, however, interest in Necker has reawoken and the need for re-evaluation established <sup>3</sup>.

From his side, Necker wrote 'De l'Administration des Finances de la France' 4 vols. 1781-4 to justify his conduct 1776-81, to show it in a consistently favourable light, and to prepare the way for a second ministry. Following his second ministry, Necker issued 'Sur l'Administration de M. Necker par lui-même' (Amsterdam 1791). His daughter Mme. de Staël, interpreted the eighteenth century as a progression towards liberal democracy in which Necker was a protagonist <sup>4</sup>. On the other side Caraccioli, in an open letter to *Alembert* in 1781, claimed that Necker was a charlatan, ignorant of the true nature of the regime, motivated by vanity and ambition, running up unrepayable debts,



falsifying the state's accounts, and causing internal disruption in the quest for personal gloire. This interpretation was taken up by Montyon, and has dominated historiography. Cobban describes Necker as the "Genevan wonder-worker" who caused the ruin of the old regime <sup>5</sup>.

In a manner reminiscent of Linguet, Necker is a man whose career illustrates the regime; also like Linguet he came under a great many of the political influences of the regime, but unlike Linguet Necker rejected none of them but tried to build them into an all-embracing system. Necker and Linguet were members of the same political generation, the generation of Louis XVI. By origin Necker was a Prussian, but by upbringing he was a Genevan, and there he imbibed its strange mixture of Calvinism and philosophie. Necker decided to make a career in banking in France, and arrived in Paris in 1747 "pauvre comme Job" at the age of fifteen, and joined an illustrious bank as a clerk. This was one of the cornerstones of the Necker legend, but Necker had become a freemason and was well-connected through this, and through his links with Pesay (see below). Through Favier, an important figure in the Foreign Office, he gained inside information about the Peace of Paris. He cornered the market in the shares of the Company of the Indies, whose value fell to almost nothing during the war and attendant British blockade, but which suddenly became a lucrative commodity once the seas were reopened. Necker made a personal fortune of hundreds of millions of livres overnight. This became a cornerstone of the anti-legend of Necker. This deal was a continent-wide affair, a "... shady Anglo-Genevese conspiracy", which established Necker as the link between respectable government and the "underworld" of finance. It ended the first phase of Necker's career, "la conquête de l'argent" <sup>6</sup>.

The Company of the Indies was a government monopoly of East Indian colonial trading, which was a successful arrangement in normal times, but which was unable to cope with the phenomenal increase in overseas trade after 1763. Choiseul realised that breaking the monopoly would increase trade and prosperity, and that the Company had fewer friends than enemies. A political campaign 1768-9 resulted in the Company's abolition, and trade rose by two and half times 1769-1776 <sup>7</sup>. The Company had been defended by the parlement, both on the constitutional grounds that it was illegal to disband any corporation, and on

the more self-interested, but less publicised, grounds that it had been a profitable source of permissible investment <sup>8</sup>.

Necker joined the parlement in defence of the Company with the position that controlled economic activity was preferable to the anarchic proposals of the physiocrats, Anglophiles, and philosophes - the position worked out in detail by Linguet. A pamphlet battle developed which attracted some attention, and in which the economic stances of the next reign were taken up, but it was regarded as an internal matter to a corporation and the pamphlets did not make the same impact on society that later pamphlets by Necker were to <sup>9</sup>.

Necker was active in other directions in the 1760's, a phase Lavaquery labels, "la conquête de l'opinion publique". Established as a leading financier of Court and capital, he began building up political alliances and patronage, and made a splash in the cultural world by setting up a salon of littéraires presided over by Mme. Necker, a minor philosophe herself, which was based around Thomas, Dorat, and Harpe. This salon, which remained politically uncontroversial, acquired an excellent reputation and became a minor source of political patronage after 1776. Necker managed to gain the approbation of the Enlightenment without committing himself to it <sup>10</sup>. In 1768 Necker managed to have himself appointed Genevan minister (i.e. ambassador) in Paris, thus nominally enjoying Choiseul's patronage - such an appointment not being feasible without his approval. Necker's duties as minister were mainly the concert of financial and political affairs between Paris and Geneva, and it was as a creditor at Court that Necker came in line for this promotion, and was able to represent Genevan interests effectively. Another important factor was that Necker supported France's interventionist policy in Geneva whereby the ruling oligarchy was kept in power <sup>11</sup>.

This post gave a free rein to Necker's ambition, and the sudden fluidity of the political scene after 1770 gave extra scope for it. In 1771 he avoided the pitfall of tying himself to Choiseul's fallen star, and managed to spin his financial web at Court even wider. In 1772 his protégé Thomas had the Académie's prize essay for 1773 set as an eulogy of Colbert. As Linguet noted, no prize essay, however apparently innocuous, failed to become politically contentious, and Thomas from his side realised that the essay might prove a useful way to announce a new political career. Necker won the Académie's prize, the

first foreigner ever to do so, and thus announced himself as a candidate for high office. It was the focal point of his "conquête du pouvoir" <sup>12</sup>.

The eulogy was one of the most important literary events of its decade. Mme. du Déffand recognised the importance of the emergence of a new intellectual figure, "l'antipode des encyclopédistes" <sup>13</sup>. The Mercure de France praised the essay as demanding, "... un homme, qui joignit au talent décrire, des connaissances dans plus d'un genre d'administration", in which the Année Littéraire concurred <sup>14</sup>. The essence of the essay was a rehabilitation of Colbert's economic policy, for which Métra condemned Necker for being too Colbertist in an age which had rejected this philosophy; this was an unimaginative and typical reaction which failed to realise the changing climate of the 1770's <sup>15</sup>. Chapuisat précises what Necker saw in Colbert's policies: reduced taxation on land, more equitable taxes, improved communications, and the suppression of costly sinecures. This essay was a political manifesto, but Necker proposed not a slavish resurrection of Colbert's ideas, but that Colbert's experience should now be integrated into the new ideas of the Enlightenment to produce more moderate and tempered policy. Babel shows, further, that in this essay Necker refuted the idea, to become a foundation of *laissez-faire*, that the sum total of self-interest was harmony. Necker, proposed setting the limits to the economic freedom created by Bertin in 1763 <sup>16</sup>.

Colbert's inspiration can be detected throughout Necker's subsequent career. In 1777, for example, Necker was planning to set up a Bureau of sixty inspectors of commerce, an overt resuscitation of one of Colbert's plans <sup>17</sup>. At the same time Necker also borrowed Galiani's ideas, and his claim to be empirical <sup>18</sup>. The borrowing of Galiani's ideas illustrates a feature of Necker's mind, that he was not himself an original thinker; Necker's talent lay in recognising a good idea, or at least a popular one, when he saw it. He loudly rejected the idea of "system" (i.e. ideology), and, as Stormont put it, gave the impression of "business" as opposed to "system" <sup>19</sup>. Having originally set himself up as the reincarnation of Colbert, Necker went on to collect an impressive list of antecedents, he was likened to a new Sully, a new Bertin, a new Silhouette, and Machault gave Necker his blessing <sup>20</sup>. Necker credited Sully

with a flair that the industrious Colbert lacked - implying that he united the merits of the two <sup>21</sup>. To keep in favour with the Choiseulists, he approved - eventually - of their foreign policy, and praised Kaunitz (the author of the Austrian alliance from the Viennese side) as the perfect minister <sup>22</sup>.

Necker might try to take all the credit for rehabilitating Colbert, but at the time he had a serious rival, Pelisséry. Pelisséry was a minor anti-philosophe who came second in the Académie's 1773 prize essay competition. In 1777 he published, 'Maximes Générales d'un bon Gouvernement Suivant les Opérations Economiques et Politiques de B-J. Colbert'. The points from the book which reached the public were that a unity of law, religion and administration should be established, but a uniformity free from oppression and tempered by an awareness of local interests. Agriculture should be encouraged, but not at the expense of commerce, capital or luxury industries. Taxation on necessities should be abolished, and taxation in general should be more uniform and equitable. The book was suppressed by the police, and its author imprisoned in the Bastille <sup>23</sup>. Pelisséry was the only man imprisoned by Necker, the sole blot on the copy-book of Necker's reputation for generous humanitarianism. Bachaumont mentioned that Pelisséry also wrote more specifically against Necker's administration, nonetheless the only explanation for this aberration - for many others attacked Necker in print - is Necker's pique on finding he had an effective rival. Linguet made political capital out of the episode to show Necker as just one more despotic minister <sup>24</sup>. The importance of the episode is to place Necker in a context, thus making him less of a unique figure, just as Boncerf's 'Inconvénients...' in its context becomes politically more intelligible even if less potent as a myth (see appendix I).

Necker next came into prominence after the Flour War, which in itself vindicated his economic position. From this moment Necker was an immediate candidate for high office <sup>25</sup>. Necker exploited Turgot's failure with the pamphlet 'Sur la Législation et le Commerce des Grains', which reiterated Galiani's ideas as they were relevant to the 1775 situation <sup>26</sup>. From this time Necker had allies at Court pressing for his appointment. Condorcet, who had previously dismissed Necker's Académie essay as a propaganda exercise, wrote a defence of Turgot's policy 'Lettre d'un Laboureur de Picardie à Monsieur N(ecker)', but failed to divert public interest from Necker's convincing attack

on physiocrat policy<sup>27</sup>. Hardy, for example, condemned Turgot's policy in the light of Necker's attack, "... il fallait être ou bien aveugle ou bien méchant pour y (physiocracy) demeurer encore attaché"<sup>28</sup>. Within a year of this pamphlet Necker was at the threshold of the Control General.

If we are to understand Necker and his relationship with the regime we must go over some of the detail of his political activities, his patronage, his management of the Control General, and the preparation for war, as well as the political context of his provincial reform. Everything about Necker tries to separate him from the rest of the old regime: he was a foreigner, a Protestant, he looked to high office for justification in the eyes of posterity and not immediate personal gain. To understand Necker, though, the illusion must be penetrated and the man seen in his context. If this is done then both the pro-Necker and anti-Necker legends fall away; the first shows Necker as a saviour of the regime coming in from the outside, the second shows him as the man who used every trick to gain and keep office offered by the unsuspecting regime. In reality Necker possessed different perspectives of the regime to native Frenchmen, and it was the insight this conferred that guided him through from the Company of the Indies coup to the Compte Rendu. Necker believed he could see how to achieve what had eluded those before him, and was simply a more effective political operator within the regime than, say, Turgot had been. It is in this light that Necker's career from 1776 onwards should be judged.

Necker brought himself to the threshold of high office through his April 1776 memoir to Maurepas. The route whereby this memoir reached Louis XVI was via Pesay and on to Maurepas; Necker paid Pesay 100,000l. for this political service ("telle est la première économie de Necker" ) and the connection with Maurepas was the "decisive intrigue"<sup>29</sup>. This memoir was never published; a curious fact in view of Necker's avowed belief in a more open management of finance. Extracts from it were reprinted in 1787 in a pamphlet in which Necker defended himself against Calonne<sup>30</sup>. The extracts show that Necker calculated a deficit of 24,000,000l. a year indefinitely if existing policies were not altered. He adopted the parlementaire complaint that fourteen years of peace should have produced solvency, but had failed to. He promised that a policy of économie, rationalisation, and good management, characterised by the word "bonification", could

establish a yearly surplus of 10,000,000l. without new taxes or painful cuts of expenditure. Stormont seems to have managed to see a copy of this memoir, and his account of it tallies with Necker's extracts, but he noticed one proposal that Necker was later to omit, that any reforms would have to be preceded by a programme of loans <sup>31</sup>. (It is difficult not to suspect that this memoir, if published in full, would have revealed some financial dealing which would show Necker in a shady light and alter our understanding of his first ministry, perhaps that he agreed to serve under Maurepas only after a promise that the government would honour a course of loans favourable to the consortium of which he was the spokesman <sup>32</sup>.)

The negotiations for the 50,000,000l. loan seem to have begun in July 1777 and dragged on during Clugny's ministry; Stormont heard that the rumours of war were making the bankers prevaricate <sup>33</sup>. When Clugny died a sub-committee of the Council, composed of Maurepas, St-Germain, Vergennes, Sartines, Soubise, and Bertin, met to debate a new Controller General. On Maurepas's advice they nominated two men: Taboureaux des Reaux and Necker; "What a strange event", wrote Horace Walpole <sup>34</sup>. Clearly, it was the link between Pesay and Maurepas which brought Necker to the sub-committee's attention. The link also meant that Louis XVI saw the memoir, and his comment was that no one before had been able to explain finances so clearly <sup>35</sup>.

Necker's political patronage created, incongruously, a very dubious circle of associates. Necker chose well in that they were men of the moment - men in the public eye like Beaumarchais or with Maurepas's ear like Pesay. Necker over-reached himself here, the opprobrium of being allied to tricksters and charlatans made people believe that Necker might indeed go a stage further to falsify the realm's accounts. Necker tried to disassociate himself from this clique, but Jarrett can still label him as a "Cagliostro" or "Mesmer" of finance <sup>36</sup>. For all this Necker was probably genuine in his belief that he could solve the financial problems, or as Malouet put it, at the end of the day he was at peace with his conscience <sup>37</sup>.

If Necker could be dubbed the Cagliostro of finance, then Pesay could be labelled the Mesmer of the Great <sup>38</sup>. His father had been a Lorrainer financier who had become a Catholic and came under Maurepas's patronage (Maurepas as Secretary of State for the Admiralty prior to 1745). He had purchased the

estate of Pesay, which his son claimed was a Marquisate and who accordingly styled himself the Marquis de Pesay. Pesay passed himself off as a militaire and went out of his way to be offensive and high-handed towards the robe <sup>39</sup>, which tied in with Necker's own political antagonism towards the group. Pesay knew how to manipulate the regime. Once entrenched as a Court creditor he had his nobility confirmed by letters patent and moved closer towards the throne. His career illustrates the closed and unreal world of politics at Versailles where money and bluff could carry all before them.

Pesay was unable to make any headway in the old reign, but 1774-5 opened up the political scene to him when his father's old patron Maurepas took him under his wing. He gravitated naturally to Necker's rising star because they were men of similar origin and because each had something to offer the other; Necker had the money and talent while Pesay had the connections to turn them into political reality. "Necker, who was Director General of Finance by the influence of the Marquis ..." in turn opened up greater political horizons to Pesay after 1776 <sup>40</sup>. Pesay capitalised on the new vogue for philosophie under Turgot by attending Mme. Necker's salon and becoming associated with some of its littéraires, and by contributing articles to the Nouvelles Ephémérides. These articles were studiously non-controversial (e.g. Alsation defences). One series of articles however, showed an interesting choice of subject matter: Maillebois's Italian campaigns; this was the period when the marshal's grandson was agitating at Court, and with the other marshal's, to gain his own baton <sup>41</sup>. Maillebois was an important political associate of the new clique around Maurepas and Necker in 1776. Also at this time Pesay was convincing Louis XVI that he had been a confidant of the Old Dauphin, and was a perfect courtier as described by Réal or Moreau. All this while Pesay was an implacable enemy of Turgot himself and the physiocrat policies; he supported at Court the campaign Necker was waging against Turgot's ministry in the capital <sup>42</sup>.

At a personal level Pesay's politics were as corrupt as any the old regime knew, being based on a web of sexual intrigue. According to Aranda Pesay's sister, Mme. de Casini, was Maillebois's lover, and generally she played Gramont to Pesay's Choiseul. Soulavie accused her of spreading her favours widely through the Young Court, but only named Maillebois as a lover. Wentworth may have muddled up his names when he reported Montbarey

to be entangled with "Mme. de Pesay", and Soulavie, elsewhere, claimed that Pesay and Mme. de Montbarey were lovers. The upshot of these liaisons was that Montbarey became a politically dependable Secretary of State for Maurepas<sup>43</sup>. Not only do we see here the failure of Louis's attempt to reform the morals of the Court, but even a worsening of the role of sexual patronage in politics from Choiseul's day.

Pesay hoped to dominate the Court by controlling all its lines of intrigue and patronage. His first success in 1776 was establishing the political link between Maurepas and Necker. He went on to engineer Montbarey's appointment. He gained favour with the queen, thus threatening the Choiseulists' position. He became the "Marquis de Contrebande" through being able to intercept the posts (as had Ogny). He became, however, intoxicated with his success. Maurepas had him created Inspector General of the Coasts, which conferred on him the "privilege" of communicating directly with the king, thus according him the rights of a Great Officer of State. In this power, "he found his destruction", by trying to undermine Sartines in the Admiralty. Maurepas did not like Sartines, who was beginning to show his Choiseulist leanings, and he was hoping to replace him in the Admiralty with Pesay - a plan to install Pesay as Director of the War Department having failed. Pesay revealed his unsuitability for high office by precipitous and ill-advised action. He anticipated the second militaire offensive by patronising the sword over the quill in the navy, but in a way which opened up corruption and caused disruption. At the same time the intendant of Brittany (Caze de la Bove) complained that Pesay was interfering in his jurisdiction. Both complaints, from Sartines and Caze, were upheld by Louis XVI, probably, because Maurepas had had second thoughts and switched his allegiance back to Sartines. Louis ordered Pesay to be exiled, and the self-styled Marquis's career was ended. He died of, "... a malignant fever and disgrace by M. Maurepas". His death caused great disruption at Court as structures of patronage collapsed, revealing him to have been "le noeud de l'intrigue", and the weakening of Maurepas's grip on power caused by the episode may have postponed the declaration of war while he was trying to pick up the pieces<sup>44</sup>.

Apart from its unsuccessful conclusion, Pesay's career had no redeeming virtues, and it revealed the lengths to which Maurepas was prepared to go to surround himself with anti-



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Choiseulists. Another member of the circle was Beaumarchais, along with Pesay described as Maurepas's two crutches, but in 1777 with Pesay's death and Beaumarchais's eclipse, Maurepas's "... right hand counsellor is now cut off - his left too is ... very lame - " <sup>45</sup>. Equally, the effect of this was to leave Necker politically isolated from the circle to whom he owed his office, a development he probably welcomed, and from 1777 onwards patronage played a greatly diminished role in his career. Not all Necker's patronage, however, was to his discredit. The Company of the Indies affair brought him into contact with ~~Castries~~. Following Turgot's fall the two great philosophe patrons, Rochefoucauld and Nivernois, took Necker under their wing, and most of 'le monde' followed their lead <sup>46</sup>. In the ministry itself he could count on Vergennes's support as well as Maurepas's <sup>47</sup>. By his own admission he courted, and gained Marie-Antoinette's patronage, though this was bought by an outright payment of 150,000l. to the queen, and the payment of the 1776 pension arrears out of his own pocket - a move likely to benefit most of Marie-Antoinette's protégés <sup>48</sup>. He endeared himself to Louis XVI by his apparent honesty, political lucidity, but above all by possessing (or affecting) the king's vices of falling asleep at boring meetings, and suffering the consequences of over-eating <sup>49</sup>.

In his attitude to politics Necker did attempt an honest account of his motivation; he denied neither his pride nor his ambition nor his desolation at disgrace, but he did deny a lust for power and stressed his virtue, honesty, and integrity. He was attracted to the Control General by the scope of its competence and possibilities for directing social mores; no idea could be more in keeping with a minister of the Enlightenment than that society could be legislated towards perfection. He showed every sign of having read the more dévot writers Louis XVI is known to have studied. He deliberately paraphrased their maxims, and passages from de l'Administration can be compared with others from Réal or Moreau. Necker went on from this to integrate the thinking of men such as Guibert, Linguet, or Galiani into his work. He stressed the need for justice to pervade fiscal matters, and without justice taxation becomes difficult and socially divisive. Necker's high moral tone, which is sometimes difficult to separate from his all-pervasive self-righteousness, reflected his "hard and arrogant" character. He was filled with fulsome praise for Louis XVI's monarchy, of which he was a classic expression; in terms reminiscent of Guibert, he hoped that the king could create a new spirit of national unity, "Toute s'anime en France à la voir d'un monarque qui met un prix à se faire aimer". The

crowns, according to Necker, should help the poor and oppressed who are at the mercy of their economic environment - an idea explored by Mably, and in a similar way by Linguet. The monarch had a "holy duty" to ensure a basic standard of living to enable people to clothe, house, and feed their children <sup>50</sup>.

Necker's analysis of the Controller General and the qualities he would need were daunting. He specified: integrity, intelligence, breadth of mind, an ability to learn, application, wisdom, resolution, common sense, perspective, an instinct for administration, an ability to choose and keep a good team of advisers, good judgment of men, and virtue in private life. This list parallels the Old Dauphin's on the same topic, but while the prince judiciously doubted that any mere mortal could combine these qualities, Necker does nothing to disabuse the reader that he himself did. Using Réal's very words of twenty years earlier, Necker called for a "soumission éclairée" as the foundation of the monarchy. One of the most striking assertions made about Necker's ministry was that he tried to implement Malesherbes's 1775 Court of Aids remonstrance. Letrosne too was influenced by this remonstrance, but drew the conclusion that the abuses described in it were too great to be reformed within existing fiscal structures <sup>51</sup>.

Necker's most obvious approach to the Control General was to apply his banking expertise to the realm as a whole. This involved a degree of professionalisation which meant that by the 1780's France could be said to possess the beginnings of a true bureaucracy <sup>52</sup>. The second direction Necker took was to make the Control General more open and accountable, ultimately to have an annual budget with its implication of some form of parliamentarianism, but in the short-term to invite public debate and comment based on information leaked out to the capital. The third was to establish a new structure of provincial administration from which to restructure the whole political and administrative nature of the regime. Behind all three lay the idea of breaking the robe supremacy in society. This was simply too big an idea for those around Necker, friend or foe, to grasp, but in all he wrote or did the robe was the enemy and the group to benefit least from any changes. Before he could implement any reforms, however, he had to prove his political worth to Maurepas by keeping the realm solvent.

As Protestants could not hold office, Necker took the

nonce title of Director General of Finances. The first crisis was the opposition of the clergy, led by Beaumont. Maurepas solved this by the simple expedient that the clergy could have Necker's dismissal if they paid off the national debt. Within a month Beaumont had given up trying to convert Necker and made his peace with him <sup>53</sup>. This was an early and important step in Necker's attempt to present himself as a synthesis of the regime's political culture.

The second, and chronic, problem was Taboureaux's hostility to Necker which rapidly developed into factional and interest-group intrigue. Taboureaux drew support from the magistracy and financial establishment sufficient to threaten Necker's position <sup>54</sup>. One of Necker's bitterest enemies from the Company of the Indies affair, Lauraguais, predicted that Taboureaux would fall to Necker, and Necker to the parlement <sup>55</sup>.

From mid 1776 onwards the finances, which had remained manageably quiescent since 1772 - Croÿ commented that France survived on Terray's credit (or the illusion of it) until 1776 - were threatening to slide out of control <sup>56</sup>. Only Necker's appointment could hold credit up in the face of preparation for war. Necker at least went through the motions of protesting that war would mean bankruptcy, but no policy decisions 1776-8 reflected this plea <sup>57</sup>. Borrowing was at an unprecedented level for peace-time: 110,000,000l. by December 1777 most of which found its way to the services. Stormont managed to discover that Necker was gathering a lump sum in cash of 40,000,000l. to ensure being able to sustain the forthcoming war (Wentworth's estimate was double this) <sup>58</sup>. As a reaction to heavy borrowing in an uncertain climate the market raised the price of loans from 5% in 1776 to 7.5% in 1777, which provoked the parlement to political action. The parlement had declared itself only able to countenance small loans at 5.25%, provided no new taxes were introduced <sup>59</sup>.

In January 1777 the regime experienced its first major financial crisis of the type used against Choiseul 1768-70. Provoked by Choiseul, the parlement threatened to withdraw its support from the government and obstruct its operations <sup>60</sup>. The parlement appreciated what was to become "Parkinson's Law", that expenditure rises to meet income, and hence that extraordinary government expenditure financed by loans could easily change to ordinary expenditure financed by higher taxation <sup>61</sup>. The ministry's tactic against this was to use the Grand Council as a

bargaining counter. Maurepas let it be known that if the parlement let Necker's financial measures go unopposed the Grand Council, that millstone round their neck, might be wholly or partly removed. The temptation was too great, and the parlement put corporate self-interest before public welfare. Véri castigated the magistrates for their dereliction of duty, but gained some solace from seeing Miromesnil's discomfort; the Keeper of the Seals had been trying to play both ends against the middle <sup>62</sup>.

Necker, however, adapted his tactics to avoid accountability to the parlement. He took three lines of attack. The first was to employ financial sleight of hand to keep the government in liquidity, a tactic which led progressively to the discrediting of his reputation as a financier, until at last the *Compte Rendu* was dismissed as one more artifice. A classic example of this tactic was his mortgaging of the next *don gratuit* in December 1777 <sup>63</sup>. Necker's second ploy was to appeal to public opinion (i.e. the capital) over the heads of magistrates, courtiers, or ministers <sup>64</sup>. Necker's third tactic was reform culminating in his provincial reforms of 1778.

Necker's credit depended on the flow of cash for war. As long as Necker could guarantee this where others could not he was unassailable. Turgot had had to be dismissed in order to declare war, but it was found that Necker had to be kept in office in order to pursue it. In February 1777 64,000,000*l.* were raised from internal corporations, in April Genoese bankers lent 10,000,000*l.* at a surprisingly low 5%, but in July he suffered the "mortification" of failing to negotiate a 60,000,000*l.* loan in Holland, (recorded as 20,000,000*l.* by Wentworth 19 August 1777) which was hailed as a "triumph" for the Choiseulists <sup>65</sup>, all this was in addition to smaller sums raised at such steady intervals that, "M. Necker a le rage des emprunts"; the same observer reflected sadly that it was easier to raise a loan than face the parlement <sup>66</sup>. That the Choiseulists should be prepared to sabotage Necker's loans shows once again how far ministerial intrigue was taken. The parlement, though, was trying to adopt a role, which, while based entirely on self-interest, recognised the danger of unbridled ministerial intrigue, and attempted to establish a limit, through institutional conservatism, beyond which politics could not be allowed to damage the regime. The magistracy was determined not to allow its opposition to Necker to turn into a repeat of the disaster

when it opposed Maupeou.

Opposition to Necker was constant once the euphoria generated by the novelty of his appointment had worn off. Maurepas regretted choosing yet another man of energy and talent who insisted on private audience with the king; he began to rally opposition of the disaffected financiers in preparation for some future opportunity to discredit Necker. In February 1778 the major crisis broke over the twentieth, this crisis has been examined elsewhere in the context of the parlements. From Necker's point of view the battle was a legacy of Terray's Control General; in an uncharacteristic move Terray had made the 1771 twentieth renewable every four years (until 1791) only with the parlement's approval. The 1775 renewal was pushed through by the peers as an adjunct to the recall of the parlements, but the peers were not enthusiastic about the government by 1777, and Necker attempted to avert a full debate by renewing the "edict" as an "arrêt". The courts refused to accept this, and in 1778 remonstrances were issued which attempted to show Necker as acting "unconstitutionally". Louis XVI could find no extenuating circumstances for these remonstrances and refused to heed them; he had granted the justice of remonstrance over the Six Edicts because he agreed that they changed the constitution. The remonstrances did, however, acknowledge the new reign's political climate by not making personal attacks on Necker <sup>67</sup>.

This episode was no reiteration of Louisquinzième formulas; new styles and issues had emerged with the new reign. On the one hand the unité des classes had not been invoked, "En général (the magistrates) ont reconnu que leur annéatissement est possible et peut s'opérer sans que l'ensemble du royaume en souffre, et c'en est assez pour les contenir dans les bornes de prudence et de modération ..." <sup>68</sup>. Opposition, on the other hand, to financial measures was, for the first time, linked to a call for the States General. Parlements had called for the States General before, but not even Malesherbes's Court of Aids remonstrance had been so specific. The path from this political debate over the twentieth tax to the calling of the States General ten years later was a direct one <sup>69</sup>. Necker had aroused the deepest opposition the magistracy could offer short of provoking a 1771 type crisis. (Indeed, the parlement of Rouen did provoke such a confrontation in the summer by threatening to resign en masse, Louis would not allow a crisis to develop and

simply ordered the magistrates back to their duties while Miromesnil worked out a compromise which would pacify them <sup>70</sup>. This episode may have persuaded Necker to push forward with the creation of administrative structures which would circumvent the robe's autonomous power in society.

We have seen the process whereby Necker kept loans flowing into the Treasury, but the political manoeuvring Necker went through in the last year before war deserves closer attention; the most closely observed account was Paul Wentworth's which showed Necker in a far less favourable light than the Director might have wished. Necker had always made it clear that he believed war would result in bankruptcy, and that he could not countenance financing it <sup>71</sup>. It is difficult, however, to reconcile this attitude with his programme of loans, most of which found their way to the War Department or Admiralty. Necker may have convinced himself that he was only financing the rebuilding of military power, and that were enough spent on preparing the armed services, the British would never dare to take them on, thus making such expenditure an insurance against the far greater cost of war. Were this a viable delusion it was seriously breached in April 1777 by a report from Wentworth, "I don't see how war is to be avoided long - the count of St-Germain, the Controller-General and Mr. Necker will probably soon be dismissed - but the former may be declared a marshal and actively employed - M. de Maurepas, we understand is no longer averse from war" <sup>72</sup>. This prophecy was proved correct on the first and third points, suggesting both that Taboureaux had opposed war - and had accordingly suffered the same fate as the pacifist Turgot - and that Necker had been shown the writing on the wall if he persisted in opposing war.

By November 1777 Necker was embroiled in the plans over the twentieth and the parlement's opposition to them. This was the time when Pesay's circle of patronage was disintegrating, and Necker found himself caught between two factions. On the one side were the Choiseulists who were proposing Calonne for the Control General by this date, on the other hand Maurepas had revived the bogey of Aiguillon, and was proposing Lefèvre d'Amécour as a new Controller General. Necker was, at the same time, attacked at Court by the princesse de Guémené who was laying claim to some 3,600,000*l.* from Necker's *Partie Contentieuse* (see below). Necker decided to turn the Court intrigue

to his advantage and chasten his enemies by provoking a financial crisis which only he could solve. It took only a cursory look at the Control General to convince Maurepas that if the government wanted any cash in 1778 it would have to patch up the quarrel with Necker. Necker had adopted the tactic which had lost Choiseul his power in 1770, the tactic of engineering a crisis, but in Necker's case the bluff dared not be called <sup>73</sup>.

A month later Necker was reported to be pretending to finance war to keep in favour with the public, and the forest of Vincennes was ostentatiously felled for ship-building. In March 1778 a banker acting as an agent for Eden reported that Necker had put the finishing touches to schemes of finance to carry the Control General into war. The banker wrote a fitting comment on Necker's position in the Control General, "Mr. Necker ... will continue as long as he finds money. That's our opinion here" <sup>74</sup>. In the course of moving from opposition to war to making specific provision for it some of Necker's initial ideas and statements became "inoperative". The mental evolution required needs a moment's consideration, for at some stage Necker must have convinced himself that financing the war was both feasible and desirable. Having presented himself as the new Colbert in 1773, his ambition may have led him to attempt what Colbert had failed - to finance a war without sacrificing international policy. Had Necker not attempted to finance the war he would have been replaced, and, like Turgot with the recall, he may have regarded it as the price to pay for his continuance in office.

Before looking at the detail of Necker's reforms within the Control General it is necessary to consider why any robins were prepared to co-operate with Necker in view of the consistent hostility of his policies to the group. There was a kernel of magistrates, particularly among the masters of requests, who saw their role as changing from Montesquieu's autonomous corporation of amateur political notables into a professional élite of bureaucrats. Some of those who had worked under Maupeou (e.g. Lebrun or Joly de Fleury jnr.) held similar ideas, but had been quickly disillusioned after 1771 as to the chances of their implementation then. Necker's appeal was wider and not so politically compromised so that he was always able to find enough magistrates, both in Paris and the provinces, to carry through his reforms. There is also a marked lack of the kind of personal vilification of those who worked for Necker that was conducted

against Maupeou's supporters. We will, however, see that Necker hoped to interest other groups in society in taking over some of the administrative functions of the robe - an approach Maupeou was not able to utilise as his concept of reform was narrower. He also opposed the free market economy.

The details of Necker's reforms within the Control General have faded into inconsequentiality, but the single most important one was the replacement of the intendants of finance with a "Partie Contentieuse", a bureau of three masters of requests. These intendants of finance had interposed themselves between the Controller General and the provincial intendants; they were venal officers who, in 1776-7, sided with Taboureau and the magistracy against Necker. This block of opposition may have provoked Necker to such drastic reform against the magistracy <sup>75</sup>. The intendants were an absolute drain on the Treasury, and the 2,100,001. it cost to buy up their offices was a sound investment. The Partie Contentieuse was salaried <sup>76</sup>. Unlike Maupeou, then, Necker could choose reform that was popular and showed immediate benefit.

The abolition of the intendants of finance followed Necker's pattern of isolating some small area of privileged vested interest that could count on no public sympathy and little support at Court. This episode caused Taboureau to resign in disgust, but most went off smoothly. This reform in June was followed by plans to abolish the Postal Farm discussed over the late summer. This abolition would have been part of a general cutting out of dead wood designed to save 14,000,0001. per annum, 2,000,0001. of which would come from the Postal Farm - a neat arrangement whereby one reform paid for another. Necker was not able to carry through as much rationalisation as he would have liked as Louis XVI himself intervened to veto any meddling in the King's Household <sup>77</sup>. Although the parallel with Maupeou suggests itself <sup>78</sup>, Necker was determined not to fall into the same pitfalls of being forced into hasty and unacceptable action.

Necker's approach to financial reform was a direct development of Naveau's, supplemented by many of the financial schemes discussed in the previous chapters, notably the ideas of accelerating the flow of specie through the economy. Necker believed that there were some 1,900,300,0001. of specie in the country (a disproportionate 500,000,0001. of it in



Paris)<sup>79</sup>, which meant that, according to the various calculations of the period, the Treasury saw only 15-20% of that money. On a different tack, Necker was interested in paper currency as a method of over-coming the problems of cash flow; this opened up unfavourable comparisons with Law. It was in any case rejected by Council in April 1778<sup>80</sup>. In July 1777 he proposed a sinking fund based on 12,000,000l. a year, reaching 60,000,000l. when successful reform had released more cash<sup>81</sup>. He believed that smuggling in general could be better controlled by manipulating excise duties to make it unprofitable than by maintaining police forces<sup>82</sup>.

Necker's appeal to public opinion was reported to be successful by Stormont writing in July 1777, "...in all Mr. Necker's operations hitherto he carries the publick opinion along with him". This grew into a "propaganda machine" according to Cobban, but is more sympathetically called "la politique d'information" by Grange<sup>83</sup>. This was a major political innovation<sup>84</sup>, but it was not based on Enlightenment thinking. (The Enlightenment had generally rejected universal education as a dangerous invitation to "democracy"). Necker himself claimed to be realising the full potential of the Louis-seizième practice of educating the already informed public about the intent of edicts through their preambles<sup>85</sup>. This practice was a development of paternal absolutism, and was not an extension of the political nation to make every subject a citizen<sup>86</sup>. This practice did seem to break one of the fundamental precepts of the regime, that information itself in the wrong hands was dangerous and inflammatory. Necker's peculiar brand of Protestantism forced him to believe that every member of the political nation should have the opportunity to justify himself in the eyes of history with political good works. Véri suggested that, on a personal level, this was Necker's own most important motivation<sup>87</sup>. It is a concept alien to a Catholic political tradition, but it also goes a long way towards vindicating Necker as honest, at least with himself, even if a little unscrupulous by expedient. It was this quality which made him acceptable to Louis XVI.

Necker was able to exploit public opinion against the financial establishment so successfully that he succeeded in reform where Invaü, Terray, and Turgot had failed<sup>88</sup>. Georget, however, reversed the concept, saying that Necker

attacked already unpopular targets in order to rally public opinion to a ministry without talent or political base. This became an important feature of Necker's anti-mythology<sup>89</sup>. One of the bases of Necker's appeal to public opinion was the leaking of information to the capital. There are two important documents in this context, 'Tableau Général des Impositions du Royaume' by Negre des Rivières (a counsellor of the Court of Aids) and Dailly (a first commissioner to the intendants of finance)<sup>90</sup>. This was a detailed and important document setting out not only a rudimentary budget, but also a detailed attack on the intendants. (Although not a leaked document, the 1777 'Extrat de l'Etat Politique de la France' expressed the financial policy behind making this information public, "Le tableau ci-devant de la situation des finances est éffrayante, mais on observera que les ressources de la France sont inépuisables ..." <sup>91</sup>.)

The climax of this policy, the second document, was the 'Compte Rendu'. Although outside our period, it deserves mention. It was an attempt to force a budget on an unwilling regime<sup>92</sup>, though Necker's good intention has become forgotten in the debate over the accuracy of the Compte's figures. Recent reappraisal, one of the few objective studies of the Compte, has traced the categorical assertion that the figures were fabricated from contemporaries through to some eight respected historians who are quoted<sup>93</sup>. Going back to the original, however, shows that any given criticism can be disproved, and that within certain strict limitations the Compte was logically consistent and even accurate. The most fundamental fault of the Compte was its fallacious and deliberate division of ordinary from extraordinary income and expenditure. In reality the two were inextricable. Moving outside the strict spheres of evidence two points present themselves; the first was that only Necker could comprehend the system and results obtained, the second, that if the Compte were wholly accurate, it would be very difficult to account for the political crises 1787-9 and the Revolution. Necker does deserve the footnote of comparison with other estimates of the period, and these show immediately that he produced moderate rather than inflated figures:

British Embassy 1768 (Laverdy ?)

Revenue	450,000,000l. (approx.)
Expenditure	( <u>slightly higher than revenue</u> )
Balance	(steadily mounting deficit)

Espion Anglais 1776:

Revenue	193,686,6961.
Expenditure	<u>-</u>
Balance	(eventual surplus when reforms implemented)

Etat Politique 1777:

Revenue	412,313,7711.
Expenditure	<u>392,261,4001.</u>
Balance	+20,052,3711.

Compte Rendu 1781:

Revenue	264,154,0001.
Expenditure	<u>253,954,0001.</u>
Balance	+10,200,0001.

Projected Revenue from Administrative Countries: 500,000,0001.

Projected Revenue from a Dîme Royale: 745,000,0001.

All these figures (except for the first set) compare very optimistically with Marion's assessment of 1775 and 1776.

1775:

Revenue	377,200,000
Expenditure	<u>414,400,000</u>
Balance	-37,200,000

1776:

Revenue	378,300,000
Expenditure	<u>402,500,000</u>
Balance	-24,200,000 <sup>94.</sup>

Necker's desire to disseminate information was evident in two other projects. He gave much official help and patronage to Moreau de Beaumont's study of taxation; this work was first published in 1768, but the eventual 1787 edition, a store-house of technical fiscal data, owes much to Necker<sup>95</sup>. The second was Moheau's (Montyon's) 'Récherches et Considérations sur la Population de la France' (Paris 1778)<sup>96</sup>. This was commissioned by Turgot, but brought to fruition by Necker, thus sharing a similar history to Letrosne's work. This work claimed to be the most objective and scientific in its field and to reconcile all previous systems in one empirical account. Like all other such studies, however, it laboured under the two crippling handicaps of believing that the population was declining, and that the ancient world had been ten times more populous than the modern. The book, though, recovers from these false premises to outline a very appealing political programme which praised Louis XVI's monarchy as the regime most likely to implement it. The programme steered away from excesses of democracy or anti-clericalism while still retaining a philosophe outlook.

The idealised régime would be one where: citizens would enjoy greater equality before the law, property would be more evenly distributed, men would be assured of the fruits of their labour, at both a social and individual level they would be allowed the pursuit of happiness, children would be universally educated and well-fed, and the economy would be run to ensure a constant slight excess of demand over supply in labour. This was a political programme for Necker's reforms and reflects a mixture of ideas from various sources all liable to be regarded as laudable in Louis XVI's eyes <sup>97</sup>. This issuing of a political programme through a patronised book (or pamphlet) was an approach borrowed from Turgot's period in the Control General.

The reaction to Necker was generally optimistic. The Journal Encyclopédique, for example was convinced that the policies of 1776-7 would liquidate the state's debts by the end of 1778 <sup>98</sup>. By 1777 Mme. du Deffand had overcome her initial reservations sharing Hardy's hopefulness; even Linguet had to admit that Necker was popular <sup>99</sup>. Of Necker's administration by 1777 Chapuisat comments, "... il tire momentanément les finances de leur détresse", through the success of his banking techniques <sup>100</sup>. There were dissenting voices, however, even at this stage. Condorcet dismissed the triumvirate of Maurepas, Taboureaux, and Necker as the Holy Trinity of finance - and just as mystic <sup>101</sup>. Turgot was implacably hostile to Necker, whether from a genuine belief that Necker's policies could not succeed, or whether from pique that Necker seemed to be succeeding where he, Turgot, had failed <sup>102</sup>. The capital, according to one of our main sources of its attitudes, remained sceptical. If he could honour his promises Necker must possess the philosopher's stone, but it was all too likely he was no more a sorcerer than his predecessors. All his measures were an attempt to shore up a crumbling financial edifice with cosmetic surgery and reckless borrowing. Disorder was piled on disorder, "Je dois trembler sur l'avenir pour notre pauvre France" <sup>103</sup>. The charge that Necker was a latter day Law was endemic <sup>104</sup>. In a damning account of Necker, Jarrett endorses Maurepas's subtle (and ponderable) quip that France was now abandoned to "Neckeromania" <sup>105</sup>.

Necker's most important political activity concerned the provinces. Immediately, Necker reversed Clugny's policy of draconian centralisation and allowed the process of devolution to resume. This initial phase of policy, however, was double-edged, being as much a move against the Court as a patronage of

the provinces. Necker hoped to move the politically dangerous Great out of Versailles and into the provinces, where they could be usefully and safely employed while leaving Necker free to push through his reforms. Necker's hatred of the Great and their power to influence politics was a theme of his writings, but he recognised the monarchy's need to harness their revived power to its service <sup>106</sup>. Equally important is Necker's positive political motivation for turning to the provinces. During the late century ministries looked to the peripheral provinces for political inspiration, and the concepts of limited democracy, provincial autonomy, and fiscal reform were "peripheral" ideas. Necker himself admitted that he found more support in the provinces than in the capital; the point was taken up by Georges and turned round to say that Necker could not muster support in the centre, where he was seen as a fraud, and so turned to the more gullible provincials <sup>107</sup>. A more important motive was the need for money; Necker realised that the slogan, "no taxation without representation", (which was being discussed in the capital in the 1770's <sup>108</sup>) could be double-edged, that by granting the provinces representation they could be encouraged to part with more taxation. Necker judged that 1778 was the right moment to initiate a reform project, and that France would now accept from Necker what it did not accept from Turgot <sup>109</sup>.

Necker had a wide choice of models for provincial reform. Lachaze, analysing the background to the assembly in Berry, divided devolutionists into two schools; the first, calling for States Countries, started with the duke of Burgundy and culminating in Mirabeau, the second, a separate development based on Administrative Countries, branched off with Argenson, Turgot, and finally Letrosne <sup>110</sup>. Necker regarded concept of "mettre la France en pays d'états" as a dead end, and paid no heed to it. We have seen earlier the schemes of Argenson, Aubusson, and Turgot, but again, Necker did not regard them as suitable. The model Necker chose to look back to was an experiment in Boulonnais in 1766, when letters patent had set up an "administrative corporation". This was a two-tiered system with eight (nominated) administrators, a clerk, a receiver, and four deputies from each Order as the top tier; the latter twelve deputies were elected by the second tier, an electoral college, of eight clergy, eight nobles, five bourgeois, and six rural notables (elected in turn by the syndics) <sup>111</sup>. The experiment failed because it was politically too anaemic, no existing jurisdictions being challenged.

1766 was a dynamic year in the provinces with the absorption of Lorraine into France, and Choiseul's creation of six new intendants. The Boulonnais experiment may have been submerged in the greater matters of state. A similar, though even less substantial, experiment was conducted in Champagne 1776<sup>112</sup>, but as a prelude to the implementation of Letrosne's plans. Letrosne had managed to present the content of Aubusson's scheme, added some of the more useful aspects of physiocracy, and then dressed his ideas up as the scheme to carry France into a new political era under an enlightened king and well-chosen ministers.

Having decided to be guided by Letrosne's scheme, Necker acted with undignified and unsuccessful stealth with the circulation of a private memoir to the king and a few chosen ministers 1777-8<sup>113</sup>. The memoir, a "perfidious" attack made in bad faith and ignorance, was a "réquisitoire contre l'intendant"<sup>114</sup>. Like Necker's initial memoir on finance, this was never meant to be published, but someone in government leaked it to the capital, and its injudicious assault on the robe caused a storm of protest. (The bulk of the memoir was an attack on the robe, and will be considered below in that context). The advantages of a new system would be: the rekindling of the people's affection for the king, a separation of competences to allow fiscal self-determination, eventual reduction of the tax burden on the poor, better accountability and attention to local problems, the government's credit would be strengthened, ministers' good intentions would not become lost in the capital's chaos of competing jurisdictions, the States Countries' institutions, with all their existing advantages, would be perfected, and a complete restructuring of taxes could be achieved. In one passage Necker set up and destroyed the arguments against Administrative Countries, taking Mirabeau's 1750 pamphlet on the States Countries as a model<sup>115</sup>. This was Necker's constructive reaction to Letrosne, and it was restated in the arrêt setting up the assembly in Berry, though without any of the vicious attacks on other jurisdictions<sup>116</sup>.

In the capital Grimm managed to see this memoir in September 1777, and expressed the most fulsome praise for it. He described the management of the Control General under Necker, culminating in the memoir, as "... la plus excellente code d'économie politique qui ait encore été fait. On y trouve tous les grands principes développés avec la profondeur et la précision la plus lumineuse, la réforme des abus préparée sans

effort, la dépense soumise à un ordre plus constant et plus éclairé, les frais de perception diminués, le système général des finances réduit à une marche plus simple et plus uniforme, enfin le grand art de gouverner et de maintenir le crédit public, de réanimer la confiance des peuples, et de l'inspirer même aux nations rivales". This was an important analysis ramifying throughout Necker's reforms. Already it was known that Berry - the "Siberia" of the old regime <sup>117</sup> - was to receive the first assembly, and Grimm confidently predicted that other provinces would follow and Necker's name be immortalised. Grimm saw the new structure as filling a gap rather than the preface to wider reform, this gap being accountability and participation in taxation. Even if the new system failed, it would leave foundations for improvement. Grimm took up all Necker's points about the failures of the present system. He would appear to be the first man to use the term "Administrative Country" - Letrosne and Necker never quite formulated it so neatly. Grimm felt the new assemblies could create balances of local interests and corporations without running the risk of their allying against the government <sup>118</sup>.

Necker followed up this memoir with several more documents filling in the details of the new structures <sup>119</sup>. He was most interested in increasing the representation of the Third, not just following the Languedocian model of doubling the Third but moving towards a Swedish model of four juridical Orders by subdividing the Third between town and country <sup>120</sup>. Necker showed how the reform would solve innumerable problems in society and administration, such as the revitalisation of provincial cities, and the eradication of begging. The intendant would not be abolished, but would become the provincial arbiter of fiscal disputes - thus accelerating an existing line of development <sup>121</sup>. Necker was not entirely happy about this situation, fearing that the intendant might be revived to the plenitude of his power at some future date, and he was particularly concerned that the intendant was liable to alienate the urban middle class. Two documents on the clergy, followed up by comments in 'De l'Administration des Finances ...', showed that Necker was wary of granting them a political power Letrosne would have withheld. He was as wary of bishops as of intendants, and as critical of their abuses and laxity, but Necker was forced to recognise a valuable tradition of administrative training and experience, which, when added to the clergy's potential as a political

balance to the robe swayed the decision in favour of their substantial representation<sup>122</sup>. Much of this documentation displays a disquieting sense of urgency, a growing awareness that the regime could not withstand indefinite failure in its attempts to reform. The Administrative Countries were presented as the last hope for the government to curb corporate vested interest, restore credit, regain the confidence of the people and prove good faith by tackling abuse. The political power of the parlements, which, by 1778, Necker felt, were closing their eyes to the lesson of 1771, threatened to destroy the monarchy. These documents made great play of antecedents back to the duke of Burgundy. While some of these remarks were scare-mongering and designed for short-term political advantage, they had an ominous ring of truth.

In 1778 assemblies were set up in Berry and Haute Guienne. The presidents were nominated by the government, both were bishops connected with the ministry who were prior supports of the scheme. The intendants and governors were the royal commissioners, and between sessions the assemblies delegated power to intermediary commissions made up of two deputies from each Order, a president and one clerk. The outward structure, therefore, was so similar to that of the States Countries as to allow the Journal Encyclopédique to comment merely, "Les Etats de Berry sont actuellement assemblés pour remplir les vues du gouvernement ..."; this similarity between Languedoc and the new assembly in Berry forms a cornerstone of Lachaze's analysis of this Administrative Country<sup>123</sup>. In the initial debates on the structure of the Administrative Country of Berry Letrosne's radical suggestion of abandoning juridical Orders was dropped. This became a feature of the reforms, that the original radical intent of Letrosne was modified by encounter with political reality. The eventual plan was for the province to be subdivided into twenty-four arrondissements of thirty parishes in each. Half the arrondissements would be rural and half urban. The arrondissement would hold an electoral assembly of: mayors, municipal magistrates, and six elected rural notables, this was for the Third deputies, the other Orders would elect their deputies separately. The clergy were no problem, being used to political assembly, but the nobility had to be defined as those of 100 years of fief-holding but who also possessed 3,000l. income. The nobility gravitated toward the Languedocian model



of giving the twelve largest estates hereditary representation, but was pulled back. The idea behind this scheme was to unite the two groups of militaires and property holders in the same suffrage. The forty-eight deputies would enjoy legal immunity for the session and for the two weeks before and again after it 124.

Within the assembly, speaking was strictly regulated by juridical hierarchy, but voting was by head. The 1778 assembly was fixed at one month in Berry, and decreed to be biennial thereafter, but pressure of work forced annual sessions. (An important initial point was that the intendant was charged with nominating deputies, to smooth the transition from "ministerial despotism" to democracy, and to erect some barrier against a surge of particularism; in Berry the 1778 deputies consisted of sixteen nominees and thirty-two co-opted members, but the experiment was a failure in that the nominated members behaved as if they had been elected, and protested against the nature of their appointment.) The initial sessions were concerned with: fiscal reform, a cadaster, setting up a salaried bureaucracy (presided over by the intermediary commissions), public works, communications, local industry and economic problems, and the corvée. The mode of business was to divide the deputies up into bureaux which debated specific issues and presented resolutions to the plenary assembly. (This was an adaptation of the British parliamentary practice of working through committees before presenting a Bill.)

Four points emerged from the first year's activity. In Berry the intendant fought hard to preserve his prerogatives and obstructed the assembly. Also in Berry the duc de Charost was a great reforming influence from the Second; he was an Enlightened land-lord on his own domains, abolishing the corvée and setting up hospitals, and he worked to transfer these policies to a provincial level. He also patronised canal building, hoping to earn a reputation as a French Bridgewater. In Haute Guienne the assembly identified itself with local economic privilege, in particular attacking the stranglehold Bordeaux exercised over wines exported via the Garonne, which Turgot had attacked, but which had been re-established. Finally, both assemblies decided that a cadaster and full scale tax reform would be too expensive and politically inadvisable, and probably without conscious emulation, they moved towards the Burgundian initiative of reforming taxes up to the standard of the twentieth 125. As will be seen

below, this was the most important and most disastrous decision taken; it was the only area where the Assemblies' decisions were of importance.

The previous paragraph is put together from sources well-disposed towards the assemblies, Laverone quite explicitly attempts to show that the political virtues of the nineteenth century could be found in the eighteenth <sup>126</sup>. In reality, however, there was no smooth transition, towards Enlightened liberal administration; this was the promise in 1778, and again more desperately, in 1787, but it was unrealised. More hostile reports from the provinces painted a disturbingly different picture. In Berry a failure to achieve fiscal reform had made the situation worse than if no reform had been attempted. The privileged had exploited new-found political power to reduce their own taxes. The Third had been able to offer no effective opposition because the division between town and country had become one of implacable hostility. Another source of worry for the government was the assembly's wish that its officers should be given absolute security of tenure - making a mockery of the idea of accountability. The most startling development was a reaction to the Second's offensive to increase its privilege by which the First and Third had tried to deprive the Second of all its privilege and power and set up a "théocratie démocratique" <sup>127</sup>.

These reports were as much an exaggeration as was the procès verbaux refusal to acknowledge any real tensions, but they must be taken seriously as the ammunition for the enemies of the Administrative Countries. Young wrote of the Administrative Countries in 1787 that they "... were viewed with eyes of jealousy by certain persons who wished for no better government than one whose abuses were the chief foundation of their fortunes ..." <sup>128</sup>. One of these certain people was Joly de Fleury (procurator general), who wrote cogent and incisive attacks on the new system. He foresaw the "disorder" that would result from a clash between provincial assembly and parlement, a possibility inexplicably dismissed by Necker <sup>129</sup>. He deplored the attack on tradition, and was apprehensive of the political power of the clergy. He foresaw the entrenchment of privilege, the increasing of the tax burden on the poor, and the possible local antagonism caused by the transfer of responsibility for tax assessment from outside impartial authority (the intendant) to local interested bodies. As a nascent conservative Joly de Fleury <sup>130</sup>

was concerned that the exclusion of the parlements from fiscal matters would remove that last barrier against ministerial despotism, and deny people any recourse against it. He accused Necker of uniting the demerits of the States Countries with those of the pays d'élections, and of dismantling Colbert's work (in setting up the generalities) amidst, "... l'obscurité d'une immensité de mots" <sup>131</sup>.

Joly de Fleury's deepest criticism - harking back to the opposition to Turgot - was of the economic and social conflicts the new system would both reveal and engender. "Le plan des administrations provinciales, est un mélange monstrueux de principes républicains et monarchiques ... en général ce plan d'administration provinciale a toutes sortes d'inconvénients en tout genre et ne peut avoir d'autre objet que de rendre les impositions solidaires, d'écraser les propriétaires des terres, d'armer le peuple contre leurs seigneurs et de rendre le clercé indubitablement le maître du royaume". An unsigned and undated memoir started from the premise that involving more people in administration was fundamentally anti-monarchic, the intendant as single agent of royal authority was a microcosmic reflection in his generality of the king in his realm. The memoir feared that the Administrative Countries would set up a call for the States General. The writer associated decentralisation directly with the surrender of local administration to interested parties, "... on croit y découvrir un danger certain pour l'autorité royale, la possibilité de la destruction des privilèges des différents Ordres ou la facilité donnée aux propriétaires les plus puissants de se décharger du fardeau des impositions" <sup>132</sup>.

These were informed criticisms of the scheme - second hand critiques were also available in abundance. Mirabeau, now a patriarch of physiocracy, accused the Administrative Countries of neither respecting tradition nor inaugurating democracy, and a poor third after the States Countries and Turgot's scheme <sup>133</sup>. Turgot feared that the proposed thirty provincial assemblies would by force des choses acquire power of a revolutionary nature. Turgot was impressed by events in America and foresaw a situation where some weakness in the centre would enable the assemblies to form a congress and take over the nation. He further feared that enough militaires were dissatisfied with Louis XVI's monarchy to incite civil war through this new institutionalised power. His advice was to limit the assemblies

to solely fiscal competence <sup>134</sup>. Choiseul, too, had advice. He made two specific criticisms of Necker's scheme, that the royal commissioners were failing to exercise sufficient control over the assemblies, and that the idea of a community of interest in the Third was a fallacy. He also echoed Turgot's fear of a congress challenging the monarchy <sup>135</sup>.

Choiseul's two criticisms were the most accurate, especially that the Third failed to live up to Necker's hopes of it. There were also some purely technical reasons for the partial failures in 1778; Necker, and the theorists before him, had not envisaged the breakdown in local tax assessment caused by injudicious withdrawal of higher authority. Dailly recognised that a problem might exist in this sphere, but never explored the possibility <sup>136</sup>. The abuses of the existing system blinded reformers to any shortcomings in their own alternative proposals. The institutional cause of the problem was that Necker had only implemented the legislative third of Letrosne's plan, and, even given its developing bureaucracy around the Intermediary Commission, he left the legislative structures stranded in the midst of the hostile administrative machinery of the generality and subdelegations. There was never any mention of the new judiciary. The assemblies, therefore, found themselves operating in a vacuum; they could debate and vote on any matter they wished, but had to rely on hostile administrations for executive support, which they did not receive. Without power, they abandoned responsibility. In their defence, the disasters that befell Berry were absent from Haute Guienne, and even in Berry the experiment, on balance, benefited the province <sup>137</sup>. The failings of Necker's hasty piece-meal approach vindicated Letrosne's detailed, long-term, and carefully planned course. Probably because of the shortcomings of the assemblies in 1778 two proposed assemblies in 1779 (Moulins and Dauphiné) fell to opposition, in Paris and the provinces, which could point to the fiasco in Berry <sup>138</sup>. Another document, presumably of the same period as the original memoir, short-listed: Roussillon, Rouergue and Quercy (i.e. Haute Guienne), Lyonnais, and Hainault as suitable for the regime of Administrative Countries being unencumbered with hostile local corporations or bishops; five schemes then, were still-born 1778-9.

Necker's reforms were not universally regarded as a disaster; one reformer took up Grimm's earlier point that even a failure would leave foundations for new reform. In 'Précis d'un

Projet d'Etablissement du Cadastre dans le Royaume', Tillet praised Necker fulsomely and suggested that the Administrative Countries should be used to implement St-Pierre's plan for a *taille tarifée*. The prerequisite of this reform was the cadaster of the title, without which the privilegiés could (and had) adapt(ed) the reforms to their own advantage. Tillet pointed to the success of this scheme in Angoumois where Turgot (as intendant of Limousin, which included Angoumois) had implemented it in the face of strong opposition from vested interest. Its four main benefits were: that the more rational fiscal structure had led to an increase in agricultural revenue, that more land had been brought under cultivation, that the more prosperous lands would bear the heaviest burdens, and that the number of law suits had been reduced. He suggested a staff of twenty surveyors in each generality to produce the cadaster. He gave a stern warning that should the structure of the Administrative Countries be used to entrench and extend privilege it would be the perpetration of the greatest abuse yet, and its victims might take revenge to destroy all privilege <sup>139</sup>.

Necker attracted attention from Prussia from one Hertzberg, who studied the feasibility of setting up Administrative Countries there. Hertzberg covered most of the ground Necker had, that, for example, all deputies should be landed, that the clergy should be treated as landowners, that the assemblies should have consultative and executive, but not legislative roles (though in reality this failed to happen), and that if power were to be devolved, it was safer in the hands of the assemblies than in those of the parlements. He rejected both a national assembly and the States General as being too dangerous. Hertzberg did more than just précis Necker, he also offered some valuable comments: Montesquieu had laid the foundation for basing the monarchy on political institutions (in fact it had been the duke of Burgundy's circle), but the Administrative Countries took the ideology a stage further by transferring it from autonomous corporations to representative bodies.

Hertzberg showed how Necker had adapted reform projects to the monarchy, as opposed to obliterating the monarchy in a self-regulating system. "La meilleure forme de gouvernement est celle d'une monarchie libre, dans laquelle un seul souverain réunit dans sa seule personne le pouvoir législatif et exécutif, mais où il observe et ne change pas sans une nécessité urgente et visible des lois fondamentales ... et où il établit où laisse

subsister (States and Administrative Countries) qui sans participer ou pouvoir législatif, ont la facilité de s'assembler encertains temps, de délibérer sur la situation et sur les besoins de l'état, d'en faire des rapports et des représentations au souverain, et de concourir ainsi avec sa permission et sous ses auspices à l'administration intérieure et civile" <sup>140</sup>. This type of analysis causes May to call the Administrative Countries parliamentarianism without the parliaments <sup>141</sup>, it shows either that Necker committed a drastic political miscalculation as regards the behaviour of his assemblies, or that he had quite failed to understand Letrosne's concept of provincial separation of powers, and therefore failed to see that he had succeeded only in superimposing an impotent debating chamber on the resentful administrations in the generalities to the disadvantage of both.

Part of the explanation for Necker's apparent ineptitude and miscalculation lies in his most important motive for reform - the supplanting of the robe. Necker had realised that the robe was the dominant group in society, and it was their influence he came to believe, that lay at the root of all France's problems. Necker decided that breaking the robe's grip on society would open up the possibility of the political solution of any given problem. All the various policies pursued by Necker were overt or covert attacks on the robe, whether to convince them to abandon autonomous corporation in favour of professional bureaucracy, or to occlude, circumvent, or suppress their political power. The robe, for its part, returned the compliment by regarding Necker as a dangerous saboteur of the old regime. The first clearly hostile attack to gain any note came in November 1777 during the winter's financial-cum-political crisis: "Meantime, the gens de robe began to triumph in the impropriety of setting people at the head of a department who were unacquainted with the laws and customs of France, and hoped to reclaim to their body, the great offices which had seemed to belong" <sup>142</sup>. This last remark is potentially one of the most interesting of Necker's career, for it links Necker's reforms with the second militaire ministerial offensive, which had begun to gather momentum after the refusal to transfer the War Office from militaire to robin hands in 1774 and 1775, and was reinforced by the Choiseulists' shadow ministry of 1776. A possibility whose substance will be explored below.

The destructive part of Necker's plan was his attack on the robe in his memoir on provincial administration. "Une multitude

de plaintes," he began, "s'est élevée de tous les temps contre la forme d'administration employée dans les provinces ...". Of the intendant he continued, "A peine en effet peut on donner le nom d'administration à cette volonté arbitraire d'un seul homme qui tantôt présent, tantôt absent, tantôt instruit, tantôt incapable doit régir les parties les plus importantes de l'ordre public ... ils sont impatients de venir à Paris et laissant à leurs secrétaires et à leurs subdélégués les soins et les remplaces dans leurs devoirs publics". The disadvantage of relying on the subdelegate, a generally worthy and excellent man, was that he could only communicate with the government via the intendant, who if lax or absentee, could cause the province's administration to grind to a halt. The lack of local accountability by the intendant and his staff could cause "injustices éclatantes", which could be ignored by the intendant who was in the position of being arbiter of the complaints made against him. The intendant was in the unfortunate position of bringing the whole administration into disrepute if he were iniquitous, while being broken by the system were he well-intentioned. An important start would be the devolution of responsibility <sup>143</sup>.

The complaints concerned the intendant alone, but Necker drew the whole robe into the web of abuse and administrative chaos. "Quand de longs murmures dégénèrent en plaintes générales, le parlement se remue et vient se placer entre le roi et ses peuples". The intervention of the parlements and Courts of Aids in taxation slowed down the whole process of fiscal administration and vitiated royal authority. It was Necker's hope that the parlements could be deprived of fiscal competence, in addition to removing the intendant from this sphere. Necker, however, would not have stopped there, but continued, "... comme un corps politique on désirera les affaiblir", by removing all jurisdiction over, "les grands objets" <sup>144</sup>. This attack on the parlements was a stronger statement of Letrosne's position, but in a wholly negative way. Necker repeated all these accusations in 'De l'Administration des Finances ...', but in a milder form. Necker did add one, more sweeping, attack on the robe than any made while in office, "Les gens de robe croient trop aisément que l'esprit d'administration est leur appanage exclusif; cet esprit comme tous les autres, n'appartient ni à l'habit, ni au manteau, ni à l'étalage de la chevalure: c'est un don de la nature que l'éducation, l'étude et l'expérience fortifient, et que l'habitude de la réflexion perfectionne" <sup>145</sup>, thus opening up the field

to any other competent group. This critique was reminiscent of Duclos's remark, "Le magistrat regarde l'étude et le travail comme des soins obscures qui ne conviennent qu'à des hommes qui ne sont pas faits pour le monde" <sup>146</sup>. This brings us back to Necker's approach to information and education. Of itself a freer flow of information to a wider and more educated public would undermine the robe's supremacy.

A document in this context half way between Necker's extreme attack on the robe and those members of the magistracy evolving towards bureaucracy was the 'Tableau Général des Impositions du Royaume'. Negre des Rivières dismissed the late century intendant as, "Un jeune fréluquet qui sort de Paris pour le première fois, ignorant souvent comme croit le bled, ayant presque toujours intérêt contraire à celui de la province, courant la carrière de la fortune, avide des graces de la Cour qu'il doit obtenir par le canal du ministre des finances...". This account of France's administration tarred the subdelegates with the same brush as the intendants, and suggested that a breakthrough in provincial reform could only be achieved after some form of petition of grievances had been presented to the king. Negre disagreed strongly with Letrosne over the use of a cadaster, "... un vain fantôme destiné à abuser la nation par la trompeuse perspective de changements avantageux dans l'avenir", but agreed that it was an advantageous institution in provinces where it was customary. Negre, also, would have no truck with the militaires, "... nés pour être les fléaux de la société", passing themselves off as heroes and demi-gods to whom the intendants pandered <sup>147</sup>.

Georgel saw the attack on the intendants as the single most important aspect of the new assemblies, and linked it to the attack on the financial establishment <sup>148</sup>. Necker juxtaposed the helpful attitude of "gentilshommes" and commoners in the assembly with the disruptive behaviour of the robe <sup>149</sup>. Necker devoted a chapter to the training of the intendants, and while he admired the legal training of the masters of requests, he deplored the relaxation of standards in the course of the century - confirmed by Gruder <sup>150</sup>. This chapter was one of Necker's most important statements about the regime in that it forms an obligatory point of departure for any study of the post-1715 intendant. Ardasheff takes Necker at his face value, and, combined with an uncritical acceptance of robe genealogies, it causes him to conclude that an increasingly more noble caste was tightening its



grip on the masters of requests. Recent research by Mead and Gruder has disproved this aspect of the intendants, but the other criticisms remain valid <sup>151</sup>. Dailly believed that the intendant's function should be reappraised and reduced to representing the province's interests and providing the government with a steady flow of information <sup>152</sup>.

In another direction Necker went back to an idea of respectable pedigree that the monarchy should base itself on property. Necker desired a compromise between the belief that commerce was the sole source of wealth and the physiocrat view that agriculture was its sole source. To this end Necker insisted on the inclusion of specifically urban as well as specifically rural deputies, and both subject to property qualifications <sup>153</sup>. Letrosne described his plan as, "une administration de propriétaires" in the belief that the involvement of all property owners in the political process would prove an unshakeable political base <sup>154</sup>. Letrosne had turned into political detail Moreau's general observation, "Si la monarchie est la surété des propriétés, les propriétés, de leur côté, doivent être, pour la monarchie, une source intarissable de secours" <sup>155</sup>. Véri analysed the development of late century political thinking as a steady evolution towards the omnipotence of property <sup>156</sup>. In this we should detect not so much a move towards a property-owning democracy - as Lavergne would like us to believe - as an attempt to create a more widely based plutocracy which would swamp the robe.

But this was a long-term hope, immediately Necker had to persuade part, at least, of the robe to defect, and to find some other group to help the initial transition away from a robe dominated society. Although there is no coherent body of evidence to support it, several disparate fragments suggest that Necker looked to the militaires to fill this gap. Somewhat nebulously, Necker patronised Coyer, and gave his 'Noblesse Commercante' a new vogue; this work was an overt assertion of militaire interests. Necker's specific stipulation of nobility of 100 years' or more standing in provincial assemblies meant that only militaires or older robe, in theory, would be eligible for the Second. When this same policy had been implemented in Languedoc in 1770 it had caused a storm of protest and been regarded as a straight conflict between robe and militaire.<sup>157</sup> The structure of representation was loaded heavily against the robe, forcing them to fall between the categories of militaire and notable commoner. This

in itself caused friction with local robe institutions. In retrospect, as we have seen above, Necker praised the *militaires* for their helpful political behaviour in the assemblies. Véri was genuinely alarmed lest the assemblies provoke a republican movement led by the *militaires* which would topple the monarchy <sup>158</sup>.

The most important piece of evidence comes from the 1777 'Etat Politique' in a critique of Maupeou's reforms. Bearing in mind that Letrosne had suggested basing a new consular judiciary on the Presidial courts, the 'Etat Politique' said that after abolishing the parlements outright in 1771 each province should have been given a sovereign court based on the Presidial judges. These judges, however, should not be robins: "Les présidiaux auraient dans peu de temps été composés des cadets de la noblesse provinciale qui se seraient fait honneur d'être membre d'une cour souveraine et l'on auroit vu les aînés servir l'état dans les armées et leurs cadets rendre dans le Temple de Thémis la justice aux peuples" - a programme for military hegemony through provincial reform <sup>159</sup>. Finally, Goodwin quotes Besenval as saying that the socio-political balance was preserved by Miromesnil patronising the robe while Necker patronised the *militaires* <sup>160</sup>. While the case can be made out rather than proven, it is evident that Necker attracted and dispensed patronage from and to the *militaires* at the expense of the robe, as can be seen in his initial clique.

One aspect of Necker's Control General was an impulse to humanitarian reform for which full credit is due. This impulse is attributable to Necker's Calvinist-cum-philosophe background. In 1777 alone Necker lessened the brutality of life in the areas of: hospitals, slavery, naval deserters, and abuse in credit <sup>161</sup>. His greatest triumph was the abolition of mortmain on the royal domain in 1779, though the disappointment of all reformers the initiative was not taken up by private land-lords. <sup>162</sup> Necker also managed to curb the extent of legal torture. He naturally took an interest in toleration, and Marmontel, whose plays 'Bélisaire' and the 'Incas' were covert pleas for an end to religious fanaticism, came under his patronage <sup>163</sup>. In the same vein, Necker never used office for personal gain nor for the advancement of family or friends (as opposed to a normal level of patronage). Here he shares with Turcot a personal morality in office far higher than the accepted standards of the age <sup>164</sup>. Ignoring future financial chaos, on balance the people of France benefited from Necker's period in office. This humanitarianism

was another aspect of Necker's desire to achieve the politics of concord and concensus, which was a possibility if Necker is viewed as the apogee of an abortive Louis-seizième monarchy, but which fell victim to force des choses and to Necker's injudicious assault on the robe.

Grange analyses the great breadth of vision within Necker's writings, and presents a coherent view of the aims of his reforms, "Le but poursuivi est une transformation profonde de la monarchie française, une véritable révolution silencieuse, aussi bien politique qu'administrative", leading to structural solutions to the ancien regime's problems <sup>165</sup>.

Necker is the dominant figure of Louis XVI's reign up to 1789. Allonville called him, "... le seul véritable ministre qu'eut le roi Louis XVI", for the scope of his ambition and the breadth of his vision <sup>166</sup>. Boshier is no less laudatory, "Necker was without doubt the most skilful politician of the reign, perhaps of the century" <sup>167</sup>. A less generous judgment is Jolly's that Necker simply trod the same path as Turgot, to whom the credit for reform is due. Even within such limitations Jolly believed that, fully implemented, the Administrative Countries might have enabled the regime to withstand the impact of the States General <sup>168</sup>. (Lachaze points out that the assemblies once set up could survive on their own merits, but the reforming impulse was too little and too late <sup>169</sup>.) The definitive statement of the still-born Louis-seizième monarchy and Necker's potential place in it was made by the militaire Lévis, "Avec un roi juste et économe, un ministre habile et des assemblées provinciales ... la monarchie eût été indestructible, et la prospérité de l'état se serait accrue indéfiniment" <sup>170</sup>.

Necker fell in 1781 because he could no longer find the money his power depended on, because Maurepas considered him, finally, more dangerous than useful, and because his acknowledged double or quits policy had finally come up quits over the Compte Rendu <sup>171</sup>. In his political career to 1778 Necker brings together every thread in the political culture of the old regime, and when the political tapestry he wove unravelled itself, it left the regime with no new options and on the path to disintegration. But Necker in 1778 marks the potential triumph of Louis XVI's new monarchy and of new points of departure for the regime.

SUMMARY

Necker is the focal and concluding point of this study. The biographical reappraisal to 1778, and the detailed study of his ministerial politics, have shown that he was not the hesitant outsider but a consummate political operator.

It has been shown that his political ideas were a synthesis of contemporary theories and attitudes spanning the political spectrum. His reforming vision was sharper, but less ideological, than Turgot's. He reformed the Control General. He began to create a genuinely modern bureaucracy. He used public opinion as a political tool. He shared Louis XVI's vision of an alliance between citizen and king. He also hoped to be able to harness both the traditional strengths of the regime and the innovating spirit of reformers in a new structure of provincial administration. His broadest vision was to challenge the robe oligarchy.

The first provincial assemblies had just been successfully introduced when war was declared. Future reform was postponed during the war, and that postponement marks the conclusion of this study at the point where Necker had taken the regime to a new point of departure.

TABLE IVProjected and Realised <sup>172</sup> Formats of Administrative Countries:

Aubusson	:	80	deputies		
Turgot	:	30	deputies		
Letrosne	:	48	deputies (30 elected, 16 ex-officio executives)		
				<u>Clergy</u>	<u>Nobility</u>
					<u>Third</u>
Boulonnais	:	4(8)*		4(8)*	4(11) + 10 nominees
Berry	:	12		12	24 Languedocian model
Haute-Guienne	:	10		16	26
Moulins	:	10		16	26
Dauphiné	:	12		18	30 most highly developed

\* figures in brackets the electoral college.

FOOTNOTES

1. Hampson, <sup>Enlightenment</sup> pp. 232-50.
2. Dakin, Turgot p.102.
3. Bosher, Single Duty Project pp. 103, 161-2. Bosher, French Finances pp. 142-5. 'Necker's Compte Rendu of 1781: a Reconsideration' R.D. Harris (J.M.H. vol. 42 1970) p. 166.
4. 'De l'Administration des Finances de la France' J. Necker 3 vols. (Paris ?) 1784. 'Sur l'Administration de M. Necker par lui-même' Amsterdam 1791 'Notice sur M. Necker' A. de Staël (his grandson) I pp. i-ccli in 'Oeuvres Complètes de M. Necker' ed. Staël, 15 vols. Paris 1820. also, in Vol II the 1787 pamphlet battle with Calonne. 'Oeuvres Complètes de Mme. la Baronne de Staël' (his daughter) 17 vols. Paris 1826. Vol. XII (essays: 'Réflexions Générales', 'Considérations sur l'Histoire de France', 'De l'Opinion Publique en France à l'Avènement de Louis XVI', 'Du Caractère de M. Necker comme Homme Public', 'Des Plans de M. Necker Relatifs aux Finances', 'Des Plans de M. Necker en Administration') 'Mémoires sur la Vie Privée de mon Père' Mme. la Baronne de Staël-Holstein. Paris 1818.
5. B M Add. Mss. 22111 'Lettre du Marquis de Caraccioli à M. d'Alembert' 1 May 1781. 'Particularités et Observations sur les Ministres des Finances de France 1660-1791' A. de Montyon. London 1812. Cobban I p. 122 (Caraccioli was the Neapolitan minister in Paris and a minor littéraire - "a superficial and rather silly man" (Hampson p.146) - who analysed France in similar terms to Duclos. In the 1760's he wrote several defences of Christianity, absolutism, and aristocracy e.g. 'Le Cri de la Vérité contre la Séduction du Siècle' Paris 1765, 'Le Language de la Raison' Liege 1764 'Le Language de la Religion' Paris 1765, 'Lettres Recréatives et Morales sur les Moeurs du Temps' 4 vols. Paris 1767).
6. 'Necker, Fourrier de la Révolution 1732-1804' E. Lavaquery Paris 1933. (A competent, though hostile, biography from which basic biographical detail will be taken) Jarrett pp. 157, 159. Caraccioli p.4.
7. Jarrett p. 73. Cobban, Modern France I pp. 88-9.
8. S.P. 78 278 p. 259. Bluche <sup>Parisiats</sup> pp. 143, 150 & passim.
9. 'Mémoire sur la Situation Actuelle de la Compagnie des Indes' Morellet.  
'Réponse au Memoire de M. l'Abbé Morellet sur la Compagnie des Indes' Necker.

- 'Examen de la Réponse de M. Necker' Morellet
- 'Examen des Décisions de Morellet' Necker. also 'Mémoire sur la Compagnie des Indes' Lauraguais. (all Paris 1769).
10. Bachaumont IX p. 276.
  11. 'Necker 1732-1804' E. Chapuisat. Paris 1938 pp. 26-34.  
Soulavie IV p.15, reported Necker to have ingratiated himself with the diplomatic corps. (Sénac de Meilhan p.172 for Necker as Praslin's protégé). Grange p. 21 and K.M. Baker 'Condorcet' Chicago 1975 p. 61 for Choiseul's and then Terray's patronage.
  12. Linguet, Annales III pp. 73-4. 'Necker, Fourrier de la Révolution' E. Lavaquery Paris 1933 pp. 95-101. Chapuisat p.59  
'Necker' P. Jolly Paris 1951 p.99.
  13. Deffand II pp. 343-4.
  14. Mercur de France 1773 XIV p. 128. Année Littéraire 1773 IV pp.311-12.
  15. Métra III pp. 384-5.
  16. Chapuisat pp.59-61-4. 'Jacques Necker et les Origines de L'Interventionisme' A. Babel. pp.25-44 in 'Mélanges d'Economie Politiques et Sociale, Offerts à E. Milhaud' Paris 1934 p.30.
  17. Corrèspandance Secrète I p.121.
  18. 'Dialogues sur le Commerce des Bleds' F. Galiani. London 1770 (Galiani did not reject physiocracy, but claimed that it was not applicable to France of the late 1760's).
  19. Jolly p.97, S.P. 78, 301 p.27.
  20. Etat Politique 1777 p.299 Corrèspandance Secrète I p.89. S.P. 78 300 p.247.
  21. 'Sur l'Administration' I p. xlvii.
  22. Ibid. p. liv. Chapuisat p.57.
  23. Métra V pp. 74-81, 189.
  24. Bachaumont X p.165. Linguet, Annales II p.77 (The lettre de cachet imprisoning Pélistery (3 June 1777) listed 'Eloge Politique de Colbert' (1774), 'Le Café Politique d'Amsterdam' (1776), and 'Erreurs et Désavantages pour l'Etat de ses Emprunts des 7e Janvier et 7e Février 1777' (1777) as his literary crimes; Pelisséry spent the remainder of the regime in prison. Funck-Brentano, Lettres de Cachet p.401.)
  25. Croÿ III p.150.
  26. See Appendix I for the political background to the pamphlet.
  27. Condorcet p.132.
  28. Hardy III p.101.
  29. Lavaquery pp.117, 110. Chapuisat pp.75-6. Georget 1 p.485.
  30. Necker, Oeuvres Complètes II pp. 176-80.
  31. S.P. 78 300 pp. 125-8, 148, 149.

32. suggested Lavaquery pp. 130-1.
33. S.F. 78 300 pp. 37-8.
34. Walpole, Letters IX p. 432.
35. S.F. 78 300 pp. 126, 148. Montyon pp. 187, 205. Espion  
Anglais IV pp. 309-90.
36. Jarrett p. 154. Jolly p. 173. The phrase noted Véri II p.41.
37. 'Les Finances de l'Ancien Régime et de la Révolution'. R.  
Stourm. 2 vols. Paris 1855 I p.43 (Pierre-Victor Malouet  
1740-1814, Revolutionary statesman).
38. Biographical detail on Fe-say from Lavaquery pp. 109-12,  
du Gouvernement  
Sénac de Meilhan, pp. 159-71, Linguet, Annales III pp. 276-9.
39. Métra V p. 217.
40. Auckland III p. 412.
41. 'Novelles Ephémérides'. monthly, Paris 1774-6. vols II and  
III. (François maréchal marquis de Maillebois 1682-1762).
42. Jolly p. 13. Soulavie IV p.12.
43. Fay, Louis XVI p. 135. Auckland III p.373. Soulavie IV pp.  
5, 13. Sénac de Meilhan, du Gouvernement p.161.
44. Véri II p.16. DuFort I p.409. Auckland III pp.411-12 (an  
obituary on Fe-say, one of the most impressive pieces of  
political reportage of the period by Paul Wentworth).
45. Auckland III pp.167, 412-13 (Beaumarchais's eclipse would  
have been caused by the collapse of a commercial-cum-espion-  
age venture which cost the government more than 1,000,000l.  
in the summer of 1777; this pre-aged the end of his use-  
fulness in January 1778. 'Beaumarchais and the War of  
American Independence' E.S. Kite. 2 vols. Boston 1918 II  
p. 143. The Real Tigarro' C. Cox. London 1952 p.117.
46. F. Dreyfus 'Un Philanthrope d'Autrefois: La Rochefoucauld-  
Liancourt! Paris 1903 p. 45. Correspondance Secrète I p. 30.
47. Chapuisat p.73.
48. De l'Administration I p.liii. Lavaquery pp. 129, 137.
49. Lavaquery p.140.
50. De l'Administration I pp. lvi, xix, cxxxi, xiii-xiv, x, lxxiii-  
lxxv, lxxxvii-lxxxix.
51. Ibid. pp. xxxi-lvi, lxxii. Griffet I p.105. Réal I p.xvi.  
Espion Anglais VI p. 153. Letrosné I p.444.
52. Jarrett p. 162.
53. Bachaumont IX pp. 272-3. S.F. 78 300 p.247.
54. S.F. 78 300 p.200.
55. Métra III p.412.
56. Croÿ IV p. 143.
57. S.F. 300 p.413.
58. S.F. 78 305 p.210. Métra IV p. 165. S.F. 78 303 p.150.



- Auckland III p.64.
59. Correspondance Secrète I p.90.
  60. S.F. 78 301 p.97.
  61. Espion Anglais III p.228.
  62. Correspondance Secrète I p.90. Véri II pp. 64, 71.
  63. S.F. 78 305 p.201.
  64. Term suggested by Georgel I p.490. 'Mémoires' F. Lenoir : (ed. R. Darnton. English Historical Review 1970) p.554.
  65. S.F. 78 301 p.149, 302 pp. 79-80, 303, 200. Auckland III p.112.
  66. Correspondance Secrète I pp. 120, 20.
  67. (Hardy III p.17). Auckland III p.456. S.F. 78 306 p.192. This is the twentieth of Lardé's study: 'Une Enquête sur les Vingt-trois au Temps de Necker'. Paris 1920.
  68. Métra VII pp. 3-9.
  69. Véri II p.79.
  70. Métra VI p.411, VII p.5. Correspondance Secrète I p.211.
  71. S.F. 78 300 p.413. Auckland II p.459.
  72. Auckland II pp. 396-7.
  73. Auckland III pp. 370-2. S.F. 78 304 p.175.
  74. Auckland III pp. 455-6; IV p. 279.
  75. Suggested Espion Anglais IV pp. 335-408, especially p.397.
  76. S.F. 78 303 pp. 68, 69, 150.
  77. S.F. 78 303 p. 428. Auckland III p.372.
  78. Boshier, French Finances p.165.
  79. See Chapter V . Auckland II p. 373.
  80. S.F. 78 300 p. 200. Métra III p.413. Correspondance Secrète I p. 156. 'Tableau Comparatif de ce qui s'est Passé en 1715-20 et de ce qui se Passe en 1770-80'. anon. Paris 1780.
  81. S.F. 78 303 p.150.
  82. De l'Administration I p. cxvii.
  83. S.F. 78 303 p. 150. Cobban I p.122. Grange pp. 362-66.
  84. Boshier, French Finances p.63.
  85. De l'Administration I pp. lxx-lxxv.
  86. De l'Administration II p. 282, Staël, Vie Privée p. 28.
  87. Véri II p. 145.
  88. Boshier, French Finances p.145.
  89. Georgel I p. 490. Croÿ IV p. 144 (Georgel, Croÿ, and Montbarey all took Montyon's line on Necker).
  90. Espion Anglais V pp. 65-120, 176-191 - information acquired by "infidelity" in government. The premiers commis are the subject of a detailed study: 'Premiers Commis des Finances

in the Reign of Louis XVI' J.F. Bosher. FHS 1964 III, which shows them to have been the first true civil servants in France.

91. Etat Politique, 1777 p. 167.
92. Georgel I pp. 492-3. Espion Anglais III p. 234 (although years earlier than the Compte, the Espion associated Necker with the desire for a "budget").
93. Harris, Compte Rendu .
94. S.P. 78. 282. p.251 (probably from Laverdy's Compte, quoted Chapuisat p. 74). Espion Anglais see above. Etat Politique, 1777 p. 164. 'Mémoire donné au Roi en 1778 par Mr. Necker' (B.N. Add. Mss. 2211) p. 12. (The discrepancy of approx. 200,000,000l. between the second, third, and fourth sets of figures correspond to the extraordinary revenue and expenditure deliberately ignored by Necker). Roussel de la Tour 'Richesse de l'Etat'. Paris 1763 p. 2. Marion, Histoire Financière I p. 287.
95. Moreau de Beaumont 'Mémoires concernant les Impositions et Droits en Europe' 5 vols Paris 1787-89.
96. Guimbaud p. 160. (N.B. Moheau was Montyon's secretary).
97. Moheau II pp. 47-53, 57, 58, 60-1, 116-18, 4, and passim.
98. Journal Encyclopédique 1777 VII p.180, VIII pp. 372-3.
99. Deffand II p. 626. Hardy III pp. 287 ff. and passim. Grimm passim. Linguet, Annales II pp. 441-3.
100. Chapuisat p. 82.
101. Condorcet p. 291.
102. Véri II passim. Lavaquery p. 131.
103. Correspondance Secrète I pp. 7, 15, 39, 72, 21.
104. eg. Soulavie IV p. 25.
105. Jarrett p. 154.
106. Necker, de l'Administration II pp. 137-45. Staël, Oeuvres XII p. 87.
107. Necker, de l'Administration I p.xiii. Georgel I p. 505.
108. S.P. 78. 294 p. 165.
109. Véri II p. 146.
110. L. Lachaze 'L'Assemblée Provinciale du Berri sous Louis XVI'. Paris 1909 pp. 78-9.
111. Renouvin p. 29. R. Mousnier 'La Plume, la Faucille, et le Marteau' Paris 1970 p. 257.
112. Jarrett p. 169.
113. This memoir also appears in BN Mss Fr. 7059 (Castries Collection) as 'Mémoire de M. Necker au Roi sur l'Etablissement des Assemblées Provinciales', all references are to the British Museum copy.

114. Lavaquery pp. 156-7.
115. Necker, Mémoire 1778 pp. 3, 17, 8-9, 11-12, 16, 22, 25, 35, 18-21.
116. 'Arrêt du Conseil d'Etat du Roi portant l'Etablissement d'une Administration Provinciale dans le Berry' 12 July 1778 (Paris 1778).
117. 'Les Assemblées Provinciales sous Louis XVI' Léonce de Lavergne. Paris 1864. p. 34 (quoting Mirabeau).
118. Grimm IV pt. II pp. 80-8.
119. B.N. Mss. fr. 7059 (a great number of undated, unsigned, and in some cases untitled documents).
120. Lavergne, Assemblées Provinciales p. 23.
121. A development explored by Spitteri see Chapter I note 75.
122. Necker, de l'Administration II pp. 296-99.
123. Journal Encyclopédique 1778 VIII p. 566. Lachaze p. 139.
124. Lavergne, Assemblées Provinciales pp. 39-42. It is of interest that one of the deputies in this assembly was Buat, who criticised Necker for not being aristocratic enough in the assembly's constitution (J. Egret 'Necker, Ministre de Louis XVI' Paris 1975 p. 137, this most recent work on Necker adds disappointingly little to Lavaquery's picture of Necker prior to 1778., and introduces no new source material).
125. Lavergne, Assemblées Provinciales pp. 42-84. Renouvin p. 48. 'Procès-Verbaux' of the assemblies of Berry and of Haute-Guienne
126. Lavergne, Assemblées Provinciales pp. ii-iii.
127. B.N. Mss. fr. 7059 'Observations sur l'Administration Provincial du Berry'.
128. Young p. 58.
129. Necker, de l'Administration II pp. 300-9.
130. Jarrett p. 173.
131. Collection Joly de Fleury 2539 (Provincial administration 1770-89), following documents: 'Dangers des Etats Provinciaux; 'Réflexions sur l'Arrêt du Conseil d'Etat Concernant l'Administration Provinciale dans le Berry', 'Observations sur les Deux Arrêts du Conseil Concernant l'Administration Provinciale dans le Berry et Dauphiné'. Lavaquery p. 159 and Capefigue, Louis XVI IV p. 130 take the same approach.

132. A.N. K 680 'Mémoire sur l'Administration Provinciale'  
written to attack the Director of Finances.
133. Loménie II pp. 128-9.
134. Véri II pp. 147-8.
135. Choiseul (Chanteloup edn.) I pp. 165, 204-9.
136. Espion Anglais V p. 101.
137. M. Marion 'Histoire du Berry et du Bourbonnais' Paris  
1933. p. 219.
138. Lavergne, Assemblées Provinciales pp. 27-9.
139. du Tillet de Villars pp. 35, 37, 38-9, 76.
140. Hertzberg 'Sur la Forme des Gouvernements' Berlin  
1784 (a paper presented to the Academy of Berlin  
29 January 1784) pp. 20-4.
141. L-P May p. 154.
142. Auckland III p. 371 (reported by Wentworth 16 November  
1777).
143. Necker, Mémoire 1778 pp. 1-4, 6, 40, 13 (same critique  
as in Espion Dévalisé pp. 216-28).
144. Necker, Mémoire 1778 pp. 6, 21, 27, 8, 46-7.
145. Necker, de l'Administration II p. 276.
146. Duclos, Moeurs pp. 157-8.
147. Espion Anglais V pp. 96-8, 108-10, similar, but more porno-  
graphic, militaire attack in Sade's 'Le Président Mystifié'
148. Georgel I pp. 491, 505. Sade VII.
149. Necker, de l'Administration II p. 276.
150. Ibid. III pp. 379-85. Gruder p. 27.
151. Mead I p. 16. Gruder pp. vii-viii.
152. Espion Anglais V p. 96.
153. Mousnier, Plume, Faucille, Manteau p. 257.
154. Letrosne I pp. 533-4.
155. Moreau, Devoirs p. 253.
156. Véri II p. 149, a point also made by Moreau, Devoirs  
p. 90.
157. Mercure Historique et Politique 1770 I p. 277.
158. Véri II pp. 147, 174-5, Véri commented elsewhere (I  
p. 298) on his fears of republicanism in the army,  
and maintained that the militaires who were so eager  
to fight in America did so because they were republican  
already - confirmed from the militaire side Ségur p. 48.
159. Etat Politique 1777 pp. 101-2.
160. Goodwin, Calonne pp. 340-1.

161. reported Journal Encyclopédique 1777 VII pp. 180-3.
162. Cobban, Modern France I p. 107.
163. Marmontel II pp. 195,201.
164. Mead I p. 229.
165. Grange p. 367.
166. Allonville I p. 123.
167. Boshier, French Finances p. 62.
168. Jolly pp. 163-6.
169. Lachaze pp. 121-2, 123.
170. Lévis p. 12.
171. Espion Anglais VI p. 159. Augéard p. 21 (reported remark by Marie-Antoinette).
172. The information on actual assemblies from Lavergne, Assemblées Provinciales.

CONCLUSION

The period 1768-1778 was outwardly marked by weak leadership. Ministers came and went too rapidly to exercise control for more than a few years at a time. Yet, the traditional emphasis on the history of successive ministers obscures the increasing effectiveness of the king in Council. The turn-over in ministers was less an index of the crown's weakness than a sign of royal assertiveness, though unbacked by consistent policy.

During the last two of these years Necker began to build a new political system that turned most of the regime's remaining strengths to account. He gave the Control General a new lease of life as a kind of State bank and fashioned a genuinely modern - because apolitical - bureaucracy. Above all, he knit together all the elements of political and moral support upon which the crown could call. He won the king's own affection and support. He developed the widest system of patronage of any contemporary minister: it stretched from the dévots to the philosophes. His support comprised all the various groups in society which were hostile to the robe's dominance. To this he added convincing appeal to all those who genuinely sought reform.

The monarchy had given every indication of degenerating into a "moribund pornocracy" in the early 1760's. It now began to show surprising signs of vitality under Louis XV from the Session of Scourging in 1766 through to the endorsement of Maupeou's reforms in 1771. This royal authority, however, had been entrusted to ministers who were allowed to manage the Council. Its exercise also seemed to step outside the accepted limits of absolutism, and this threatened to do great damage to the monarchy's standing in the regime.

In 1774 Louis XVI appeared to relinquish this power through various actions culminating in the recall of the parlements. He believed differently, and there is some reason to respect his judgement. As 'restorer of mores' he aspired to introduce a golden age based on justice, resolute government, economic reform and the enlightened submission of his subjects. There is much evidence - from the serious tone of ministerial politics, to the changed quality of life at Court, or to the deliberate heeding of public opinion - that the king did succeed in raising both the quality of public life and the expectations of the public spirited among the élite.

What the regime had to come to terms with in this period was not respect for royal authority - to which all elements in society paid at least lip-service - but the problem of imposing it after so long an absence. "Despotism" under ministers such as Maupeou, Terray and Aiguillon had been tried and found wanting. Louis XVI also rejected the politics of consensus his grand-father had allowed under Choiseul. Louis chose three - mutually compatible - approaches: direct royal intervention to regulate the conduct of the Council, ministers of outstanding probity and ability who could capture the public imagination with bold and well publicised reforms, and a willingness to allow the monarchy to co-exist with existing and proposed institutions whose loyalty would strengthen the crown. Louis did not see the exercise of royal will as an end in itself, but as the start of the process of publicising and expounding his intentions, so much so that by mid 1776 a eulogist of the reign could write that within two years Louis had created a new style of monarchy and a new political culture ('Anecdotes du Règne de Louis XVI' Anon. Paris 1776).

The length the the regime's unbroken history gave it an illusion of stability and a false sense of security. As the pace of political life quickened in the mid to late century, ministers needlessly put the foundations of the regime at risk in their intrigues. In fighting to stay in power, Choiseul brought the parlements' survival into question, and threatened the regime's corporate structure. Turgot's enemies attacked his ministerial policies for peasant unrest arising from food shortages, whose ultimate cause was climatic. Necker used the regime's solvency as his personal currency.

Five other problems confronted the monarchy, which needed to come to terms with them. These were: changes within the nobility, devolution, institutional conservatism, philosophie, and the "peasant problem". The first of these took the form of the so-called militaire reaction, whereby a group based on military institutions and families of 100+ years of nobility began to develop a sense of political identity and common interest. This new group created pressure on society and politics, threatening to lower the status of both the robe and the middle classes.

The trend towards devolution, secondly, affected all the regime's institutions and assumptions about reform outside the immediate area of vested interest in central policy making and bureaucracy in Paris and Versailles. The oceanic provinces already possessed two respected and powerful organs of autonomy in their parlements and States.

The parlements had experimented with capturing central power in the pretension of the unite des classes in the 1760's. This had been swept aside by the government, leaving the provincial parlements free to concentrate on local privileges and interests. The States had always argued in favour of local administration, and had set an example of excellence which the government could not ignore. A theme runs through central government's policy from Choiseul's decision to administer Corsica through States in 1768 through to Necker's creation of provincial assemblies in 1778. This theme was that devolved administration using the provincial élites was more efficient and more equitable than the intendants' rule, and would create institutions drawing together all the strengths of the regime in renewed loyalty to the crown. The agents of central authority - the governors and intendants - were themselves transferring their allegiance from central to local government. It was common ground among political theorists that devolution of power was a prerequisite of successful reform. The crown could look to institutions such as the States of Languedoc or the Assembly of Haute-Guienne as sources of inspiration and support.

Institutional conservatism, thirdly, was only a problem for the government because of its own uncertain reaction to it. In the traditional interpretations of the regime a reforming monarchy is pitted against reactionary institutions. The government's achievement is measured by its progress against the vested interests opposed to it. This simple view, however, does not square with the complexity of the political situation. There were, of course, small areas of naked self-interest such as the Postal Farms, which would always resist any attempts at thorough reform.

The majority of larger institutions, however, shared many of the crown's interests. Beside narrow corporate self-interest should be set a real concern for the common good. It used to be held, for instance, that the opposition of the parlements to royal policies was entirely self-interested. Yet, it can be plausibly argued, as Professor Boshier and others have shown, that the parlements' reluctance to grant revenues to the crown stemmed from a wish to escape financial obligations, and from a genuine conviction that the government's financial administration needed to be overhauled before further revenues should be voted. The parlements were concerned to ensure that most funds raised by taxation did actually reach the government, and were used effectively where they were most needed.



In areas such as the maintenance of law and order and efficient local self-government, the crown and various institutions had much common ground. The crown itself recognised that its own policies could be put into effect more smoothly by devolving much of the administration to local bodies. In Brittany, for example the parlement and States were close allies. This promised efficient trouble-free administration if the crown could harness this local co-operation. One of the keys to successful local government in the oceanic provinces<sup>2</sup> was that each institution or interest group in society had a defined jurisdiction or competence - we find the major disputes in the regime (eg. Aiguillon in Brittany) where central government occasionally challenged this situation.

Men such as Letrosne recognised the need for such separation of competences, both to rationalise administration and to satisfy the needs and pretensions of powerful vested interests in society. One of the arguments in favour of a provincial administration with a separation of powers - from both sides - was that such an arrangement would free the crown from having to intervene in day to day matters. It would also allow the crown to concentrate on wider policy and moral issues, while at the same time conferring greater real, if specified, power to the corporations. Despite these successes, the problem remained: the crown had succeeded only partially in forging alliances with corporate interests with which it had much in common.

The fourth problem was how the administration should treat the philosophes, their challenge to existing institutions, and their justification in political and social theory. The philosophes can, perhaps, be divided into three main groups. First, there were the supporters of the noble thesis, whose most illustrious exponent was Montesquieu in 'De l'Esprit des Lois', and whose most committed followers were to be found in the intellectual circles of the parlementaires. The alliance between the parlements and philosophie in our period had been largely dissolved, however, by the disputes over materialism and anti-clericalism, and by the opposition to Turgot's reforms in 1774-6. The second and largest group, which included Voltaire, Condorcet, and others, supported the crown, as the guardian of the common interest against vested interest. The possibility existed, but was barely exploited, of fostering a party of supporters of the crown among the philosophes, apart from the rather crude buying of loyalties through the award of pensions and other rewards, so graphically described by Professor Darnton. The third party, which numbered Linguet and which

grew larger after 1770, while remaining still small and poorly considered by contemporaries, called into question some of the basic institutions and attitudes of government and society under the ancien regime. The problem that the government needed to face was how to counter this threat by the winning over of individual writers or by repressing them more effectively through censorship.

In looking to these different groups for support - the militaires, the robe, provincial élites, and philosophes - the crown did not necessarily need to solder an alliance between them, but only between the crown and each individual group. This brings us back to the crown's model of the regime as a wheel with the king as hub, and the corporations and interest groups as spokes. If the crown could regulate the interaction between all the parts of society, there would be no inherent need for each part to be in harmony with every other. In the parlements' view of society (as a chain with a hierarchy of links from king to journalier) social harmony and cohesion was, of course, essential.

The fifth problem was the threat to efficient government from the peasant problem. Any detailed study of this question lies outside the scope of this thesis, but it has formed a background reality. It was beyond the imagination of ministers to better the peasants' lot within the context of muddling through with existing policies and outlooks. The radical solution of a free market economy was not fully understood, and its effects in times of short supply proved too dangerous to follow it through. The reformers whose ideas have been examined in Chapter V had suggested solutions to the peasant problem that ran from vegetarianism to applying the findings of cadasters. The government, within the limits of the possibilities open to it, did try to solve the problem by galvanising local initiative. It was one of the hopes of the new provincial assemblies that they could encourage each province to solve its basic rural economic problems locally as part of the bargain for devolution and the institutional confirmation of privilege.

In the States Countries there did seem to be scope for optimism that a prosperous peasantry could co-exist with a society based on Orders and privilege. It should also be remembered that only the States General had the constitutional authority to ratify reform of ordinary taxation (ie. the taille). It was the combination of these two observations which gave such force to the call for an assembly of the States General in 1774. In the atmosphere of the new reign, and with an untried but virtuous and popular young king, the government

might have convoked and managed such an assembly with success.

With no revolutionary context, there would be every reason to suppose that an assembly would fit somewhere between the States of Languedoc and the General Assembly of the Clergy in composition and outlook. The reform of the worst abuses of the *taille*, *corvée*, etc. might have been high on the agenda. The assembly would end the parlement's pretension to be a national assembly, but by 1774 the court had abandoned this in any case. Malesherbes in the parlement might have brought the magistracy into co-operation with the States General behind a programme based on his May 1775 Remonstrance. It is all too easy, finally, to overlook the obvious fact that the king did eventually have to accept the calling of the States General to sort out the regime's problems,

In the short term, the government chose to pursue a different course with the ministries of Turgot and Necker. In a wider perspective these ministries were only following more tortuous paths to the same ends of tax reforms in exchange for devolution and separation of powers. The period 1768-1778 showed the monarchy experimenting with political reforms as a reaction to the forces of change in society. What marks this period out from the decades on either side of it is that the monarchy retained some initiative, and was prepared to exert itself to intervene directly in the political process to pursue policy objectives.

Seen from the perspective of 1778, what comments could be made about the actual failure of the regime a decade later? Firstly, the personal character of the king had changed. His interest in, and enthusiasm for, politics had waned. At the same time Marie-Antoinette's ascendancy, which he had resisted so strenuously earlier, had become predominant. These were changes internal to the royal family, and not caused by any more general despair with the political process. Secondly, the States General had not been convoked at a time when the monarchy retained sufficient political credit to manage them, or when the States themselves would have been concerned to protect the essential qualities of the regime. Thirdly, the financial situation had been much exacerbated by the costs of the American War. The government's failure to remedy the increasingly important financial problems helped to alienate some of the middle classes from the monarchy.

Fourthly, the basic problems of the rural economy had not been tackled. This was partly because the opportunity to convoke the States General on the crown's own terms had not been seized. It

was also because the impetus to provincial reconstruction had been postponed by the war. This postponement became permanent in terms of it being led by the monarchy instead of becoming a weapon used by others to undermine it. Neither the provincial States nor the provincial assemblies were allowed to develop to their full potential under central guidance. Fifthly, the option of the crown consciously allying with the aristocratic institutions, which was an unanswered question 1774-8, remained unanswered through to 1787. After 1787 the nobility, through the institutions, began to initiate independent political action designed to reduce or eliminate the power of the crown.

None of these points discredit the viability of reform or development led by the crown 1768-78. In its chosen lines of action, it had achieved real results. The evidence presented in this study has not attempted to ignore the regime's difficulties, but has shown that by 1778 a new point of departure had been reached. The foundations had been laid upon which new political initiatives could be built, which could offer the regime a hope of coming to terms with its problems.

The cornerstone of this foundation was the successful experiment with Letrosne's programme for restructured provincial administration. The other elements were Louis XVI's personal interest in politics and concern to support reforming ministers. Public opinion had been won over to the government. Humanitarian reform had been implemented. In the background lay the memory that in 1771 the government had been prepared to exert itself to crush all opposition. A programme of further provincial reform had been drawn up for 1779. The programme embarked on in 1778 seemed able to mobilise the strengths of the regime and to eradicate its worst faults. It offered answers to the problem of the fraught relations between the crown and corporations by the separation of powers and the devolution of power to the provincial aristocratic élites. Necker seemed to have found the regime's middle path to regeneration without revolution.

APPENDIX I : POLITICS 1768-1778THE OLD REIGN 1768-1774

Choiseul dated the start of his own fall from power from 1768<sup>1</sup>, which marks that year as the introduction to a decade of intense political activity and change culminating in the declaration of war and the setting up of provincial assemblies in 1778, the further boundary of this study.

The deeper trends and activities within the late old regime only make sense when seen against the background of the ministerial politics of the period. The militaire offensives, in particular, reached up to the appointments of Secretaries of State, but the conflict between Oceanic and Continental policies was also played out at this level. Every ministry felt compelled to base its power in Versailles on some provincial foundation, through from Choiseul's loose patronage of provincial interests and reform, to Maupeou's restructuring of the judiciary, to Turcot's physiocracy, to Clugny's recentralising drive, and on finally to Necker's attempt to institute the provincial parts of a mechanistic monarchy (see Chapter VI). A trend which becomes more apparent with each new ministerial crisis is that the stability of the crown and the future of the regime were brought into the political arena. So unthinkable was the collapse of a political tradition stretching back 1,300 years to Clovis that it never occurred to the politicians of the period that they were undermining their regime - that they had done so became a theme of post-1789 memoirs.

In 1768 Choiseul was in control of the Court, the capital, and the provinces; the only obvious chink in his armour was his failure to replace Pompadour, who had died in 1764, with another friendly titular mistress. This became the focus of political intrigue<sup>2</sup>. From 1765-8 Choiseul and Richelieu, his old enemy and rival, had sought to find permanent candidates for the royal bed. Choiseul presented his sister, the duchesse de Gramont who was forceful and sexually attractive but lacked any finer qualities. She was promiscuous and headstrong, and her reputation was fatally flawed by the endemic slander that she and her brother were lovers<sup>3</sup>. Despite persistent efforts, she failed to seduce the king, greatly to the annoyance of both her-

self and her brother <sup>4</sup>. Richelieu had no better luck, his presentation of a Mme. d'Esparbès provoked a venomous counter attack from Choiseul who forced Louis XV to choose between his mistress and his minister <sup>5</sup>. At this date the king felt neither the strength nor inclination to seek a new ministry. Much later Stormont made a passing comment on a Mme. Luvilin, who was related to Richelieu, whom Choiseul had also managed to veto <sup>6</sup>. Finally, however, a prostitute from Strasbourg called Jeanne Béçu was brought to Louis's attention. She was strikingly pretty, and Richelieu married her off to an insignificant protégé, the comte du Barry, in order to introduce her at Court. The king fell for her at once.

She was, "... good natured, gorgeous, illiterate, and common beyond belief ..." <sup>7</sup>, politics were quite beyond her and she was equally unsuited to the role of arbiter of fashion, a role in which both Pompadour and Marie-Antoinette excelled. She served only to relay Richelieu's advice and to distract the king from Choiseul, to whom she bore no malice. Lauzun even reported that she had asked him to mediate between her and Choiseul to find a modus vivendi; Choiseul dismissed the approach haughtily, thus allowing her to remain a thorn in his side <sup>8</sup>. Louis XV's senile besottedness brought derision and contempt down on the monarchy, but opened up a new political scene. Du Barry unashamedly enjoyed the life she was unexpectedly able to lead; she at least went through the motions of returning the king's affections and gave him an Indian sexual summer, although Besenval and Bachaumont reported that she was also Aiguillon's lover and Lauzun asserted that she and Fitz-James were lovers <sup>9</sup>.

The successful placing of a mistress hostile to Choiseul was the rallying point for the duke's enemies. They coalesced into the "Court Party"<sup>10</sup>, which Georgel called the "partie Richelieu", "... une cabale née dans les foyers de l'intrigue, ... d'hommes pervers et corrompus ..." <sup>11</sup>. Montbarey reported that the faction was centered on the hôtel Richelieu which had become a centre of intrigue <sup>12</sup>. Horace Walpole villified Richelieu at that date as possessing only, "... that last talent of a decayed Frenchman - a spirit of backstairs intrigue" <sup>13</sup>. The initial members of the faction were: Richelieu, Soubise, Marsan (Soubise's sister, the dévot tutor of the royal children), Beaumont, and Vauguyon. Soubise was a "bosom friend" of the king and effective head of the House of Rohan (the duc de Montbazou

not taking any part in public life), he was already a minister without portfolio but lacked any greater ambition<sup>14</sup>. Marsan was a great thorn in Choiseul's side, sapping his influence with the king and, with Vauguyon, poisoning the Dauphin's mind against Choiseul<sup>15</sup>. (From 1768 to 1785 the House of Rohan made an attempt to become France's leading political dynasty, which was to affect several aspects of the regime and its politics.) Beaumont was unremarkable except for austere *dévo*t politics and religious intransigence. Vauguyon, "a great bigot", was judged by Mercy, "... un des plus dangereux sujets que (la France) ait produits"<sup>16</sup>. He was universally detested and his sombre malice cast a shadow over Choiseul. Aiguillon was committed to the faction, but was too involved in Breton affairs at this date to play any role at the centre.

Choiseul, on the other hand, was one of the most popular men of the century. His generous *bonhomme* impressed his contemporaries and has projected itself into his historiography. He was the perfect aristocrat in office being both friend and adviser to the king. This personal relationship was the only firm foundation of his power for all that he and Praslin controlled: Foreign Affairs, War, the Admiralty, Posts, Lieutenancy of Police, the Control General, and the Chancellory. Besenval analysed him as the man of the moment for the defeats of 1759 and the aftermath of the Seven Years War, but detail escaped him which was a fatal flaw<sup>17</sup>. Amidst the general acclaim of his personal qualities Horace Walpole's judgment struck a discordant, but more accurate, note, "His ambition was boundless, his insolence ungoverned, his discretion unrestrained, his love of pleasure and dissipation predominant even over his ambition"<sup>18</sup>. The other side of Choiseul's character was his arrogance and presumption, his utter indifference to the opinions of others, his preparedness to lie and slander, and his ruthless exploitation of loyalty and affection; this side is revealed starkly in his 1765 memoir to the king. It was this side of him that the Dauphin experienced, and which ensured his exclusion from office after 1774. Praslin, his cousin, was an, "... ill tempered and disagreeable ..." man noteworthy only for his greed and meanness, but a dependable stooge if kept on a tight rein<sup>19</sup>.

The first ministerial set-back for Choiseul was the loss of the Chancellory. The incompetent Blancmesnil had held on in office 1763-8 while Maupeou (snr.) exercised the functions of

Chancellor (and Keeper of the Seals) as Vice-Chancellor, an ad hoc office created to meet the problem. The Vice-Chancellor was a servant of the crown rather than the ministry and had proved more of an encumbrance than a help to Choiseul. In 1768 the opportunity presented itself to clear up this situation when Blancmesnil agreed to step down and Maupeou (snr.) agreed to accept the Chancellery for a nominal few hours before handing it on to his son by survivance. Maupeou (jnr.) was then first president of the parlement of Paris and was known to be an ally of Choiseul until at least 1766<sup>20</sup>, and did nothing to disabuse Choiseul of this idea before 1768. Maupeou was known to be an unscrupulous and ambitious man, but Choiseul felt justified in risking his appointment, "I know Maupeou is a rogue, but there is nobody so fit to be Chancellor"<sup>21</sup>. Dancerville asserted that Maupeou only defected to the Court Party when he realised that du Barry's position was secure, and that more might be gained opposing Choiseul than supporting him<sup>22</sup>.

The ministerial crisis was triggered by an economic one when the harvest partially failed and bread prices began to rise. The free market in grain accelerated price rises as demand outstripped supply. To avoid taking the blame Choiseul offered up Laverdy as a sacrificial goat, "The dissatisfaction the Controller General gives at Court, as well as to the public, who have felt the severity of his ill considered measures, increases ..." <sup>23</sup>; it led to his fall and to an offer of resignation from Sartines of whose jurisdiction Robert Walpole was alarmed lest, despite a tripling of the watch, "... the fears of an insurrection are not lessened; and I may add, that the cries against the duc de Choiseul have been so general that it would have not required much address to overturn him ..." <sup>24</sup>. By mid-October, however, Choiseul had ridden out the storm: the threat of bankruptcy had been averted, and creditors had been placated by heads rolling in the Control General and Bureau of Finances. By 19 October Robert Walpole could write, "(Choiseul) flatters himself he is much stronger in the favourable opinion of the king of France than ever" <sup>25</sup>. Public attention was diverted to the conquest of Corsica, commenced earlier in the year <sup>26</sup>.

Choiseul replaced Laverdy with Invau, another dependable protégé, but an unfortunate choice because he was a physiocrat reformer who was too diffident to be an effective ally, too radical to be a good support, and too honest to be Controller General<sup>27</sup>.



Years later Linguet called him a "... ministre vraiment patriote...", who was "trop peu connu", but one of France's potentially best recent Controllers General <sup>28</sup>. Choiseul conferred a unique honour on Invaux, he gave him a seat on Council almost immediately (usually Controllers General had to wait several years). Choiseul had to do this because he realised that if St-Florentin, Maupeou, Soubise, and Bertin acted against him simultaneously he would lose his majority on Council without this extra vote <sup>29</sup>. The economic problems, which had erupted in the autumn were quiet but not solved. <sup>30</sup> He no longer had a reliable Controller General and the new royal mistress was hostile, and though only a few Frenchmen recognised it, the crisis of autumn 1768 had opened a new political scene. Choiseul's claim to have seen the writing on the wall is confirmed by his preparing of Chanteloup, his château, for exile <sup>31</sup>. The pattern of Choiseul's last three years in power was set: partial harvest failure provoked economic crisis exploited at ministerial level. Each crisis was wider and deeper than the last.

Choiseul might be able to use Corsica to divert public attention, but it created its own problems. While the French had been welcomed as liberating heroes in the towns, the countryside had already been liberated from the Genoese by Paoli who had no desire to exchange one overseas ruler for another. This "great rascal and poltroon" <sup>32</sup> conducted a vigorous and initially successful guerilla campaign which gave Britain time to become interested in the island. Boswell's 'An Account of Corsica' (London 1768) portrayed Paoli as a romantic hero and roused British public opinion in his favour. Arms were bought by public subscription and their export to Corsica condoned by the British government now worried by the strategic implications of France's annexation of Corsica <sup>33</sup>. With "petulant and imprudent vivacity" Choiseul informed Lord Harcourt that if Britain felt free to meddle in Corsica, then France would interfere in North America. This was not so much an idle threat as a statement of fact for British spies had uncovered a steady flow of arms from Bordeaux to St. Domingue in French ships and thence to Boston in colonial ships <sup>34</sup>. Despite reports of French naval and military incapacity <sup>35</sup>, Britain allowed the Corsican issue to lapse, but four years later France was to pay a very dear price for her moral high-handedness when Kaunitz laid it down that if France could annex Corsica then Austria could invade Poland <sup>36</sup>. Choiseul was not merely in his

element in foreign affairs, he made himself seem indispensable to France as well as being able to fend off any ministerial challenge. Dangeville believed that it was only the Corsican crisis internationally that enabled Choiseul to weather the domestic crisis <sup>37</sup>.

The Court Party had laid no foundations for exploiting the economic crisis of 1768 politically, they did not make the same mistake in 1769. In March 1769 Richelieu's and Vaucouyon's alliance became openly recognised <sup>38</sup>. In May the Gentlemen's Magazine was predicting a major confrontation, and in September the duke of Richmond reported that the polarisation of factions was the sole topic of conversation <sup>39</sup>. This speculation had been made possible by du Barry's presentation at Court (i.e. official introduction to the king) on 22 May; Lord Harcourt commented at the presentation, "The party, in opposition to M. de Choiseul will leave no stone unturned in order to dispossess him of his power" <sup>40</sup>. This presentation made du Barry the titular mistress and was a severe blow to Choiseul's power, although he affected an aloof disdain for the whole affair. A protégé of Conti, however, reported in late July that the new titular mistress was having no effect on politics, and Choiseul was still at the height of his power <sup>41</sup>. Richelieu recognised that Choiseul would remain unruffled, but the "amazons" (Mmes. de Gramont and Beauvau) who controlled much of his patronage at Court were more easily provoked <sup>42</sup>. Richelieu spent the next year goading them into political indiscretion.

After July 1769 Aiguillon retired, defeated, from Brittany, and joined the ministerial intrigues at the centre. In July, Duras, the Choiseulist lieutenant-general, restored the parlement of Rennes to its original form and reinstated its magistrates. Aiguillon had ruled the province by imprisoning his enemies, notably procurator-general Chalotais, and installing a new parlement nicknamed "bailliage Aiguillon". Aiguillon's reform of this parlement may have been the inspiration for Maupeou's reforms of 1771; in the late 1760's Brittany became a testing ground for a number of experiments around the States and parlement - though not on the same level as Corsica. Chalotais had been put under house arrest in his château, which was damp, this ruined his health but ensured his reputation as a martyr. Aiguillon never lived down the odious reputation of his treatment of Chalotais. Horace Walpole described Aiguillon's politics

as "abominable tyranny" which was "universally abhorred". "His ambition being much superior to his abilities, he had betrayed the badness of his heart before he had reached the object to which he aspired" <sup>43</sup>.

While historiography is interested in Aiguillon as a vigorous provincial administrator and as a minister pursuing policies which strengthened the crown, contemporaries reacted to him on a more emotional level and gave him no benefit of the doubt as to his motives. It was, though, at this level that he experienced failure because people reacted to him as a "hard", "malfeasant", "wicked", and "vindictive" person with whom it was impossible to work <sup>44</sup>. It is difficult to believe that anyone could be as consistently blackhearted as Aiguillon's enemies allege, and he never bothered to reply to his critics; elsewhere Horace Walpole described him as a "deep man", "who communicates himself with nobody" <sup>45</sup>. The only complimentary remarks made at the time were the British embassy's that he was easier to get on with than Choiseul <sup>46</sup>. As Aiguillon continued in power his personal ambition increasingly outweighed any service he was rendering the crown until by 1774 he was openly seeking Choiseul's former power.

Soulavie interpreted the last years of Louis XV's reign as a struggle between Aiguillon and Choiseul, two very evenly matched opponents. Their careers in the army and in politics had been very similar, except that Choiseul reached high office earlier <sup>47</sup>. Aiguillon's politics were militaire by inclination and dévot by expedience, and only the need to defeat Choiseul made Aiguillon ally with the robin dévot politics of Maupeou; once Choiseul had been eliminated Aiguillon began to revert towards political behaviour nearer to Choiseul than to Maupeou. His experience in Brittany made Aiguillon ruthless and intransigent at Versailles, bluff and compromise were alien to him. He let it be known that he was a candidate for high office in December 1768 presumably convinced that the political climate was now right but only made real headway in September 1769. The regiment of Light Horse was up for sale, and Choiseul had hoped to give it to Praslin's son the vicomte de Choiseul. The regiment was a prestigious praetorian one with a pension of 30,000l. for its colonel. The market value was reckoned as 1,000,000l. but Aiguillon put up 1,200,000l. and with du Barry's help acquired the regiment. It was a major breakthrough for Aiguillon an important footing at Court and balancing his defeat

in Brittany <sup>48</sup>.

Over 1769 another economic crisis was building up. In April a recession in manufactured goods had brought economic slump to Rouen, and the peasantry dependent on putting-out were badly affected <sup>49</sup>. The harvest was affected by bad weather and was again below average. Encouraged by the free market, grain prices rose rapidly. Financial confidence was shaken by the ministry's decision to dismantle the Company of the Indies and open its former monopoly of overseas trading to private enterprise. Financial confidence was further shaken by the expense of the Corsican adventure and by a costly show of strength in May when Choiseul had insisted on calling out 60,000 militia - not a measure calculated to endear him to the peasantry <sup>50</sup>. In the parlement Terray, then a counsellor, was acting as the Court Party's agent to foment discontent and organise votes against Invau's policies <sup>51</sup>. It was his Controller General who was to be the greatest threat to Choiseul in 1769.

As early as March Lord Harcourt wrote, "The various objects, of which the government is now in pursuit, have occasioned such extraordinary expenses that it is imagined (Invau) is not likely to hold his employment much longer" <sup>52</sup>. Invau worked on a plan of radical reform to tackle fiscal problems at their root in the provinces. In November 1768 he had put out a scheme whereby each province would on effect pay a don gratuit in return for the abolition of all existing direct and indirect taxes. The administration of the don gratuit would be left to the highest local authority, whether States, parlement, or intendant. This was a very truncated version of provincial autonomy and would have given the Continental provinces the substance of Oceanic autonomy without the structures. There was to be no political dimension to this administrative scheme <sup>53</sup>. The plan aroused the hostility of every financial vested interest at the centre, and had no hope of success. Writing in 1772 Regnaud recorded Invau as the only Controller General to tackle the causes as opposed to the symptoms of financial problems <sup>54</sup>. Invau experienced the inevitable: even successful reform did not produce cash.

Invau fell back on loans within months of taking up office. In November 1768 he raised 30,000,000l. to avoid a clash with the parlement over prolonging a twentieth <sup>55</sup>. By the end of 1769 a deficit of 40,000,000l. was anticipated which caused a crisis of confidence in which the loan needed to meet the

deficit could not be raised, "... all business is at a stand; people who have money don't care to part with it till it is known what terms will be proposed. This state of uncertainty has affected (French) trade so much of late, that there has been no business transacted on the exchange (mid-October to the end of November) <sup>56</sup>." Croÿ noticed the coincidence of this economic crisis with the political crisis <sup>57</sup> which broke on 13 December 1769 when Invau revealed the size of the expected deficit to Council. He stated that given the failure of reform he could only recommend cuts in expenditure of 18,000,000*l.* on the armed services. Invau seems to have presented an ultimatum that he stayed in office only on his own terms, which gave Maupeou the opportunity to attack his administration in the Control General and persuade Louis XV to dismiss him on the spot <sup>58</sup>.

Choiseul himself remained unscathed, but a replacement had to be found for Invau. Lord Harcourt predicted that Choiseul had lost the power to fill this post with a protégé <sup>59</sup>, which was proved when Loménie de Brienne was proposed and then rejected. This was Loménie's first appearance on the political stage, and the interest group he represented illustrates Choiseul's own power bases: the administrative bishops, the philosophes, the militaires, and the States Countries. What followed Loménie's rejection was a classic illustration of Choiseul's political flaws; Maupeou put forward his own candidate, the abbé Terray, and Choiseul gave them a free hand. The Choiseulist version of this decision given by Montyon, was that Choiseul was giving the Court Party enough rope to hang itself. In a hypothetical dialogue with Louis XV Choiseul was made to explain, disingenuously, that as his two previous Controllers General had failed he no longer felt qualified to nominate a third. Montyon enlightened his readers that Choiseul hoped the parlements would give Terray as rough a ride as they had given Invau (Horace Walpole accepted this version) <sup>60</sup>. Choiseul miscalculated very seriously by giving away his single most valuable patronage in an apparent show of bravado, he failed to grasp the measure and quality of his opponents, above all he does not seem to have recognised the shift of emphasis towards dévot robins. As early as February 1770 Terray showed his mettle by suspending the national debt for eight years, and the measure was steered through parlement by Maupeou <sup>61</sup>.

As before Choiseul seemed to weather the storm and recover his power if only because du Barry's political influence was

proving to be illusory as Richmond reported, "It seems that Choiseul's security arises only from (du Barry's) excessive giddiness ... she does not care a pin who is minister". The Court Party was driven to distraction when it realised she was more interested in changes in fashion than changes in ministers, "The duc de Richelieu begins to suspect that Mme. du Barry's influence will never be so powerful as Mme. de Pompadour's was, he seems to despair of making her subservient to his ambitious view ...", Richelieu himself confirmed these views <sup>62</sup>. Choiseul even went so far as to tell Mme. du Deffand that he was satisfied with the political scene <sup>63</sup>. Behind this brave face, however, two factors had tipped against Choiseul: he was no longer able to command an automatic majority on Council though this did not pose an immediate threat; and those about the king at Versailles were now du Barry's patrons <sup>64</sup>. The foundations were laid for the "crisis" of 1770-1 with Choiseul over confident but vulnerable and the Court Party powerful but seeing no easy way to attack him.

The 1770-1 crisis was the deepest France experienced during the century up to 1789, and its depth and scope have only recently received the attention they deserve <sup>65</sup>. The crisis was not only immediately political but also economic and cultural; only the social element was missing. (The institutional side of the crisis is examined above in chapter III) This crisis was such a turning point that much of the political activity of Louis XVI's reign was directed towards preventing its recurrence, and one of the premises of the mechanistic monarchy writers was to construct a political framework in which the crown and its ministers would never have to act as Louis XV and Maupeou acted in 1770-1.

The Department which took the lead against Choiseul was the Control General. Having suspended repayments on the national debt Terray went on to make drastic cuts in expenditure, mainly against the Departments still under Choiseul's patronage, and silenced state creditors by threatening a bankruptcy <sup>66</sup>. At the same time Terray had to finance the Dauphin's wedding; the pomp and expense of the wedding in a time of economic distress attracted much adverse comment <sup>67</sup>. Terray tried to hold his ground by reducing pensions, at the expense of Choiseulists, and by bribing counsellors to produce a packed parlement. In this Terray received much help from Beaumont, who could exercise great patronage as well as having many men of legal training at his disposal <sup>68</sup>. From February 1770 Bachaumont discerned an anti-

Court faction in the parlement calling itself "patriot" <sup>69</sup>. The formation of this faction in the parlement (as opposed to Versailles) was of crucial importance: Terray and Maupeou had to reckon with an effective and dangerous opposition operating at a different level from Choiseul's at Court, and the capital was now beginning to draw the political limelight away from the Court, thus opening up the scene for the operation of more radical politics <sup>70</sup>.

This skirmishing over the winter turned into outright battle on Council in the spring when its voting pattern polarised between Choiseul and Maupeou. Choiseul was now threatened at the heart of his power, and the battle for power on Council caused another crisis of confidence in the capital to the point that it was thought either Choiseul or Terray must resign <sup>71</sup>. This crisis would have been precipitated by St-Florentin giving consistent support to the Court Party. St-Florentin, described by Horace Walpole as "... an ancient drudge ... steeled to insensibility" <sup>72</sup>, had never been happy with Choiseul's free hand given to the magistracy and the provinces, but had waited till sure of his ground before defecting. As a reward he was given the duchy of la Vrillière in the autumn. St-Florentin's political position was an important one, it was based on the robe upholding a centralising Bourbon absolutism within the framework of existing institutions. This looked back to Louis XIV and to Fleury, and was the truly "conservative" reaction to Choiseul. Maurepas was of the same generation, outlook and dynasty as Vrillière, and he went on to form Clugny's ministry around this philosophy. St-Florentin's position did not allow him to lend Maupeou enthusiastic support, and his loyalty to the crown (and to his own continuance in office) outshone his loyalty to any one minister.

From March to June politics were dominated by Aiguillon's trial. Neither Choiseul nor Maupeou wished to be seen to be too closely involved, and they restrained respectively from exercising the prerogatives of peer and Chancellor <sup>73</sup>. Despite Louis XV's good personal showing, the trial became increasingly too embarrassing to be continued, it threatened to reveal the workings of government to the gaze of the idle and curious populace, and to give them too great a dose of reality. Louis XV quashed the trial, but not the charges, which left Aiguillon in a judicial limbo, but determined to revenge himself on his enemies and clear his name in the courts. Although not playing an active role, Maupeou used the trial to steal a march on Choiseul by

arranging a lit de justice (to tie up the trial's loose ends) without reference to Choiseul, and against Choiseul's parlementaire allies <sup>74</sup>. Choiseul was left in an increasingly weakening position by late July; his hope of seeing his enemies confounded in parlement had come to naught and his attitude of disdain towards du Barry was becoming less and less realistic.

Richelieu's campaign of stealth and gossip at Court came to fruition in mid-July when Gramont was exiled for insulting du Barry <sup>75</sup>. Aiguillon was being tipped for high office <sup>76</sup>. (Accurate) rumours that the harvest would be below average for the third time were already pushing up prices, and grain rioting was reported from the provinces <sup>77</sup>. Terray convinced a receptive parlement that physiocrat policies were responsible for the economic distress, and it revoked them; this was not just a hard political blow for Choiseul, it also removed the last reason for Enlightened opinion to support either him or the parlements as things stood in the immediate context of 1770 <sup>78</sup>. This succession of reverses finally seems to have broken Choiseul's nerve, and Richelieu must have felt that he had won the psychological battle on 20 August when Choiseul quarrelled openly and violently with him over the parlements <sup>79</sup>. During August Choiseul also found his powers of patronage slipping away. Aiguillon and Vrillière succeeded, where they had failed in 1769, in giving the comte de Broglie (a then member of the Court Party) a gouvernement (Saumurois) <sup>80</sup>.

The Dauphin's wedding was only a fleeting distraction from Choiseul's discomfort, and even that turned sour when he found that the Court Party had captured patronage over the Dauphine's household. Appointments Choiseul would have taken for granted a year before were made by Aiguillon and Vrillière, and Marie-Antoinette found herself surrounded by politically hostile strangers <sup>81</sup>. This experience may account for her almost fanatical loyalty to Choiseul and his adherents after 1774, at both personal and political levels. Also around this time Choiseul lost the good will of prince Louis de Rohan, and with him the house of Rohan, when he made Mme. de Brionne the prince-bishop's first cousin and former lover his mistress; prince Louis was sufficiently upset to defect to the Court Party <sup>82</sup>. This reckless sexual exploit had far reaching consequences; it upset stable patterns of patronage to the point where the family became a maverick element in Court political intrigue to the



ultimate great detriment of the regime. This episode illustrates one of Montbary's explanations for the Revolution: that the old regime's politics were compromised by its corrupt personal relations<sup>83</sup>, which must be taken seriously as a climate of opinion if not as an objective reality.

While Choiseul's power to place men, and hence command patronage, dried up at Versailles, his power in parlement was equally challenged. One by-product of Aiguillon's trial, as a peer, had been to revive the long felt antagonism of the provincial parlements for Paris's unique prerogatives; the *unité des classes* was temporarily a dead letter<sup>84</sup>. The provincial parlements used the quashing of the trial as a rallying point for attack on the government led by the parlements of Bordeaux, Toulouse, Metz and Rennes<sup>85</sup>. It was at this point that Choiseul found his association with the parlements being turned against him; his sister toured the provinces rallying dissident magistrates to support her brother by attacking the government. This was never the style of Choiseul's alliance with the parlements, which had been subtle and discrete, but he could hardly deny his sister's activities. This marked the point at which Choiseul's political reputation could be undermined, and his actions showed him to be an opponent of the crown's interests<sup>86</sup>. As autumn progressed the *unité des classes* began to re-emerge with Maupeou as its target and Choiseul its champion - though always tacitly.

Once provoked into relying on open support from the parlements, Choiseul rendered himself vulnerable to attack through them, and this attack developed through from July to December 1770 and on to spring 1771 when the parlements themselves followed Choiseul into disgrace and exile. Besenval summed up the politics of late 1770, "Attaquer le parlement c'était donc attaquer M. de Choiseul"<sup>87</sup>. On 22 August Robert Walpole reported that Richelieu had rushed off to Bordeaux, "to try to bring them (the counsellors) to reason", and that a deputation from the parlement of Rennes had been imprisoned in the Bastille; he reviewed the situation and its implications thus, "The cabals at Court and the warmth throughout the kingdom, in the different parlements, seem to increase: and although it does not appear publickly, one may look upon the present situation of things, as a secret struggle, between the (Court) Party and the duc de Choiseul"... , Choiseul would believe himself lost if his enemies, "... should first succeed in their artful

suggestions, that the parlements are underhand exasperated by the duc de Choiseul, and persuade H.M.C.M., that by sacrificing him as the instrument of commotion, the tranquillity of the kingdom may be restored". Walpole added tersely that he believed Choiseul had already lost this battle <sup>88</sup>.

In September Choiseul was threatened on Council, weakened at Court, and discredited and attacked through the parlements. Above this the harvest was turning out to be worse than in either 1768 or 1769, and there were tales of peasants having to eat grass <sup>89</sup>. The lit de justice Maupeou was organising became more dangerous when troops were drafted into the capital, at which Mme. du Deffand said she felt the chill of a new political climate <sup>90</sup>. Choiseul was thrown back on his last line of defence, which he used in a gamble to defeat his enemies over the Falklands crisis. The essence of the crisis was that Britain and Spain had simultaneously but unknown to each other, landed on the islands earlier in the year and laid claim to them - de facto and de jure respectively. Spain appealed to France to honour the Family Compact and treat the matter as a casus belli. The war-scare in France began in September, when it was learnt that Choiseul had given encouragement to Spain.

Most commentators have seen the Falklands crisis in itself as the occasion of Choiseul's fall, and have commented on its apparently suicidal nature <sup>91</sup>. Choiseul went to great lengths to dispel any idea that the crisis was bluff by calling an expensive and unpopular mobilisation of army and navy with long forced marches in bad weather <sup>92</sup>. A report from Provence spoke of a war scare causing great "consternation" <sup>93</sup>. Knowing, however, the true state of French finances and armed forces, Robert Walpole could not believe France would risk war in the field <sup>94</sup>. All the same Choiseul won a vote on Council, against Terray's protestations, to appropriate more money to the navy <sup>95</sup>. This vote is the key to understanding the crisis from Choiseul's side: he was once more at the centre of the political scene, he could command a majority on Council against his opponents, and money was flowing back into the Departments under his control. Much later Croÿ said that Choiseul had supported himself only through the Foreign Office <sup>96</sup>. This analysis is supported by Choiseul's own words, on 19 September Mercy reported a conversation about the crisis at its inception

"Je n'ai lieu de douter que le duc de Choiseul ait cru que la guerre pourrait l'affermir et rendre son ministère nécessaire". Mercy claimed that he and Aranda had tried to disabuse Choiseul of this idea, which is an extraordinary claim, for if true - and Mercy is a reliable witness - it leaves Choiseul's actions in a vacuum <sup>97</sup>. An even more illuminating remark was Choiseul's to a friend a few days before his disgrace, "... that perhaps he might have maintained himself in power, if he had prompted a war" <sup>98</sup>. Choiseul hoped that by raising the spectre of war he could create a situation only he could cope with, thus vanquishing his enemies <sup>99</sup>.

Choiseul staked not just his career, but his supporters, parlements included, and the whole style of government based on Oceanic institutions on his Falklands gamble. As a result when Maupeou and Terray outmanoeuvred him they had to reorganise the old regime. Louis XV had always favoured peace, and this steady royal pressure had built up by the end of November to the point where Choiseul would have to ensure peace to stay in office <sup>100</sup>. In the second and third weeks of December Maupeou and Terray pushed Choiseul from an uncomfortable to an impossible position; on 7 December they adopted a devil's advocate ploy to trick Choiseul into opposing the war on financial grounds <sup>101</sup>. Terray then turned the tables on him by producing a compte rendu which, besides reiterating all the usual complaints about over-taxation, borrowing, and overspending, also showed that war was indeed out of the question. As a coup de grace Terray claimed that the parlements were the principal obstacle to solvency <sup>102</sup>. On 16 December it was reported that the king was insisting on peace and that the Court Party, "... make no difficulty of declaring, that a war, under the circumstances this country is in, will complete the ruin of it" <sup>103</sup>. Choiseul was in a "no-win" situation: the threat of war would exile him as surely as the promise of peace.

Within the Court the propaganda campaign to associate Choiseul with the fractious parlements was stepped up, and a campaign of vicious character assassination was begun with the house of Rohan, du Barry, and Vaucuyon spreading the calumnies that Choiseul had poisoned: the Old Dauphin, the Old Dauphine, the Duchesse of Lorraine, and Bourgoigne, and that he and his sister were lovers <sup>104</sup>. Choiseul was further blamed for the failure of physiocratic rain policies and for over-spending in his Departments - two issues on which the parlements were cal-

culated not to give him support <sup>105</sup>. Meanwhile Choiseul could not reverse the processes he had set in motion: war still threatened and the parlements still remonstrated. On 16 December Lord Harcourt wrote, "the struggle between the king and parlement at this particular conjuncture, may be considered as a context for the ascendancy in the (Council), without which things might not have been carried to such lengths". Five days later Choiseul and Praslin received letters of exile and the war scare dissipated within the week; the parlementaire crisis was also expected to end now that the Court Party had gained its political objectives <sup>106</sup>.

It should be noted that this interpretation of Choiseul's fall would not have been accepted at the time; the version current then, which has been followed by most historians, was Besenval's, that Choiseul was tricked into taking Maupeou into the ministry and was then helpless to counter du Barry's evil influence with the king which undermined and misrepresented his every move. In 1770 she falsely told Louis XV that Choiseul was fomenting war. When the diplomatic crisis broke Choiseul found that Terray had cut the ground from beneath him by wilfully mismanaging the finances for which Choiseul was then blamed. Maupeou's treacherous incitement of the parlements to disaffection, for which Choiseul again, had to take the blame, sealed his fate <sup>107</sup>. Choiseul's own writings at Chanteloup did nothing to contradict this account, which tends to under-rate him in order to exonerate him.

This interpretation of 1768-1770 with all its assumptions, bias, stereotypes, and over-simplifications passed into political mythology and dominated the thinking behind ministerial intrigue under Louis XVI. Choiseul's friends, and subsequently the Queen's Party, failed to accept that Choiseul fell because he was outmanoeuvred and out-bluffed by more capable opponents, this failure caused them to see deeper and darker forces at work than the evidence would suggest, this in turn led to a deepening and widening of the scope of political intrigue to draw in new groups and forces. The political battle to oust Turcot (q.v.) will show this the most clearly. The Louis-seizième answer, worked out in theory 1771-4, was to be the mechanistic monarchy where the political machine curtailed ministerial scope.

Choiseul's fall in December 1770 blends into the crisis of 1771 and the reform of the parlements; there are two

interpretations of their relationship <sup>107</sup>. Did Maupeou intrigue against Choiseul simply to gain a free hand against the parlements, or did a simple political crisis get so out of hand that only draconian measures of reform could bring it under control? The former view is, and always has been the more widely accepted, although there are few unequivocal contemporary commentators to support it. Georgel, taking evidence from prince Louis de Rohan, spoke of a plan, "... simple et hardi ... le résultat d'une vaste conception et de profondes combinaisons" <sup>108</sup>. Maupeou's secretary, speechwriter, and suspected *éminence grise* <sup>109</sup>, Lebrun, provided the most authoritative evidence. This account, showed Maupeou to be the old regime's greatest reforming minister who anticipated the reforms of 1791. While, however, Lebrun may be accurate in describing characters or conversations, neither the contexts nor chronology of his more important passages are trustworthy (e.g. a detailed analysis by Maupeou of the dangers of convoking the States General attributed to the year 1771) <sup>110</sup>. Lebrun's remarks may simply be a transposition of events of 1791 back to 1771 to the greater foresight and glory of both himself and his patron.

Against this can be quoted a number of contemporary witnesses, spanning the political spectrum, to show that Maupeou was an opportunist who stumbled into the greatest reforms of the century, and lacked the imagination to comprehend the magnitude of his own achievement - not least Maupeou himself. The single most telling remark in this direction is Lord Harcourt's on 9 January 1771 when he analysed the events of the previous month, and while biased towards a foreign affairs explanation of Choiseul's fall, he felt compelled to add, "Some very sensible persons have all along been of the opinion, that the late disputes between the king and the parlement have been fomented and kept alive, by the intrigues of M. de Choiseul's enemies ..." <sup>111</sup>. The day to day evidence of events, too, as it emerges (see also Chapter II) tends to support this interpretation.

Yet a third interpretation, however, must be considered, which is that the political crisis was merely a symptom of the economic one. Bosher puts forward the idea that the economic crisis of 1770 which disrupted finance, commerce, industry, and agriculture forced the government to adopt new solutions to political problems which were insoluble in terms of a political style evolved in the post war period of prosperity. This is a

restatement of the dichotomy between Continental and Oceanic France in terms of time rather than space: Oceanic policies worked well only in times of prosperity, and when the economic climate changed the Oceanic Choiseulist policies had to be replaced by Maupeou's Continental policies. Turgot's failure can be attributed in part to his attempt to re-introduce Oceanic policies in times of continued economic depression. Although Bosher does not quote them, two contemporaries put forward this interpretation. Regnaud was in no doubt that the economic and political crises were linked and the Mercure Historique et Politique reviewing 1771 stated explicitly that the two crises could not be viewed separately <sup>112</sup>. A variant on the theme was Albertas's contention that the political uncertainty of the late 1770 had precipitated the agricultural and commercial stagnation <sup>113</sup>. Again, as with the second interpretation, the contemporary evidence here spans the political spectrum.

Another factor not hitherto included in the crisis was its cultural side. In 1770-1 political and intellectual history interacted. The links which kept philosophie within Choiseul's political sphere of influence had always been weak, and in 1770 they snapped. The philosophes had never been happy in alliance with the parlements, but while relative freedom of publication and physiocrat grain policies were allowed to operate there was sufficient common ground for co-existence. The archetypical relationship was Arøental's circle which embraced Choiseul, Praslin, and Aumont on the ministerial side, the salons on the intellectual side, and Arøental as a magistrate championing Voltaire's ideas on the parlementaire side <sup>114</sup>. On both sides, however, there were people not prepared to compromise: Voltaire on the philosophe side or Sécuier on the magisterial <sup>115</sup>. The rejection of physiocracy put the alliance in question, but the real break came over anticlericalism. It was a widely held fallacy that the parlements were anti-clerical because they were anti-Jesuit. Resséuier reported, with evident surprise, that the parlement was hampering the work of the Commission of Regulars as early as July 1769 <sup>116</sup>. Parallel to the Arøental - Voltaire connection was that between Sécuier and the bishop Lefranc de Pompignan. Pompignan kept up a steady stream of pastoral diatribes against philosophie and Sécuier wrote and inveighed in Paris against the degeneracy of the times. By the late 1760's Sécuier was moving towards a throne and altar ideology for the regime <sup>117</sup>, although it was not till the next

reich that the full alliance and ideology developed.

This situation changed completely under the impact of Holbach's 'Système de la Nature' (Rouen 1770) which appeared in January. The book split the Enlightenment between the salons where it was condemned and the Cynics and radical philosophes who espoused it. Voltaire's comment is both typical and illuminating, "Un diable d'homme inspiré par Bélzébuth vient de publier (Système de la Nature) dans lequel il croit démontrer à chaque page qu'il n'y a point de Dieu. Ce livre effraye tout le monde, et tout le monde veut le lire" <sup>118</sup>. It has been described as a, "... véritable bible du matérialisme ... un événement. et un monument" <sup>119</sup>. After Aicuilon's trial was out of the way Séguier issued a réquisitoire (18 August 1770) calling for the seven most outrageous books of 1770 to be burnt; Système de la Nature took pride of place in a speech where Séguier proved it was an incitement to rebellion against legitimate authority as well as an attack on Christianity <sup>120</sup>.

The importance of this speech was not immediately recognised, Mme. du Déffand reported only that it was badly received in the parlement, and Condorcet could see it only as a political ploy not to be taken seriously <sup>121</sup>. A month later, however, Grimm was detecting a growing alliance of magistrates and clergy against philosophes <sup>122</sup>. At the end of the year the Mercure Historique et Politique described a definite backlash against the philosophes, and when Séguier attacked Harpe in the Académie in December it was described as a, "... coup de foudre pour le parti encyclopédique" <sup>123</sup>. Concurrently with this intellectual struggle the Court Party played a stroke of political genius by tarring Choiseul and the parlements with the brush of materialism <sup>124</sup>. Such was the political climate and the emotive power of the accusation that, against all the evidence to the contrary, it stuck. Condorcet described the counsellors' helpless race at being labelled "encyclopedists" <sup>125</sup>. Choiseul fared even worse, the Commission of Regulars had acquired an odious reputation through its analogy to Thomas Cromwell's Visitation of the Monasteries in 1536 <sup>126</sup>, and the spectre was raised of Choiseul working to abolish organised religion. Bachaumont claimed that, "La conversation roulait sur les moines, de la destruction desquels on s'occupe essentiellement en France", which was attested to by other commentators <sup>127</sup>. A mood of officially condoned anticlericalism was described by Caillard in 1768 when he complained, "... depuis plusieurs années que les esprits et

que les systèmes généraux, et particuliers, sont défavorables (aux) corps religieux ...", and in July 1771, before Maupeou's reforms had reached Provence, Gaillard gloomily warned that the Order of St. John could no longer take its continued existence for granted.

The deep political emotions being stirred up over anti-clericalism, which were so damaging to Choiseul and the parlements were part of a widening of the scope of politics. Maupeou attacked Choiseul not only for the usual run of ministerial shortcomings, but also for the economic crisis and all its ramifications. Maupeou would not allow Choiseul to plead force des choses, but instead unwittingly pushed the regime to the position where economic problems ought to be solved by ministerial change and institutional reform. The full fruits of this change were gathered by Turgot when the peasants rebelled against his grain policy: the regime had to interpret an apolitical economic reaction as a political attack on the ministry. The Court Party claimed to have saved France from Choiseul, but in doing so it laid many of the foundations for the regime's political destruction in 1789.

The events which had swept Choiseul out of office were not under Maupeou's control either. Maupeou moved to the centre of the political arena to face the resentful magistrates, for only Maupeou could initiate any action to solve the problems caused by Choiseul's departure<sup>129</sup>. Maupeou's position in January 1771 is susceptible to two different interpretations. The one is that he now stood on the brink of the creative phase of his career, and had eliminated his opponents prior to implementing his long planned reforms. The other is that Choiseul's exile was the climax of Maupeou's career as he had envisaged it, and that he spent the next three and half years having to fend off increasingly potent challenges to his political power. In the process of defending his position Maupeou created and used one paramount weapon - a reformed judiciary. The former interpretation is more attractive for institutional historians, but Maupeou's reputation as a great reforming minister was only born after his death. During the old regime Maupeou's influence was almost universally regarded as destructive, and his involvement with the judiciary an unfortunate result of his evil ambition and grasp on power.

The first challenge Maupeou had to face was from Condé, and this challenge moulded the political shape of 1771. As a



peer and prince of the Blood Condé was Choiseulist till 1770, but in Choiseul's fall he saw the opportunity to play a leading role in politics. Condé hoped to emulate Choiseul or Praslin as a minister-peer, but his being a prince of the Blood was to make this politically unacceptable. Condé moved onto the political stage, according to Horace Walpole, when it was he who persuaded Louis XV to sanction Aiguillon's trial in the hope that it would eliminate all his rivals<sup>130</sup>. He built up a body of patronage at a tangent to the Court Party, notably, Bertin, Monteynard, and a brief flirtation with Terray. When Choiseul fell he tried to get the War Department for himself, and, failing that, had Monteynard installed there<sup>131</sup>. His next sortie, "... le moment ... de jouer un grand rôle ...", as Besenval called it, was an attempt to become the mediator between Court and parlement<sup>132</sup>. This attempt marked the high point of his political career as it was Soubise who captured this role, and by May 1771 Lord Harcourt had discounted him from political reckoning<sup>133</sup>. After this Condé fell in line with the other princes of the Blood in opposition to Maupeou, an opposition all the more bitter for his thwarted ambition. Condé's bid for power was a brief episode with no wider significance except to put Maupeou more firmly into an old regime context, and force Maupeou to take measures to keep power firmly in his own grip.

The far more serious threat to Maupeou came from Aiguillon. One set of memoirs attributes to him, on taking up the Department of Foreign Affairs, "C'est maintenant entre le parlement et moi une guerre à mort"<sup>134</sup>. Horace Walpole made the astute comment that dismissing Choiseul would not calm the parlements because their remonstrances were motivated by hostility to Aiguillon<sup>135</sup>. Maupeou here would be the agent of Aiguillon's vengeance. For all these reservations, however, it was Maupeou who was the central figure in 1771. He played this role, though, as a lawyer coping with political problems in an ad hoc way, falling back on the judiciary to answer the problems. He spent 1771 making a coherent and rational structure around the disparate measures political pressure forced him to take in Paris. Having created a new judiciary he entrenched himself in power with it on the grounds that he alone could now control it and preserve a stable regime. This left only one option open to his opponents: the recall of the parlements, and over 1772-4 all ministerial intrigue centred on this. In turn this explains why the exiled

magistrates held out for so long, they knew they were the only political weapon available to ministerial intrigue and were justifiably certain they could afford to wait until someone needed to use them.

The detail of Maupeou's reforms and the political activity needed to implement them are explored in Chapter III, but it should be noted here that Maupeou transformed the politics of the regime by changing the relationship between the crown and the corporations. No longer could a nebulous concept of fundamental law protect institutions or individuals from ministerial attack, protection after 1774 had to be sought in political alliances of privileged corporations (as against Turgot) or in the call for the States General. After Maupeou's intervention the loose, easy-going political style of Choiseul had nothing to offer the institutions, while the opposition to a reforming minister was too well-organised to resist for long. Thus Louis XVI's reign, and Aiguillon's role 1772-4 under Louis XV, appear to present a series of blind alleys in political life resulting in ministerial instability, the failure of reform and the negative pressure of an institutional conservatism in opposition to the crown. Men such as Aiguillon, Choiseul, or Maurepas failed to grasp this change, but others such as Clugny, Necker and even Louis XVI himself felt they could see beyond the immediate problems to rebase the crown on different political concepts, and areas of support, as has been explored elsewhere.

By the end of 1771 politics had stabilised into an uneasy supremacy for Maupeou - "l'horreur de la nation" as the patriots called him <sup>136</sup>. The new courts worked with varying degrees of success, but the opposition had not lost heart. The patriots were defining the disaster as a Jesuit plot to take revenge on the Jansenist magistrates <sup>137</sup>. An underlying reality, however, unaffected by Maupeou's reforms was the economic depression for which the political spectacle was at the most a placebo, though the new government control over grain was helpful to an average harvest. Depression refused to lift and Horace Walpole wrote, "... tyranny and poverty are trying which shall have the honour of conferring total ruin on (France)", and later, "The people curse the king, the Chancellor, and the mistress; and starve" <sup>138</sup>. 1772 and 1773 were years of political stability to the point where hunting became the only topic of conversation at Court, "Our politicks in general are this moment at a very low ebb..." <sup>139</sup>. For all this the progress, however uneventful,

of Maupeou's parlements, obscured all else on the political scene. Terray's draconian measures were bearing fruit, and Lord Harcourt predicted solvency within two years<sup>140</sup>. The new courts fell into the same vices as the old, but were at least enlivened by a series of show trials designed to discredit Choiseulists, bolster Maupeou's position, and attract people back to the law. The most famous trial was Beaumarchais's where ridicule was heaped on the regime through his affair with Goezman's wife. The combination of a managed economy with show trials led to the accusation of government by bread and circuses<sup>141</sup>.

Two factors broke up this tranquil stability, the first had been building up since early 1771, the second broke suddenly in 1773. They were the break-up of ministerial coherence and the break-down of food supplies. Once the parlements had been subdued and replaced, Maupeou's own importance began to decline and he was increasingly less able to fend off Aiguillon's threat<sup>142</sup>. As early as July 1771 Lord Harcourt sketched a course of events in which Aiguillon would supplant Maupeou at Court, reconcile the princes to the king, and recall the parlements, and Horace Walpole commented in the same month, "The only real struggle is between the Chancellor and the duc d'Aiguillon"<sup>143</sup>. Aiguillon however, remained isolated until Maupeou and Terray fell out, which happened in January 1772 when the ministry was split as follows: Aiguillon, Boines, and Terray against Maupeou and Monteynard<sup>144</sup>. From this point it was possible for ministerial intrigue, which had been suspended since Choiseul's fall, to re-emerge and for the regime's politics to open up again.

Aiguillon began in the Foreign Office as the antithesis of Choiseul. He was mild and conciliating, and made a favourable impression on Lord Harcourt who described him as the ablest of the Great<sup>145</sup>. He was reported to be looking for an Italian state to buy back Corsica from France<sup>146</sup>. He was thought to favour a return to alliance with Prussia and rapprochement with Britain, and the Family Compact was at a very low ebb following the Falklands fiasco<sup>147</sup>. Above all Aiguillon's policy was peace at any cost, "... the duke's fall is inevitable if a war should happen"<sup>148</sup>. The weakness of this policy was shown by the 1772 Partition of Poland when France stood by while her ally was dismembered on the pretext that the crisis did not concern France as the election of a king was not at

stake <sup>149</sup>. French foreign policy was doubly snarled up here by the ambiguous state of the Austrian alliance and by the indiscrete handling of the Viennese embassy by prince Louis de Rohan, which had the eventual effect of estranging the house of Rohan from those of Richelieu and Aiguillon which made government more difficult <sup>150</sup>.

The Polish debacle may have forced Aiguillon to rethink his foreign policy, but more immediately Aiguillon was able to rebuild French prestige when Terray informed him the finances could withstand a war <sup>151</sup>. From this point on Aiguillon's foreign policy cravitated back towards Choiseul's - part of a wider picture of Aiguillon parting company with the Court Party. A war threat was made in the Baltic, but any plan for an expeditionary force there was turned down when the Council refused to vote the money in April 1773 <sup>152</sup>. He then turned his attention to the Far East and the possibility of a colonial adventure there. This finally took shape November to December 1773 when Aiguillon, in alliance with Boines and Bertin, succeeded an expedition to Bengal; once again Terray persuaded Council not to vote the money <sup>153</sup>. In January 1774 Stormont could write that the Family Compact was "as close as ever" <sup>154</sup>.

The first definite evidence of Aiguillon trying to rebuild Choiseul's patronage around himself came in July 1771, and in October 1771 he showed his hand clearly by trying to remove Monteynard; at this stage there was still no question of a policy split within the ministry <sup>155</sup>. In 1772 the parlements of Bordeaux, Nancy, and Besançon remonstrated against a twentieth, and Aiguillon exploited Maupeou's loss of face to gain ground against him <sup>156</sup>. In April 1772 Mme. du Deffand noted that Aiguillon was moving away from the Court Party <sup>157</sup>. Aiguillon made his decisive move away from Maupeou over the princes. The British embassy account of the princes' reconciliation makes out that it was brought about solely by Aiguillon, and that the eventual aim would be to recall the old parlements, thus outflanking Maupeou and driving him out of office. Conversely, this development gave heart to the exiles who had justifiable cause for hope from December 1772 onwards. To start the process Boines visited Malesherbes to sound him out on terms of recall, and in turn Malesherbes never regarded Aiguillon as a political enemy, which is hardly surprising as he was reported to have been offered the Chancellery if Maupeou were removed <sup>158</sup>. In July 1774 Stormont was confidentially, but reliably, informed

that had he remained in office longer Aiguillon would have recalled the parlements <sup>159</sup>.

The event which enabled Aiguillon to come to the forefront of the ministry was the break-down of food supplies across the south and west causing riot and jacquerie in 1773. In May the fear of harvest failure, caused by persistent bad weather, caused peasants to revolt in a crescent from its centre in Guienne to Touraine in the north and Aix in the east. In Bordeaux the bourgeoisie was armed to prevent the rebels taking over the city. Terray and his agents in the provinces were accused of using the government's control of grain to hoard and speculate ("pacte de famine") - a perennial charge in times of high prices <sup>160</sup>. Caillard observed the whole process from higher taxes and bad weather in late 1772 through to fear and revolt in May 1773 <sup>161</sup>. Because this revolt did not reach too near Paris it was not seen as a direct attack on the government, but it was the last apolitical revolt the regime allowed itself. In the aftermath the Journal Historique commented, "... les ministres sont en guerre ouverte de plus en plus, surtout M. le duc d'Aiguillon et le Chancelier" <sup>162</sup>. By October 1773 Horace Walpole described Louis XV's relationship to Aiguillon as, "... his minister's minister" <sup>163</sup>.

Aiguillon's supremacy was marked by the dismissal of Monteynard from office in November 1773. The ground was prepared in October when Condé, Monteynard's patron, attached himself to Aiguillon <sup>164</sup>. Monteynard's actual dismissal was brought about by a trick to make him give offence to the king by putting in an unauthorised appearance on Council <sup>165</sup>. The War Department was left open for some months because of the - accurate - fears that Aiguillon was working towards Choiseul's position. In February 1774 he was given temporary control of the Department which made him as powerful as Choiseul "... in his best day" <sup>166</sup>. Stormont reviewed the ministry on 23 February 1774: Maubeou was in poor health and low spirits, Terray was acting hesitantly, Boines had been given a place on Council and was firmly in Aiguillon's camp, and Stormont could foresee only indefinite ascendancy for Aiguillon <sup>167</sup>. It was at this point that Aiguillon began to lay his plans for the recall of the parlements which would set the final seal on his power. So much did politics seem to be guided back to Choiseulist paths that by May 1774 Beaumont was rallying a new dévot opposition <sup>168</sup>.

Maupeou was far from lost, though, because the third anniversary of the reform of the parlement was an important psychological moment which took heart out of the opposition <sup>169</sup>. The climate of opinion had begun swinging away from recall toward a permanent reform (Aiguillon's intrigues not being public knowledge) after the princes' apparent capitulation at which the Gentlemen's Magazine commented, "... there is now a final end to all the old parlements of France, and the king is as absolute as it is possible for any monarch to be" <sup>170</sup>. Bachaumont took the opportunity of the anniversary to describe the dévot predominance at Court and in the capital and to warn of a radical alliance of patriots and encyclopedists <sup>171</sup>. Lévis concluded that for all the faults of the new judiciary, after three years, "... cependant la machine marchait" <sup>172</sup>. Louis XV was beginning to see that his own end might be near, he had been badly shaken by a hunting accident and was plagued by indigestion. As if to atone for a life-time of political apathy the old king reinforced his resolve to keep Maupeou in power and his parlements in operation; possibly he hoped to redeem his reputation and leave his grandson a strong monarchy <sup>173</sup>.

In another direction Maupeou was entrenched behind Terray's successful management of the finances, successful at least in the eyes of his contemporaries. Liguët judged Terray, "... froid, judicieux, et voulant le bien, s'il avait pu le faire" <sup>174</sup>. In 1772 he had presented a compte rendu which claimed matters were in hand enough to start constructive reform <sup>175</sup>. This was never taken up, partly because of the expense of running the Court with du Barry as titular mistress, but more because of Maupeou's lack of true reforming vision. This lack of reforming impulse to animate the ministry was noticed in the observation, "... almost everything is inconsistent, and done without reflection" <sup>176</sup>. Terray was "embarrassed" by the grain riots of 1773, which emphasised the deep problems of the economy which no Controller General could remedy <sup>177</sup>. Unlike the physiocrat Controller General Terray had no desire to innovate, and the nearest he came to a new measure was a plan (not implemented) to repossess all royal domain alienated since Clovis - at cost price. Stormont called this, "... a very hard and vexatious measure (which) will affect many considerable families in this country" <sup>178</sup>. Not so much reforming as rationalising was Terray's departmental empire building, which anticipated Turcot's desire to bring all financial competence within the Control General <sup>179</sup>.

More evident to his contemporaries was his desire to found a new political dynasty; he aspired towards a cardinal's hat <sup>180</sup>, he had his young and inexperienced nephew appointed intendant of Montauban in 1773, and he was building a lavish hôtel in Paris with money allegedly stolen from political enemies <sup>181</sup>.

In May 1774, then, Maupeou was entrenched but threatened; Terray was restoring the finances but was intensely unpopular for his sterile self-interested administration and was undecided over ultimate loyalties; the rest of the politically important figures were grouping behind Aiguillon who was striving to become a second but greater Choiseul. The stage was set for Maupeou and Aiguillon to fight for ascendancy with the final hopes of the exiles resting on Aiguillon. At this point Louis XV contracted smallpox and died.

FOOTNOTES

1. Choiseul, Paris Mémoires p. 204.
2. Flammermont, Maupeou p. 153.
3. Soulavie I p. 69.
4. 'Madame de Pompadour' N. Mitford. London 1954 p. 252.  
A-L. Lauzun 'Mémoires' Paris 1928 pp. 44, 61.
5. E-F. Choiseul 'Mémoire de Monsieur de Choiseul remis au Roi en 1765' reprinted in two installments Journal des Savants 1881.
6. S.P. 78 302 p. 217.
7. N. Mitford 'Madame de Pompadour' London 1954 p. 159.
8. Lauzun pp. 101-2.
9. Besenval II p. 183. Bachaumont IX p. 190. Lauzun p.91.  
(it is of note that Aiguillon afforded her protection after Louis XV's death).
10. Besenval II p. 183 called Maupeou's supporters "la partie de la Cour", by far the best label given to them.
11. Georgel I p. 174, at this date prince Louis de Rohan, Georgel's patron, was Choiseulist.
12. Montbarey I pp. 352-3.
13. Walpole, George III III p. 264.
14. S.P. 78 286 p. 175 Walpole, George III II p. 251.
15. Girault de Coursac p. 33.
16. Walpole, George III IV p.12. Mercy I p. 137.
17. Besenval I pp. 315-17.
18. Walpole, George III IV pp. 6-7.
19. Walpole, George III II p. 253, S.P. 78 323 p. 301. 'Préface de l'Histoire de Louis XVI' Anon. Cosmopolis 1776 p.24.
20. Espion Dévalisé p. 153. Besenval II p. 141.
21. Walpole, George III IV p. 331.
22. Dangerville, Vie Privée IV p. 120.
23. S.P. 78 276 pp. 53-4 (28 September 1768).
24. Ibid. p. 63.
25. Ibid. pp. 70, 112.
26. Ibid. p.201.
27. Ibid. p.76. Walpole, George III IV p.4.
28. Lincuet, Annales II p. 74.
29. S.P. 78 276 p. 232.
30. Ibid. p. 180.
31. Véri I p.66. Choiseul, Paris Mémoires p. 204. S.P. 78 276 p.180.
32. S.P. 78 279 p. 193 (Choiseul to Lord Harcourt).



33. S.P. 78 277 p. 67, 279, p. 192.
34. S.P. 78 regular reports from early 1760's to 1778, nb. at this date all espionage activity was directed by the embassy.
35. S.P. 78 276 pp. 112, 180.
36. A.E. Autriche Supplément 1770-73, 319 p.2 (Kaunitz to prince Louis de Rohan).
37. Dangerville, Vie Privée IV p. 84.
38. S.P. 78 277 p. 106.
39. 'The Correspondence of Edmund Burke' ed. L.S. Sutherland 9 vols. Cambridge 1960 II p. 67.
40. S.P. 78 278 p. 57.
41. St. John 9 1239 Ressayéguier to Grand Master 28 July 1769 (this volume lacks pagination).
42. Walpole, George III IV p.13.
43. Ibid. p.8.
44. Besenval II pp. 66, 92.
45. Walpole, Letters VIII p.44.
46. S.P. 78 283 p.34.
47. Soulavie I p. 31 and passim.
48. S.P. 78 276 p. 203. 279 pp. 47-9. St. John 9 1236 Ressayéguier to Grand Master 20 September 1769.
49. S.P. 78 278 p.10.
50. S.P. 78 277 p.180.
51. 'Mémoires concernant l'Administration des Finances sous le Ministère de M. l'abbé Terray' Coquereau. London 1776 p.16.
52. S.P. 78 277 p.159.
53. S.P. 78 276 pp.126-7. Gentlemen's Magazine 1771 V p.283. This idea may have come up through the Control General from Naveau for whose ideas see Chapter V.
54. Regnaud I p.11.
55. S.P. 78 276 p. 168.
56. S.P. 78 279 p. 181.
57. Croÿ I p. 360.
58. S.P. 78 279 pp.181-2, 202-3. Coquereau p.16. Hardy I p.166.
59. S.P. 78 279 p.202.
60. Montyon p. 147. Walpole, George III IV pp.4-6.
61. S.P. 78 280 p.57.
62. Burke, Correspondance II p. 68, S.P. 78 280 pp. 57a, 58. 'Nouveaux Mémoires du Maréchal duc de Richelieu 1696-1788' ed. de Lescure. 4 vols. Paris 1869-71. IV p. 200. Although not authentic, these reconstructed memoirs are too interesting to be ignored.

63. Deffand II p.39.
64. S.P. 78 280 p.65 Croÿ I p. 372.
65. 'The French Crisis of 1770' J.F. Bosher (History 1972)  
'The Parlements of France and the Breakdown of the Old Regime  
1771-88' W. Doyle (F.H.S. 1970).
66. S.P. 78 280 pp.59, 64.
67. St. John 9 1236 Ressayeur to Grand Master 8 October 1770  
(commenting on difference between public affluence and private  
misery before the event).
68. Coquereau p. 37. Dangerville, Vie Privée IV p.157.
69. Bachaumont IV p.76.
70. Coquereau pp. 63,69. 'Institutions de la France' J. Godechot  
Paris 1968 p.17.
71. Hardy I p. 178. S.P. 78 280 p.112.
72. Walpole, George III IV p.11. (nb. after this paragraph St.  
Florentin will be referred to as Vrillière).
73. S.P. 78 280 pp. 59, 62.
74. S.P. 78 281 p. 58.
75. Ibid. p. 53.
76. Ibid. p.6.
77. Ibid. p.65 (22 July 1770).
78. Mercure Historique et Politique 1770 II p.175.
79. Mercy I p.36.
80. S.P. 78 281 p.90.
81. Ibid. p. 105.
82. S.P. 78 283 p.33.
83. Montbary passim, it proved ironically true in his own career.
84. Dangerville, Vie Privée IV pp. 54, 128.
85. S.P. 78 281 pp. 92, 99-100.
86. Dangerville, Vie Privée IV p. 146. Soulavie I p.81.
87. Besenval II p. 178.
88. S.P. 78 281 pp. 100, 104-5.
89. Regnaud I p.27.
90. Deffand II p.93.
91. e.g. Dakin, Breakdown of the Old Regime pp. 595-6.
92. S.P. 78 282 p.232.
93. St. John 9 1237 p.48. Chevalier de Gaillard to Grand Master  
24 December 1770.
94. S.P. 78 281 p.155.
95. Ibid. p.202.
96. Croÿ I p.450.
97. Mercy I p.59.

98. S.P. 78 290 p.208. (29 December 1770).
99. Walpole, George III IV pp. 213-14.
100. S.P. 78 281 p.219 (27 November 1770).
101. Walpole, George III IV pp. 213-14.
102. 'Collections de Comptes Rendus 1758-87' Mathon de la Cour Paris 1788. ('Mémoire Présenté au Roi vers la Fin de l' Année 1770 par M. l'Abbé Terray').
103. S.P. 78 281 p.253.
104. Soulavie I p.69. Véri I p.69 fn. (nb. the duke of Lorraine was the former king of Poland (Stanislaus) who ruled the duchy as a consolation prize for losing his kingdom after the war of the Polish Succession).
105. Croÿ I p.451.
106. S.P. 78 281 pp. 263, 269-70.
107. Besenval II pp. 12,13,17,175-7 fn. Lévis (p.146) accused Besenval of "la partialité la plus révoltante".
108. Georcel I pp. 200-1.
109. Bachaumont V p. 261. Journal Historique II p. 141.
110. Lebrun pp. 19-20.
111. S.P. 78 282 p. 19.
112. Regnaud I p. 10. Mercure Historique et Folitique 1772 I introduction.
113. Albertas II p. 553.
114. 'The Comte d'Argental: a Magistrate in the Literary World' M.B. May (Studies, Voltaire and the 18th Century 1960).
115. The black and white picture so easily discernable after 1771 does not bear close analysis for the 1760's as shown for Voltaire in 'Voltaire's Histoire du Parlement de Paris' N. Kotta and 'Voltaire and the Parlements: a Reconsideration' R.S. Tate jnr: (Studies, Voltaire and the 18th Century 1960 and 1972), which demonstrate that positions which subsequently became general were only applicable to specific issues earlier.
116. St. John 9 1236. Ressayéquier to Grand Master 28 July 1769.
117. 'Discours Actuel sur la Jurisprudence' A-L. Séguier. Paris 1768.
118. Deffand II p.89.
119. J. Vercruysse 'Bicentenaire du Systeme de la Nature' Paris 1969 p. 70.
120. 'Réquisitoire de M. Séquier' Paris 1770.
121. Deffand II p.87. Condorcet p.18.
122. Crimm I pt. II p. 255.
123. Mercure Historique et Politique 1770 II pp.180-7. Collé III p.283.

124. Roberts p.44.
125. Condorcet p.22.
126. Journal Encyclopédique 1768 VI passim.
127. Bachaumont IV p.373. Croÿ II pp.58-9. Gazetier Cuirasse p.27.
128. St. John 9 1236 Gaillard to Grand Master (undated). 1237 p. 152. 2 July 1771.
129. Besenval II p.187.
130. Walpole, George III IV p.252.
131. S.P. 78 281 p.272. 282 p.12. George I p.190.
132. Besenval II pp.182, 185. Dancerville, Vie Privée IV p.153.
133. S.P. 78 282 p.211.
134. L. Fars-Fausselandry 'Mémoires' 3 vols Paris 1830, I p. 54.
135. Walpole, Letters VII p.433. (29 December 1770).
136. Collé III p.307 (one of the kinder epithets).
137. Journal Historique I p.65 and passim.
138. Walpole, Letters VIII pp.44 (19 June 1771), 81 (9 September 1771).
139. S.P. 78 289 p.103 (August 1773).
140. S.P. 78 284 p.40 (January 1772).
141. Regnaud II pp. 176-8. These trials are explored in detail as part of Lincuet's career (Appendix II).
142. Besenval II pp. 178-8.
143. S.P. 78 283 pp. 33-4. Walpole, Letters VIII p.62.
144. S.P. 78 284 pp. 39,56.
145. S.P. 78 283 p.34.
146. S.P. 78 283 p.84 (this idea reported dropped p.277, August -December 1771).
147. S P. 78 282 p.253. 283 pp. 84,131,179. 284 p.91, 285 p.189, 286 p.152.
148. S.P. 78 287 p.55.
149. S.P. 78 284 p.146.
150. S P. 78 283 pp. 33, 175, 292. 286 p.175. A.E. (Autriche) 1770-3. 318 p.14.
151. S.P. 78 287 p.148 (as a warning to Stormont 31 March 1773).
152. S.P. 288 p.43.
153. S.P. 78 284 p.160, 290 pp.109, 124-5, 136-7.
154. S.P. 78 291 p.62.
155. S.P. 78 283 pp.6, 207.
156. Journal historique III pp.88-9.
157. Deffand II p.233.
158. S.P. 78 286 pp.230-1,234, 291 pp.79, 93-4. Grossclaude pp. 291-3.

159. S.P. 78 292 p.245.
160. Journal Historique IV pp. 189, 193.
161. St.John 9 1237 p. 296 1238 p.11.
162. Journal Historique IV p. 322.
163. Valpole, Letters VIII p.444.
164. S.P. 78 290 p.25.
165. Georger I p. 296.
166. S.P 78 291 pp. 78,79,114.
167. S.P. 78 291 pp. 113-14.
168. Ibid. p.25.
169. Regnaud II pp. 223-4, 306-7. Hardy II p.325.
170. Gentlemen's Magazine 1773 January p.45.
171. Bachaumont VI p.300.
172. Lévis p.253.
173. Ségur p. 11. Soulavie II p.xxix. Richelieu IV p. 266.  
S.P. 78 291 p.153.
174. Annales IV p.215.
175. Mathon de la Cour, 'Mémoire présenté au Roi par M. l'abbé Terray' July 1772.
176. S.P. 78 290 p.161.
177. S.P 78 288 p.163 291 p.183.
178. S.P. 78 291 p.195.
179. Mercur Historique et Politique 1772 I p.422, 709.
180. Journal Historique V p.155.
181. L. Fars-Fausselandry 'Mémoires' 3 vols. Paris 1830. I p.65.

THE NEW REIGN

"The consternation at Versailles is beyond all expression," wrote Stormont of Louis XV's illness, and when Louis XV died he added, "here can be not doubt that this catastrophe will occasion a fatal change of scene" <sup>1</sup>.

The new king wept at his unlooked for accession and started his reign with a display of adolescent priggishness by exiling all mistresses from du Barry downwards from Court <sup>2</sup>. He next set himself to rule as his tutors had instructed him, and set in motion the two dominant phenomena of 1774: a new and radical ministry, and the recall of the parlements. These two events were related but not interdependent as, while the monarchy took the political initiative, the ministry was put to the direction of economic problems <sup>3</sup>. Anyone who had studied the Dauphin could have predicted the direction his political thought would take, but, incredibly, no one had taken him seriously while his grandfather remained alive, and the final illness had been so sudden that there had not been the time to study the crown prince before his accession.

Maupeou had fared very badly at the change of reign, and his dilemma was typical of many. He had never had smallpox and might therefore contract the disease, or become a carrier, if he saw the old king on his death bed. He had to choose between seeing Louis XV before he died in hope of some dying confidence or pledge of power in the future, followed by a period of quarantine, or trying to influence the new king in ignorance of Louis XV's dying wishes. (In the event only Soubise and Noailles showed personal loyalty to the old king <sup>4</sup>, and while they gained no immediate political advantage, Louis was determined to reward their loyalty and, even though the first was a Rohan and the second a homosexual <sup>5</sup> (both out of favour in 1774); they became elder statesmen at Court.) Maupeou chose the latter course and hoped to cement his reforms by an accessional lit de justice <sup>6</sup>, a consensus of opinion across the political spectrum believed that this would have broken the patriot opposition and persuaded the exiles to return <sup>7</sup>. This was not to be; in a remark of superficial wit and profound insight Conti said of the accession, "Eh bien! nous voilà revenus aux principes de 1754" <sup>8</sup>.

Louis was determined that just, resolute, and deliberate policy should be seen to be done, and spent the summer collecting advice, opinion, and plans. Louis made a few public statements to reassure the new parlements and bolster confidence, but his was a voice in a wilderness of political speculation and panic. Albertas traced the course of public debate over the summer: from May to July a recall was favoured, in July and August the new courts were favoured despite the exiles of Maupeou and Terray, from late August to September a recall was again thought likely, in the first full week of October a recall was thought out of the question, they suddenly on 11 October the recall was announced <sup>9</sup>. Behind the scenes the decision had been taken in August with the dismantling of Maupeou's ministry, and only the time needed to negotiate the details had deceived public opinion into discounting a recall in the late summer <sup>10</sup>.

The responsibility for the recall has been variously attributed to other members of the royal family and the ministers appointed in 1774. Of all observers of the day only "the omniscient Lord Stormont" <sup>11</sup> realised it was neither Maurepas nor the Council as a whole, which was incapable of following any concerted policy before September, who were directing policy <sup>12</sup>. On August 13 Stormont could write, "The whole (Court scene) is so fluctuating that no minister can from one day to the next, be sure of the ground he stands upon" <sup>13</sup>. Over the summer only two ministers, Maurepas and Turgot, were prepared to stand up and be counted in favour of recall; the others were either trimming, indifferent, or hostile. As to Turgot's role, Condorcet wrote to him in late July fearful lest the whole issue might be decided without reference to him <sup>14</sup>.

Once Maupeou had been dismissed the government could set in motion the machinery of recall. While Maurepas was authorised to conduct the negotiations for recall, the proceedings were directed by a sub-committee of the Council composed of: Maurepas, Sartines, Miromesnil, and Turgot <sup>15</sup>. The progress of this committee was followed with great interest <sup>16</sup>. Those ministers opposed to the parlements were excluded from the committee, Soubise, for example, was pointedly omitted, "It must have been a great and painful mortification to him and to the whole family of Rohan" <sup>17</sup>. The recall was no cut and dried choice between old parlements and new, the committee considered all the alternatives between. The first proposals were a stringent programme

which had to be dropped because only 22 exiles would agree to it, and none of the leading magistrates among them. The conditions were:- registration of edicts before remonstrance (as under Louis XIV), only one remonstrance, no involvement in religious affairs, no strikes, all the parlements' Maupeou business to be ratified, no interfering with the implementation of edicts, and no absolute security of office. The original structure of the parlement, therefore, would be retained, but with no political power. Stormont was not surprised that the plan had to be abandoned, it was a grave mistake to have dismissed Maupeou before negotiating the recall, which, "gives the (exiles) an infinite advantage, and plays the whole game into their hands. For ... the consequence is the old parlement must come back, in some form or other. If they are wise, they will return triumphantly, without submitting to any conditions whatever" <sup>18</sup>.

Three separate options were considered in September and October. The first was to reestablish only six of the original nine chambers, and one of these was to be composed entirely of "restants" (those magistrates who had served under Maupeou, as opposed to the former exiles known as "rentrés") and was to be called the "chambre bénéficielle". While venality and épicés were to be restored in full, along with the former structure of provincial parlements, stringent checks on the parlement of Paris were proposed:- negotiations for recall were to be carried out on an individual level to prevent any corporate action by the exiles, all political and especially constitutional matters were to be put outside the parlement's competence, and a minimum age limit of up to 40 was to be imposed to exclude the young hot-heads. In October a second plan was put forward which retained more of the structure of Maupeou's parlements, but more of the political complexion of the 1770 Courts. The chambre bénéficielle was to be dropped as a sop to the rentrés <sup>19</sup>.

Both these plans failed because, according to Stormont, Maurepas - again - deliberately mishandled the negotiations, making them both premature and protracted <sup>20</sup>. The exiles had time to organise themselves and exert collective pressure for a total recall. Like Choiseul and Maupeou in their handling of the parlement before him, Louis XVI found himself the victim of the events he had set in motion; once the idea of recall had been put about the path led inexorably to total reestablishment of the old structures. The very existence, however, of debate



and of options in 1774 alters our understanding of the recall. For Soulavie the chance from Maupeou's parlements back to the old ones was a triumph of liberty, philosophie, and the idea of a limited monarchy over dévot and militaire ideology <sup>21</sup>. Stormont, however, recorded disspiritedly that no one seemed to be giving any real thought to the consequences <sup>22</sup>.

After the behind the scenes negotiations had been manoeuvred into total recall a third option was presented. Between them Miromesnil and Monsieur drew up a plan with three major provisions: legalised forfeiture of office, a Tribunal to judge this forfeiture, and the reestablishment of the Grand Council to be able to stand in for the other Chambers in the event of their striking. The Chamber of Forfeiture was the most interesting part of this plan, it would have consisted of the princes of the Blood, the peers, counsellors of state, masters of requests, counsellors from the parlement, and other notables. It was designed to be so prestigious and so broadly based that its decisions could never be questioned. While Orléans was in favour of the plan, the rest of the princes and the magistrates as a whole, able to act through Maurepas, forced it to be rejected by the Council <sup>23</sup>. Despite these failures to institutionalise checks, Carré has been able to show that the recalled parlement was still a cowed, resentful, and potentially ineffectual body. The exiles were offended that the - in their eyes - worthless perfidious, parvenu restants had been allowed to stay in the parlement at all, and, to add insult to injury, were in a position to be promoted into the other chambers should the magistrates go on strike. Carré shows how Maurepas and Miromesnil had tried to steer a course between the dévots and the patriots, and had produced a compromise potentially very favourable to the former <sup>24</sup>.

The parlement which was reestablished was that of 1770 with the powerful Grand Council, and with restants and rentrés mixed together. Louis was content to abandon any institutional checks in favour of what he believed would be a show of royal authority in the lit de justice - not the petulant assertion of royal authority as in Louis XV's Session of Scourging, but the Pharaonic self-assuredness of Louis XIV's monarchy. Louis XVI believed that the parlements would see his decision to recall them as just, unanimous, and resolute, and would respond accordingly. The immense popularity of the recall helped foster Louis XVI's illusion that his would be a golden age for the monarchy.

Various more sober assessments were made: Stormont wrote that the parlements had been, "brought from ruin to the height of their power" <sup>25</sup>; the abbé Froyart declared that the tocsin of revolution had been sounded <sup>26</sup>; Choiseul reflected on the dilemma the monarchy faced on account of Maupeou's ill-considered measures, "On a versé le feu roi d'un côté, on verse celui-ci de l'autre, I would have done neither" <sup>27</sup>; Horace Walpole drew the most interesting, though in the event the most inaccurate conclusion, "When one king breaks one parlement and another another, what can be the result but despotism?" <sup>28</sup>. Because of, not despite, the recall, the monarchy in November 1774 had as great a potential as ever.

The king in May 1774 had resolved on a decision on the parlements and a policy of "économie"; the ministry he put together May to September was principally concerned with the latter, and he drew on its talents for the former only on an ad hoc basis. Nowhere has a more lurid political mythology grown up than over the appointment of Maurepas as Minister of State without portfolio a few days after the accession. Both Besenval and Lévis, amongst others, tell us that Louis had chosen Machault to be his "prime minister" but that Mesdames, who had supported Maurepas when he was Secretary of State for the Admiralty (1715-45), had altered the name on the letter from Machault to Maurepas, and that the timorous Louis had not dared reverse the mistake <sup>29</sup>. Given, however, that Louis wished to call on an elderstatesman there were only two other candidates: Machault and Bernis. Conti's remark about returning to the principles of 1754 shows in itself that 1774 was not a suitable political climate for Machault, and the "silly" Bernis <sup>30</sup> was unacceptable both for his lack of personal qualities and the rancour against him for the Austrian alliance and its attendant disasters. Bernis's own account of his failure was that Marie-Antoinette had blocked his re-entry to the ministry <sup>31</sup>.

Maurepas's appointment was wholly in keeping with the new king's attitudes. Maurepas had been amongst those recommended to Louis by his father in a list of reliable men given to Louis at his accession <sup>32</sup>. The very fact that he had been exiled from Louis XV's Court for libelling a mistress recommended him to the prudish Louis XVI. Furthermore, Maurepas had not wasted his 27 years of exile; his seat at Pontchartrin had become a political finishing school for aspiring courtiers, and was as great a political centre as Chanteloup, without being factional. Both Véri

and Montbarey describe political apprenticeships there, and recall meeting most of the leading political figures of the day who came to seek advice <sup>33</sup>. On a personal level he was well-received, Bachaumont called him, "Un seigneur de beaucoup d'esprit ... homme de plaisir et de toutes parties du roi" <sup>34</sup>, and Horace Walpole found him, "by far the ablest and most agreeable man I knew at Paris" <sup>35</sup>. Mercy, however, believed he had uncovered the real reason for his appointment: Marie-Antoinette would have attempted to have Choiseul recalled, but both Mesdames and Louis XVI were set against this, and Mesdames persuaded Louis XVI that Maurepas would be strong enough to keep Choiseul out of politics <sup>36</sup>. As early as 16 June Stormont was to comment that Maurepas would never allow Choiseul to serve with him, and hardly a month went by thereafter but that Stormont recorded some thwarted attempt by Choiseul to penetrate the ministry <sup>37</sup>.

While Maurepas had kept abreast of politics in exile, his outlook was still that of Fleury's period. Maurepas believed that he had been called to be prime minister, and worked to create a cabinet system. While Maupeou remained in office this failed, but by August he was succeeding <sup>38</sup>. Maurepas was never able to make all his ministers toe his line, except for the brief period of Clucny's administration, but to all intents and purposes he was prime minister. Maurepas's style suited 1774, and was well-received in that year, but his reputation among the late century's political generation was low. Séour accused him of an indifference which was mistaken for wisdom. Bouillé condemned him as an "homme sans caractère, sans vertus, sans talents, mais doux, facile et lécer", he was a weak man who employed dangerous ones. Sénac de Meilhan found that he had the faults of extreme youth in extreme old age. Lévis made another damning comment, "Sur le vaisseau de l'état plutôt passager que pilote" <sup>39</sup>. His one desire was to stay in office with as little effort as possible; Necker was to write, "La retraite des grandes places ressemble à la nuit du sepulcre" <sup>40</sup>, and Maurepas, urged on by his wife, was determined not to enter into darkness a second time. Maurepas had a genius for managing men, and he attempted always to choose men he thought would be manageable whether through political isolation (Necker), incompetence (Clucny), or common outlook (Miromesnil); a less complimentary account of Maurepas's political management came from the American delegation in Paris who described the ministry in December 1777 as, "... a set of

men work'd on like puppets by an indecisive old man" <sup>41</sup>. From the point of view of his own political position Maurepas's experience with Controllers General was as unfortunate as Choiseul's. Maurepas has been judged harshly because he usurped power never destined for him when he manoeuvred himself into the post of prime minister.

As Maurepas was Aiguillon's uncle an immediate wave of speculation believed that the appointment had been engineered by Aiguillon to strengthen his position <sup>42</sup>. Aiguillon, however, was doomed by his association with du Barry, to whom he had extended personal protection in May. For the first few weeks of the reign Aiguillon acted as if the issues had not changed, and battled with Maupeou for ministerial advance, but on 3 June Maurepas broke it to him that Louis hated him and that he was on the point of being disgraced. Aiguillon resigned to avert exile. <sup>43</sup> He bore resignation with bad grace and made several attempts to regain entry to Court whether as minister or Great Officer of State. Maurepas's relation with Aiguillon was ambivalent, and one of the most interesting interpretations of it, and its effects on Maurepas's career, came from a British agent in Paris - Bentworth - in 1777. Analysing political weaknesses at Court he wrote, in a hurried and intriguing report to Lord Teymouth, that Maurepas, "... tied a millstone about his neck, he can't easily shake off, in the first measures he pursued to gain popularity and éclat by a change of the Maupeou system to disengage M. d' Aiguillon from his embarrassment with them, and to reconcile him to the queen, and thro' her to the adherents of M. de Choiseul, but (which led) to his exclusion from the management of affairs. I should go further in the embarrassment this has caused the Court (of Maurepas), but the time may be more usefully employed". This account would show a continuum of political activity by Aiguillon from his attempt to have the parlement recalled under Maupeou and to inherit Choiseul's patronage after 1771 (see previous chapter). More importantly for the new reign, it would show a drastic political miscalculation by Maurepas, which compromised the whole of his second term in office and would do much to explain the apparently directionless and enervating conduct of the minister <sup>44</sup>.

Just as Maurepas's ascendancy had supplanted Aiguillon's, and was to end Maupeou's, it also excluded Choiseul. <sup>45</sup> Choiseul had spent the years since December 1770 in glorious exile at Chanteloup <sup>46</sup>, which became almost a rival Court, and its atmos-

phere was held to be greatly preferable to "old king Capet's"<sup>47</sup>. Between the hunts, balls, and dinners Choiseul and his colleagues prepared for the new reign, and had a complete plan of ministries and measures. They hoped, indeed counted on, Marie-Antoinette having the same predominance over Louis XVI as du Barry or Pompadour had had over Louis XV; Maria-Theresa had even written to Marie-Antoinette, as Dauphine, telling her, "N'oubliez jamais que votre établissement était l'ouvrage des Choiseul, qu'ainsi vous n'oubliez jamais de leur devenir de la reconnaissance"<sup>48</sup>. Like everyone else, however, Choiseul had left Louis XVI out of his reckoning, the king detested him for injuries done to both himself and his father, and made it clear that the duke would never serve under him<sup>49</sup>; he refused to receive him at Court. The body of Choiseul's patronage passed to Marie-Antoinette, and the Choiseulists became known as the "Queen's Party", Choiseul himself played an active role as a peer and elder statesman, but, like Aiguillon, accepted irrevocable defeat with bad grace. He intrigued constantly to place protégés in the ministry and to become a Great Officer of State himself.

The first new appointment was that of Vergennes to the Foreign Office. Vergennes had also been on the Old Dauphin's list, he was a robin career diplomat serving as ambassador at Stockholm in 1774 and it was generally assumed he had excluded himself from consideration for high office by marrying a Greek girl while serving earlier at Constantinople. Not to let this stand in the way of the appointment was an important indication of Louis's personal attitudes, for instance that a legal wife of low foreign origin was preferable to an impeccably French and noble mistress. Externally he favoured Choiseul's diplomacy, and having been a member of the King's Secret, he was able to unite the public and private sectors of foreign policy. He rebuilt French influence in Europe by the Armed Neutrality of the North which united the Baltic against Britain, 1780-1, and to a lesser extent by containing the War of Bavarian Succession in 1777 to a single campaign between Austria and Prussia, and he restored French power in the world by the successful intervention - if not engineering - of the War of American Independence 1778-81. Internally, however, he favoured Lauepeou, and supported him on Council<sup>50</sup>, he was excluded from the committee for recall.

Vergennes's qualities were essentially pedestrian and negative; the livelier Lauzun was decidedly unimpressed by him.

Stormont found him, "... calm, prudent, cautious", an ally of Maupeou who held himself above intrigue<sup>51</sup>. He was meticulous: uninspired in his Department and boring on Council, hence easily overlooked. After the question of recall had been settled he could share Maurepas's position on all issues, and was a great force for conservatism; he incurred Horace Walpole's wrath for opposing Turgot and Maïesherbes<sup>52</sup>. When Maurepas died in 1731, Vergennes inherited his political position up to becoming the head of the Council of Finances. Vergennes's most important negative quality was his ability to exclude both Choiseul and any of his protégés from the Foreign Office. He was appointed in the face of the queen's patronage of Breteuil, Choiseul's candidate, of whom Kaunitz commented, "Il voudrait faire le petit Choiseul"<sup>53</sup>. Vergennes set a pattern both for the type of minister that Louis XVI was to patronise and for the exclusion of Choiseulists.

With Aiguillon's departure a new Secretary for War also had to be found. Louis XVI chose Mury, another of the men recommended by his father. Mury had been offered the War Department in December 1773, but his principles made it impossible for him to accept, "He is a great dévot," reported the British embassy, "and would not consent even to visit Mme. du Barry, much less to pay his court to her"<sup>54</sup>. In 1774 he accepted because he, "... a compté sur la réformation prochaine des moeurs"<sup>55</sup>. Mury was a force for conservatism, a fanatical opponent of Choiseul, and the philosophes, and a man opposed to any robin reforms. His only political act of any significance was his defeat, with Soubise, of Turgot's proposals for reform of the militia.

Mury was an

ideal figure for Louis XVI and for Maurepas - moral but manageable. He died bravely on the operating table undergoing the simple, but excruciatingly agonising, surgery for the stone.

In July Boines was replaced by Turgot. Boines had been Maupeou's right hand man until he had defected to Aiguillon. He left chaos in the Admiralty, and millions of livres unaccounted for. Turgot's appointment was no bolt out of the blue, all intendants were candidates for the ministry, and Turgot was one of the better connected as well as having an exceptionally solid administrative record in his generality. The first mention we have of Turgot was on 15 June when he was brought to Stormont's attention as, "a man ... of great and deserved reputation, of considerable abilities, and of the highest integrity and honour"<sup>56</sup>.

He had been in the wings for nearly a decade. Although Stormont believed, correctly, that Turgot's appointment to the Admiralty was temporary, only lasting until Terray would be dismissed<sup>57</sup>, most commentators set to analysing his prospects in the Department.

Hardy had heard good reports of him and believed that he would do well if he could overcome his addiction to "projects"; Mme. du Deffand, whose patronage he enjoyed, came to the same conclusion<sup>58</sup>. In a letter to Condorcet Turgot made it clear that he was going to take his appointment to the Admiralty very seriously and was determined to do well<sup>59</sup> - implying the irony that Stormont was better informed than Turgot. Turgot appears to have declared himself in favour of recall and prepared to accept Maurepas's line from the start, and Besenval records that complete harmony reigned between them for nearly a year<sup>60</sup>. Equally from the start great disquiet was shown towards the appointment of a known philosophe<sup>61</sup>.

Turgot's relationship with the parlement has been a subject of speculation and debate from the summer of 1774 onwards. His record was ambiguous - while he had supported the exile of the Jesuits, he had previously served in Machault's Royal Chamber, which damned him irretrievably in some eyes. The accepted opinion of his role as outlined in Carré's examination of the problem, has been that Turgot opposed the recall, which was also carried out against Louis XVI's true wishes - this has already been disproved above. This account comes from Condorcet's attempt to convince himself that Turgot had not acquiesced in a policy that he, Condorcet, found disquieting. There is, however, no corroborative evidence here, and Carré shows the bulk of public and philosophe opinion supported the recall and applauded Turgot's evident role in it - though he had played no part in its instigation. Carré shows that Miromesnil and Maurepas did not support patriot pretensions, but believed it essential to repair the damage Maupeou had done to the myth of a limited monarchy, with which Turgot, as a robin as much as a philosophe, agreed. The structure, furthermore, of the recalled parlement would have enabled a decisive monarch to dominate it. On a personal level, Carré made two observations; the first was that Turgot agreed to the recall as payment of a political debt to Maurepas for bringing him into the ministry and to the Choiseulists for not opposing him once appointed; and the second that Turgot regarded the recall as the lesser principle which could happily be sac-

rificed to the greater - his appointment to the Control General where he could formulate policy and dominate the ministry <sup>62</sup>.

The question of exactly how Turgot came to be appointed is as important as it was for Maurepas. Again, Louis XVI himself played a central role <sup>63</sup>, and if we look to the advice he was given on the type of minister to choose we find that Turgot is a logical choice. At the same time Turgot was as well connected as any intendant, he had Mme. du Deffand and the Rochefoucaulds working for him in Paris, and as an encyclopedist was very much an "homme à la mode" <sup>64</sup>. The Rochefoucaulds were a direct route to ministerial preferment, and Croÿ favoured their influence as the most important <sup>65</sup>. Bachaumont, however, believed that Véri, a close friend of both Maurepas, and his wife, formed the crucial link <sup>66</sup>. In the fairly euphoric historiography around Turgot it is all too easy to lose sight of him as a man of his times intricately involved in his political environment. In the last resort Maurepas took him on because he thought he would prove talented but malleable, and a reforming servant of the monarchy, who would greatly improve on the performance of Louis XV's ministers <sup>67</sup>. If the public took calmly to Turgot's appointment to the Admiralty, it greeted his promotion to the Control General with astonishment <sup>68</sup>. "Tout est possible aujourd'hui et on peut s'attendre à tout", declared Métra <sup>69</sup>. Stormont summed up his qualities as "disinterested integrity" <sup>70</sup>, and Turgot announced his programme as: no loans, no new taxes, no bankruptcies <sup>71</sup>. While a philosophe, Turgot was a "partisan of royal authority" and a supporter of the old parlements <sup>72</sup>: he was an ideal man of the moment.

Turgot's reputation has two foundations: his apparent anticipation of nineteenth-century economic and social ideas, and his attitude towards high office. The first quality stood as long as the ideas themselves were held in high regard, and only in the late twentieth century has Turgot ceased to be fashionable <sup>73</sup>. (Laisser-faire can be accused of creating more problems than it cures. Also the historiographical perspective of the late twentieth century takes in some of the significant failures of capitalism - most notably the Depression. By comparison, Necker's more cautious blend of liberal social and political ideas with a managed economy seems more attractive.) In his attitude to power, Turgot stands head and shoulders above those around him by disdaining all the pettiness and self-interest generally associated with it. His integrity, honesty, and uncompromising insistence on what should, or should not, be, earned him the respect of both friend and foe. It also earned him a quite unwarranted reputation for lack of ambition. His ambition was in reality so much greater than any of his colleagues' that it could not even be perceived by them. Necker possessed the

ambition but in him it was transparent, whereas it



was tacit in Turgot. Corneil quotes him as saying, "Je crois véritablement que je suis né pour régénérer la France" <sup>74</sup>, and his behaviour, whether his bullying manner with the king or his refusal to indulge in intrigue even for self-preservation, is only intelligible in terms of this remark. Despite less than two years in office with, to his name, a peasant insurrection on the one hand and no lasting achievements on the other, Turgot succeeded not just in being remembered when all about him have been forgotten, but in being remembered as the one man who might have saved the old regime.

Sartines was moved from the Lieutenant General of Police to the Admiralty. Sartines preserved the robin continuity of office at the Admiralty established by Maupeou and maintained by Maurepas. In this Department Sartines had to devote almost all his energies to repairing Boinas's maladministration; Georget believed that his very real talents were wasted there <sup>75</sup>. Sartines was a political survivor, trimming his way through the various ministries of Choiseul, Maupeou, and Maurepas. His sympathies, however, lay with Choiseul and with the parlements. He was replaced in Paris by Lenoir, "a man of very fair character" <sup>76</sup>, who preserved continuity of outlook and policy. Lenoir held the post until 1785 with only a short break 1775-6. He stayed outside intrigue, but shared Maurepas's political position.

Maupeou's removal in August should have opened up the two posts of Chancellor and keeper of the Seals, but Maupeou refused to surrender his inalienable office - invoking the same fundamental law which he had ignored in the case of the magistrates who had opposed him. It was an ironic, hypocritical, and embittering footnote to his career. The man chosen to replace him was Miromesnil "an intimate friend of M. de Maurepas" <sup>77</sup>. Carré's judgment was kind, that this subtle Norman trimmer had proved his administrative worth as first president of the parlement of Rouen (1751-71) and proved his personal integrity by being exiled 1771-4 <sup>78</sup>. He was a colourless man whom Maurepas found easy to manage. Miromesnil's reputation has been blackened almost single-handedly by Véri who painted him as the black-hearted insidious wrecker of Turgot's policies. The only other bitterly hostile contemporary judgment was passed by the Espion An 13 who accused him of never working openly, but always sheltering behind some institution. Lenoir accused him of lacking the courage of his convictions <sup>79</sup>.

Miromesnil shared the political position of Maupeou and Turcot in 1774, that of a loyal servant of the monarchy who believed in the recall of the parlements. Albertas was relieved to be able to record that Miromesnil was more "royalist" than had been assumed. Rennaud and Montbarey were both pleased by the appointment and impressed by the man. Sérur, however, accused him of a Louisquatorzième servility to absolutism<sup>80</sup>. Before the political crisis of the Flour War Miromesnil's political position was fairly easy, but from 1775 onwards the pressure built up against him from both sides: from the ministry to manage the maris+rates, and from the parlements to represent their interests in politics<sup>81</sup>.

Three ministers remained unchanged in office; Vrillière, Soubise, and Bertin. All three had supported Maupeou, but were more royalist than dévot. Vrillière remained on sufferance, and played a minor role in the 1-st year of his long career in office. Soubise and Bertin were regarded as voices of moderation on Council, softening the impact of Maupeou's, Turcot's, and St-Germain's reforms; they were credited with persuading Louis XV not to exile courtiers hostile to Maupeou's reforms<sup>82</sup>. Neither were personally ambitious: the "inconsequential" Bertin<sup>83</sup> had relinquished the Control General in 1763 to concentrate on agricultural problems, and Soubise had refused the War Department in 1773 on the grounds of insufficient ability and possible conflict of interests between the roles of marshal and minister<sup>84</sup>. Soubise played an important role in 1774 when Louis consulted many of the Crea+, but the recall of the parlements from which he had been excluded, spelt the end of his political power. When Montbarey worked with him he found that he no longer exercised a vote, and was on Council only in a consultative capacity<sup>85</sup>. He had stayed on only at Louis XVI's personal request<sup>86</sup>. Both men were ideals of Louis's concept of a minister, and both were accused of being blind fanatics of monarchy by Soulavie<sup>87</sup>.

Louis's desire for économie, the reduction of both revenue and expenditure and the elimination of all superfluity, had first shown itself in May with his waiving of the tax of joyous accession. This tax was meant to cover the cost of the coronation, and in view of Louis's decision to have a traditional crownin at Rheims it was an ill-advised measure. Louis also announced that all state debts would be honoured, a measure designed to inspire confidence and to prove Louis's justice. Of these two events aillard wrote, "Ces deux pièces, qu'on

admire, nous confirment dans les préventions en faveur du nouveau gouvernement" <sup>88</sup>. The Court was shaken by the new king's attitudes: mistresses dismissed, 2,000 horses sold off, pensions questioned, and conspicuous consumption discouraged <sup>89</sup>.

All these measures were designed to herald a new era of the monarchy and to make it popular. Louis was obsessed by the desire to be loved and understood by his subjects, which placed him in a dilemma only too well appreciated by Horace Walpole, who wrote that the crown would be: "popular ... when it pleases ... and powerful without popularity" <sup>90</sup>. Louis XV sacrificed popularity to power in 1771, Louis XVI was to sacrifice power to the fickle will-o'-the-wisp of popularity from the first act of his reign to the Revolution. Every commentator agreed that the abolition of the tax of joyous accession was popular, but a sour and prophetic note was struck by Coquereau who first claimed that Terray had deliberately falsified the accounts to show a surplus, confirmed by Vergot in November <sup>91</sup>, and then wrote that waiving the tax could no longer have the effect they would have done before Maupeou; now, "Les sujets ne doivent rien personnellement à leur prince: ils lui fournissent les secours nécessaires pour l'administration qui lui est confiée" <sup>92</sup>. The legacy of Laucous' assertion of royal authority was a conscious division in society between rulers and ruled, something alien to the old regime, and something Louis was incapable of grasping or acting upon.

The team of ministers assembled by Louis at the end of the year and the policies they had implemented met with almost universal acclaim. The age of the philosophe king seemed to have dawned. "Ainsi les intérêts de l'état et des honnêtes gens sont confiés à des mains pures et fidelles", proclaimed Métra <sup>93</sup>. The clearing out of most of the old ministers led to the quip that it might have been a St. Bartholemew of ministers but it was no massacre of innocents <sup>94</sup>. The bright new Young Court (the circle of younger courtiers who had coalesced around the Dauphin and Dauphine 1770-4 and who had avoided being drawn into the politics of Maupeou's reforms) with its high moral tone but cheerful emulation of Henri IV's day pleased the capital, where "ressurrexit" was daubed on Henri IV's equestrian statue on the Pont Neuf. Two experienced and sober commentators, however, claimed not to have shared in the euphoria; Croÿ feared that the recall of the parlements would prove to be the decisive event of

the year, and would mar the whole reign, and Richelieu (disgraced and exiled for his association with du Barry) wrote in 1788, "Je pensais à ce roi si jeune, si honnête, à cette reine si légère et si bonne, à ce premier ministre si faible, et si insoucieux, à ces parlements qui relevaient la tête, à ces philosophes si hardis ..." and foresaw the fall of the monarchy <sup>95</sup>.

The first political achievement of the new ministry was the freeing of the grain trade - Turgot's policy. This came as a "sensation" in December <sup>96</sup>, and heralded an era of reform unprecedented in France even if short lived and ultimately unsuccessful. The parlement remained true to its recantation of 1770 (of physiocrat policies and patronage of the philosophes), and issued an arrêté as a formal protest against the reimposition of physiocrat policy. The parlement was determined to show good faith, and did not press the issue. The parlement managed to restrain itself until March, after which the honeymoon period following the recall began to turn sour <sup>97</sup>; the disaster of the Flour War in May permanently alienated the magistracy from reform. The parlement also occupied itself with remonstrances against the form of the recall, and the failure to exact retribution on the restants; Louis could hardly countenance punishing men for showing loyalty - even though now thought misplaced - to the crown.

Public attention was taken up in 1775 by the trial of the Duc de Richelieu and Mme. de St. Vincent. The case arose ostensibly out of forgery, but was the pretext for a political trial of one of Maupeou's allies and agents <sup>98</sup>. The case dragged on until May 1777 when, in effect, both parties were found guilty but Richelieu had to pay the 60,000l. costs. At the judgment a counsellor commented that Richelieu had been treated harshly because he was a man, "qui est entré, le flambeau à la main, pour embraser le Temple de justice" (in 1771) <sup>99</sup>. The trial, however, had yet a third and more important aspect. Richelieu had invoked his privilege of being tried before his peers, so the trial had to be heard before the parlement of Paris as the Court of Peers. This gave the peers an excuse to attend the parlement at will for two and a half years. For much of the trial only Conti could endure the boredom of the mass of trivial evidence. Mme. de St. Vincent received help from the Rochefoucaulds. When the parlement came to debate matters of great public concern, such as the pamphlet 'Inconvénients des Droits

Féodaux or the Six Edicts, a greater number of peers attended and learnt a new dignity and significance to the parlement's political debates <sup>100</sup>. The increased involvement of the Great in politics was to be a feature of the reign.

Turgot was to be the dominant figure of 1775. Maurepas had hoped to be able to separate the good economic management in physiocracy from its programme of social and political reform, and in doing so to keep Turgot in check, but he found he was unable to do this, not merely because of Turgot's determination not to let him, but also because of the confidence with, and ascendancy over, the king Turgot had secured. Turgot used his friend and ally Malesherbes, once again first president of the Court of Aids, to publicise his intentions, and the Court's remonstrance of May 1775 was the regime's first political manifesto. The remonstrance divided into two halves, the first attacked the General Farms and the fiscal structures engendered by them, the second attacked the structure of centralised administration and called for the fullest provincial autonomy in fiscal affairs. After this Maurepas became jealous and apprehensive, moving from patron to enemy.

One of the most noted aspects of Turgot's administration was its humanitarianism. Turgot appreciated that the nature of the regime might cause a man to fall out of its corporate structure to become a dispossessed vagrant. There can be no clearer example of this than the militia which could destroy a peasant family: Turgot proposed to abolish the original abuse and then to use the institution to help rehabilitate society's victims <sup>101</sup>. Such attitudes were a paradoxical appendage to Turgot's belief in a free market economy and its attendant social organisation. That Turgot's vision was wider than his ideology is part of the reason for his enduring reputation. Turgot suffered a set back when he tried to have the reforms he had implemented in the microcosm of Limousin transferred to the macrocosm of France, but the attempted reform of the militia in November 1774 set the pattern for Turgot's period in office up to the Six Edicts.

Turgot kept up a constant stream of minor reforms within the Control General, and constant pressure on the rest of the government Departments, to rationalise their jurisdictions. Turgot, despite his promise of no loans, had to raise small loans to retain day to day liquidity, but true to his word there was no large scale borrowing. Turgot produced five ideas for putting the finances in order. He put forward the ideas of alienating

259,000,000l. of royal domain and of taking over the Church's assets and liabilities in return for salary in the clergy - both ideas borrowed from Fuysecur, the anticlerical militaire, and both abortive <sup>102</sup>. The issue of royal domain provoked a pamphlet 'Considérations sur l'inaliénabilité du Domaine de la Couronne' (Amsterdam 1775), which claimed that the royal domain was a foundation of the monarchy, and that to attack it was to imperil the crown. Turgot proposed a cadaster of the whole realm independent of provincial reform, this was also rejected <sup>103</sup>. Turgot planned, and had partly implemented, breaking of the hold of privilege and state control on the economy; this was embodied in the Six Edicts, which began the process of creating a free market. He also had well advanced plans to create a new municipal structure of provincial government.

Before Turgot could implement any reforms at all, however, he was overtaken by the most serious peasant insurrection the regime had to face in the century up to 1789, and the only one to reach Paris for 50 years <sup>104</sup>; this was the Flour War. Across the north east from Artois to Champagne via Paris the price of bread soared beyond the peasants' ability to buy it. As in 1765, 1768, and 1770 the free market aggravated the crisis. In the market towns the peasants and urban poor took over the supply of bread in spontaneous price-fixing ("taxation populaire") at the pre-crisis levels. As long as the authorities did not try to interfere violence was rare, and in most areas the authorities were sympathetic in any case. The government, however, was forced to act, as it had not been forced in 1773, by the invasion of Paris and Versailles by mobs of rioters. Control was lost temporarily, but successively ("en chaine" according to Faure), of half-a-dozen provinces and the capital. The army took over in some places to regulate grain supplies and prices, and to regain "police" control - by military action where necessary <sup>105</sup>.

Turgot was determined to make his policies work, by force if necessary, and while Maurepas and the parlement hesitated he authorised action. On the military front various of the Great cleared the rebels out of the towns and markets and scoured the country-side for ringleaders, who were imprisoned and subsequently hung - an unusual step in a peasant uprising. It was an important moment: the robe lost all authority during the event and had to content itself with fulminating afterwards. A firmer government, supported by the Great, was not prepared to let the robe meddle in "police" administration, nor allow it to exploit nor to take any credit from the insurrection. On the

political front Turgot took the opportunity of an untimely visit by Maurepas to the opera to have Louis dismiss Lenoir and appoint Albert in his place <sup>106</sup>. Albert had been an intendant of commerce dismissed by Terray, but reinstated by Turgot in August 1774 <sup>107</sup>; he was a loyal physiocrat, unlike Lenoir who looked to the interests of the crown first and the implementation of a programme second. Maurepas never forgave this stab in the back, "It is certain there is no great harmony amongst the ministry". The political positions taken up were extraordinary even in their context, Turgot called for more stringent military action against the rebels than even Mury <sup>108</sup>. There was talk of a ministerial reshuffle, but the crisis died down.

Contemporaries had three explanations for the Flour War, all supported by eye-witnesses. The first and least helpful was to condemn it as a manifestation of human wickedness without reference to any external influences. This idea was put forward by the clergy who equated loyalty to the crown with devotion to God, civil insurrection was a sin, and committed by men already filled by original sin. The insurgents were simply political atheists <sup>109</sup>. The physiocrats, led by Turgot, had to find some account which would exonerate their policies. Coquereau's was the most convincing, that Turgot was simply reaping the fruit of Terray's maladministration <sup>110</sup>. Partisans of Turgot, however, produced a plot theory by which the ring-leaders had been paid agents of:— Maurepas, Terray, the clergy, financiers, the English, or the Jesuits <sup>111</sup>. Certainly among those arrested were several functionaries of the 1771-4 period, but there is always the possibility that the civil disturbance was being used as an opportunity for settling old scores <sup>112</sup>. The plot theory was taken a stage further by the claim that Necker had incited the peasantry to revolt by his pamphlet 'Sur la législation et le Commerce des Cérailles' which had been patronised by Maurepas and Pesay <sup>113</sup>. To compound the plot, and add some logic to Lenoir's dismissal, Turgot had already quarrelled with the Lieutenant of Police over allowing Necker's pamphlet to be published <sup>114</sup>. This episode shows Turgot in an unusual light: he attempts to prevent a hostile pamphlet from being published, then accuses it of inciting rebellion, and finally pursues the ministry of the man he takes to be the author of his problems. It was a dress rehearsal for the political battle over 'Inconvénients' where Turgot played the injured party.

Much contemporary evidence, however, points to an economic

explanation. The British embassy chronicled the Flour War as a revolt of despair, and quoted rising bread prices. Both Hardy and Véri saw rain as at least the pretext for revolt. Croÿ, who saw the riots and directed the pacification of Artois, was in no doubt that high prices had caused the revolt<sup>115</sup>. The Joly de Fleury papers reveal report after report showing how an explosive situation of imminent famine in the apparent midst of plenty was touched off by some hasty act, ill-advised word, or outside news. There was no doubt in these papers that the revolt was a series of independent rebellions which linked to ether into a coherent insurrection of economic origin<sup>116</sup>. The parlement of Paris acted on this interpretation in its policy towards grain after 1775. Together with the 1773 rebellions the whole of France experienced peasant disturbance in the 1770's on either side of an axis from Avranches to Geneva - to the south in 1773, to the north in 1775 - but the government insisted on reacting to the Flour War as if it had been a political act, and in doing so it politicised peasant rebellion with catastrophic consequences in 1789.

That the Flour War was economic in origin was proved by default when price-fixing ended the rioting - even if Véri managed to convince himself that lowering the price of bread had aggravated the situation<sup>117</sup>, Mme du Deffand accused Turcot directly of causing the rebellion through his policy of high grain prices<sup>118</sup>. An unexpected result of the riots was the involvement of the curés in civil administration; not only were the bishops, governors, and intendants ordered back to their provinces to supervise the pacification, but Turcot also institutionalised his Limousin practice of making the curé the subdelegate's agent in the parish. The parlement never regained the competence in administration it had lost in the heat of the moment. The rebellion, however, finally ended the period of goodwill and give and take in the government. The Espion Dégabillé claimed that from this moment Maurepas joined forces with Miromesnil and the parlement to oust Turcot.

Attention in June was briefly distracted from politics by the full ceremonial of a traditional coronation at Rheims. This was held at Louis XVI's express personal desire, against Turcot's entreaties for a cheap modern crown in Notre Dame. Turcot's position was strengthened by the end of the month by the greater number of économistes in government. His greatest victory was Malesherbes's appointment in July. Vrillière, by now a "cyphèr"



119 had been awaiting dismissal ever since a Council meeting of 25 June 1774 when he had denied all knowledge of a lettre de cachet bearing his signature. Louis would not tolerate his continuance in office after that, but he survived for a year on Maurepas's credit <sup>120</sup>. Malesherbes was brought in because Maurepas believed that he could be managed easily, holding Maurepas's political ideas, and there was even talk of Malesherbes being groomed to be the next prime minister <sup>121</sup>. Malesherbes's political talents were suspect from the start. His father had not considered him suitable for high office when his name was first put forward in 1763, Véri accused him of indecision, and Soulavie found he had a naïveté and sincerity alien to the age <sup>122</sup>.

A second ally in the ministry turned out to be St-Cermain the "fanatique des Allemands" <sup>123</sup>, who took over the War Department from Mury in October. It was after this appointment that Turcot felt secure enough to quicken the pace of reform. Lamoignon de Campan believed that flood-gates of reform had been opened, and Allonville that Turcot was now retracing the steps of Larivière <sup>124</sup>. With Albert, Malesherbes, and St-Cermain with him, Turcot's dream of rationalising Departmental jurisdictions could be realised <sup>125</sup>.

In the Autumn of 1775 the ministry came under attack for its attitude towards organised religion <sup>126</sup>. Back in August the protestants, numbered at around 3,000,000, had been encouraged by Turcot to present a petition to the king asking for toleration, and pledging a don gratuit of 20,000,000*l.* for their gratitude <sup>127</sup>. The move was politically premature, and failed to take Louis's own feelings into account; it was rejected. The clergy was in "despair" at Malesherbes's appointment, and its pessimism seemed justified by the raising of the minimum age for entry into Holy Orders; in the environment of 1775 this was liable to reduce drastically the numbers of celibates <sup>128</sup>. In November Stormont was able to write (as a protestant of course) that monasteries and convents were regarded as an evil not only by the philosophes but by all "calm and moderate men", and under this ministry, "perhaps the day of their total abolition is not far removed" <sup>129</sup>. Croÿ believed that decisions about religion as important as any since Clovis were possible in 1775, and Soulavie went a step further to suggest that philosophic would soon be the accepted mores of society <sup>130</sup> he 1775 Assembly of Clergy was stormy. While Turcot's covert ally,

Loménie de Brienne had to petition the king to restore mores, continue to persecute protestants and proscribe philosophie, Beaumont tried to rally a devout opposition, whose conduct would extend beyond fine words; but the mood of the times and of the assembly (managed by the caucus of administrative bishops), was against him <sup>131</sup>. Vehement debates on mixed marriages, philosophie, toleration, and Jansenism failed to produce any changes in the Church's attitudes, but steps were taken to co-operate with the parlement against subversive literature <sup>132</sup>.

Many of these events have a familiar ring from 1770. The positions of five years earlier were being reassumed. Turcot, however, remained invulnerable as long as Louis refused to heed his enemies. The classic statement of Turcot's immunity had been made in January 1775 when Louis commented to Maurepas that Turcot did not seem to attend mass, to which Maurepas replied that Terray had attended every day; the point was taken <sup>133</sup>. Such was Louis's confidence in Turcot at this period that he told Stormont that the country was responding well to reform and that opposition was felicitously weak <sup>134</sup>.

At Court, however, opposition was already well developed before Turcot had begun to introduce his most important reforms. The mood had changed from regarding Turcot's policy as "reform" to seeing it as "dangerous innovation"; some even believed that the monarchy was in danger <sup>135</sup>. St-ermain's policy of cutting out the praetorian regiments at Court had aroused hostility, but Turcot was also attacked with the same tactic. He was manoeuvred into refusing a pension to a Luxembourg, one of whom (the chevalier de Luxembourg) was one of Louis's few close personal friends, and the head of which family, "incroy, was "austère, ami du feu roi", and one of the four Captains of the Guards <sup>136</sup>. The family was one of the few to be in favour with both the king and queen, and were dangerous and powerful enemies. The same ploy was used to discredit Turcot with the house of Rohan, when he refused a pension to "the remains" of Mme. de Brienne, Choiseul's mistress of 1770 <sup>137</sup>. This opposition on the one hand and the hostility of the queen, Maurepas, Miromesnil, Sartines, and the parlements on the other left Turcot in an increasingly isolated position, "he certainly stands upon slippery ground" commented Stormont <sup>138</sup>.

The climax of Turcot's ministry, though Turcot must have hoped it was to be only a prelude to greater reform, was the

Six Edicts. The edicts were presented for debate in mid 1775 and finally registered at a lit de justice in March 1776. Four of the edicts concerned grain policy, Departmental reorganisation and the abolition of sinecures, but the other two struck at the heart of the old regime. One set out to abolish the corvée, the other the guilds.

Commuting the corvée to a monetary tax delighted enlightened opinion in the capital, but it was badly received by the Great, by privilégiés in general, and even by the peasants, who found another demand for cash as onerous as the forced labour. The parlement took charge of the opposition, and within it the presence of the peers gave an illusion of parliamentary debate. Opposition narrowed down to three points. The first was that a new tax working its way through society and the economy would result in higher food prices (and the Flour War all over again) <sup>139</sup>. The second was the "specious" argument that as the new tax would be applied to all Frenchmen - urban or rural, noble or commoner - it was a subversion of the juridical order, and that if the tax were abolished then all the previous tax-payers would be liable to forced labour. (The Order of St. John was afraid that once their exemption from one tax had been overruled, none of their fiscal privileges would be safe <sup>140</sup>.) This point was stressed in Miromesnil's debate with Turcot. A more genuine complaint was that there were no safeguards to prevent the government appropriating the money to other uses <sup>141</sup>. Turcot should have tightened up on the technical side of the measures, and should have made some provision to counter the charge of levelling. The abolition of (Parisian) guilds raised the spectre, first raised under Machault and then again under Maupeou, of the dismantling of the corporate nature of the regime. This measure, wrote Stormont, "... will necessarily create great murmurings...", because of the parlement's vested interests in the guilds <sup>142</sup>, because of the growth of a coherent conservative ideology which reacted to the measure as an attack on the nature of the regime and because, on the most practical level, even enlightened men believed that the "menu peuple" were so wicked and lazy that they would never work if left to their own devices (but see Morellet below) <sup>143</sup>.

In the parlement only Rochefoucauld still remained loyal to Turgot while Conti and Eprémésnil rallied the bodies of the peerage and magistracy again to Turgot, and called for war to be declared against the philosophe, as it had been against the Jesuits <sup>144</sup>.

Turgot remained inflexible, and the Six Edicts were registered unchaned at a lit de justice. The parlement was forbidden to debate any aspect of the edicts, a sure sign of Louis's continued confidence in Turgot, but the political price of this victory was crippling high. Malesherbes lost the respect and support of the magistracy<sup>145</sup>, whatever goodwill the ministry had was used up and Turgot was reported to be at a nadir of popularity<sup>146</sup>. The alliance of vested interests was fully formed, and remained a basic fact of politics through to 1789. On the other hand Morellet felt that affairs could not be better, "Toute est fort tranquille. On a affranchi les paysans de la corvée, et ils ne se révoltent point pour y être asservis de nouveau. On a détruit les corporations, et nous avons d'aussi bons draps et d'aussi bons souliers, qu'auparavant, et les ouvriers ne font point de guerre civile", and he foresaw a scheme of European free trade akin to St-Pierre's vision<sup>147</sup>.

Turgot fell two months after this greatest triumph. An important step towards his fall was the realisation that the six Edicts were just the beginning of his plans for reform<sup>148</sup>. The occasion of his fall was the abrupt withdrawal of royal favour in May. The political background was the debate around the pamphlets 'Inconvénients des Droits Féodaux' and 'Le Monarque Accompli'. Turgot had adopted the habit of patronising a pamphlet to vindicate and explain forthcoming edicts: for the abolition of the corvées it had been a still-born work by Condorcet which had been suppressed by the parlement as "an indecent libel", written by a member of, "an absurd, fanatical, dangerous sect"<sup>149</sup>. To herald the abolition of the guilds Turgot had patronised 'Essai sur la Liberté du Commerce et de l'Industrie' by Bigot de Ste-Croix. It was not entirely specious, then, for the parlement to react violently to the attack on feudal dues in 'Inconvénients' especially as Boncerf, its author, was Turgot's secretary.

'Inconvénients' was not, however, an isolated literary event, in its context it was a refutation of 'Le livre des Seigneurs' (Anon. Paris 1775), and 'Méthode des Terrirs' (MM. Jollivet Paris 1775); reviewing all three books the Mercur de France wrote, "cette concurrence prouve combien l'object est intéressant"<sup>150</sup>. The argument in 'Inconvénients' was the same as Turgot's on the corvées, that the original structure was abusive and inefficient, and that monetary payment would benefit all concerned. A rumour was quickly put about that feudal dues would go the same way as the corvées<sup>151</sup>. The opposition to this

potential reform was more effective than against the corvées; Miromesnil had widened the issues over the corvées, but the abuse of forced labour had been so apparent that effective opposition in support of the original institution was impossible. Alone among the Six Edicts that concerning the corvées was not rejected unanimously, the vote being 84 : 16 against<sup>152</sup>. Feudal dues, however, affected every privilégié and were not regarded as an abuse; the opposition showed Turgot's policy here as an attack on feudalism, on nobility, and on social stability<sup>153</sup>. The duc de Mortemart told the parlement that the book had incited his peasants to attack him<sup>154</sup> - the very tactic Turgot had allowed to be used against Necker a year earlier.

The second pamphlet was 'Le Monarque Accompli' by Lanuierais "... la cause la plus prochaine de la démission de M. Turgot"<sup>155</sup>. Ostensibly a eulogy of Joseph II's enlightened despotism, Turgot's enemies managed to present it as an attack on Louis XVI. Séguier and Métra both accused it of wild enthusiasm, Bachaumont, however, found it boring, rescued from well deserved obscurity only by the chance operation of politics<sup>156</sup>. Turgot blundered badly over these two books, by turning the issue into one of confidence in himself against the parlements' meddling in matters of book circulation and censorship. On 4 March Turgot had Louis forbid the parlement to debate censorship in general and 'Inconvénients' in particular, not only did this add fuel to the flames of speculation, but it was also openly flouted by Conti who led the debate on a particularly damaging arrêté a week later<sup>157</sup>. Rumour, aided by Maupeou's subtle moves, latched onto the General Farms as the next target of Turgot's reforms, "The whole of which he will tear up by the roots" predicted Stormont<sup>158</sup>. Just as Maupeou had stirred up the parlements to discredit Choiseul, so it was alleged, were Miromesnil and Maupeou in league with the parlement against Turgot, which was a contributory factor in Malesherbes's decision to resign in April<sup>159</sup>. A consensus of opinion holds that Malesherbes resigned out of despair from the enormity of the task, his inability to cope with it, and the lack of support he received from Court. He had become a minister against his better judgment, and took the opportunity of opposition to reform reaching a level beyond his ability to cope with it to resign<sup>160</sup>.

The strain was beginning to tell on the Controller General. In January he was developing "a harshness and hastiness of manner"; an attempt to placate Alière, the first president of

the parlement, ended in argument <sup>161</sup>. His "orgueil extrême" caused Stormont to note, "He considers all his speculative opinions as incontestable truths" <sup>162</sup>. His manner with the king became more urgent and assertive, and in his final letter to Louis he held the spectre of Charles I before the unhappy monarch who was torn between on the one side his respect for Turgot and conviction that, "Il n'y a que Turgot et moi qui soyons amis du peuple" <sup>163</sup>, and his queen, Court, and prime minister on the other, who were persuading him, through the political debate over the pamphlets that Turgot was too dangerous a man to retain. Louis fell back on the excuse that Turgot's familiarity was an affront to the monarchy to carry him over a psychologically difficult moment of dismissal in May.

Turgot fell on more than just the success of immediate political intrigue, he had aroused the hostility of all financial vested interest, but he did not have ready cash to offer in return; in May the British embassy reported, "M. Turgot's measures have hitherto rather lessened than increased their revenue" <sup>164</sup>. His handling of the distemper epidemic was not universally approved. His decree that the disease should be fought by wholesale slaughter, which did incalculable damage to agriculture, was questioned by some intendants who claimed to be able to cure the beasts affected <sup>165</sup>.

There was yet another dimension to Turgot's fall, the broadest of all. The problem of America, which was now coming to dominate politics. In 1774 the issue was not urgent, and under Turgot and Laurepas Stormont could comfort his superiors that the ministry "will be gentle, moderate, and pacific, not unsimilar to that of Cardinal Fleury" <sup>166</sup>, and in October Stormont solemnly reported that the recall of the parlements would provide a source of long-term internal disruption to keep the French from contemplating foreign adventures <sup>167</sup>. Turgot's announcement of his fiscal intentions seemed another step in the direction of peace, for no war could be financed with neither loans, bankruptcies, nor new taxes <sup>168</sup>. Stormont was deceived in October 1775 by Verrennes's apparent hostility to the Declaration of Independence on the grounds that a free American nation would eventually create a navy to dominate not merely both Americas but also the world <sup>169</sup>. In December Stormont assessed the ministry's policy as one of supplying the rebels with arms in the hope that the two sides would fight to mutual exhaustion <sup>170</sup>. As a further proof of Turgot's unwillingness to become

involved in colonial ventures it was rumoured that he had been trying to mortgage or sell outright the French West Indies <sup>171</sup>. The issue seems to have been debated in Council in the first week of May; an estimate of 8-10,000,000l. was put forward for an expedition to help the Thirteen Colonies, but Turgot flatly refused to provide the money <sup>172</sup>. It was a Falklands crisis in reverse: the Controller General genuinely did not have the money and was prepared to commit political suicide before seeing war declared.

The export of arms, however, had remained continuous. Public opinion in the capital had been won over to the American side by December 1774 <sup>173</sup>. In April 1775 disquieting reports showed that the Young Court was eager for war, and was prepared to find some way round the official shortage of funds; there was even talk of war by private subscription <sup>174</sup>. To fight a war Turgot had to be removed, and this argument must have been presented to the king if only in its mildest form, that Turgot insisted on closing options which France had to keep open to operate an effective foreign policy. After Turgot's fall Stormont sent back reports of a very different type, "The apprehension of a war is become very general here", "The general language both of Paris, and Versailles, is immediate war" <sup>175</sup>. After May 1776 the question of war was "when" not "whether". It was also in 1776 that Beaumarchais ingratiated himself with Maurepas, gained ascendancy over him and used the minister to help him further his dreams of an honourable and flamboyant career as diplomat, secret agent, and soldier in America <sup>176</sup>.

Reactions to Turgot's fall varied. Besenval was merciless in condemning him for, "... l'incapacité réelle, et le caractère vain, (qui) commençaient à l'emporter sur une réputation accréditée par quelques hommes fanatiques" <sup>177</sup>. Most commentators believed he had only himself to blame, in his inflexible Messianic pride and self-righteousness, which did not allow him to fight for survival. Montyon judged on a technical level that Turgot had failed because qualities which made for a good intendant did not necessarily make a good Controller General. Métra believed that Turgot had set Louis XVI an example he was not able to follow, and that Louis had simply lost his nerve <sup>178</sup>.

The deeper implications of his fall were presented by the Espion Ançlais who foresaw an era of ministerial instability, fear of reform, and reports of intrigue: all honest men trembled at the event. For Grimm it was the crowning disaster in a very

bad year for the Enlightenment<sup>179</sup>. The tone of commentators, even those hostile to Turgot, was rapidly to change to regret at his passing, honest reform was found to be more palatable than corrupt conservatism. A change occurred in the rhythm of old regime politics after this event, a nervous self-conscious haste began to make itself felt<sup>180</sup>. Louis could try to convince himself that Turgot was endangering the monarchy<sup>181</sup>, but it became clear that his dismissal, and the manner of it, was to prove equally as dangerous.

With the passing of Malesherbes and Turgot, Maurepas was able to form a new ministry. Malesherbes's fall had preceded Turgot's by a few weeks but Turgot had tried to influence the new appointment. Turgot proposed: Invaux, Trudaine, or Véri, but all three were turned down by Maurepas<sup>182</sup>. As with Choiseul, this loss of the ability to dispense political patronage should be taken as a sign of imminent disgrace. Maurepas had appointed to the King's Household Amelot, an old friend and a man of known incompetence whose merit was his complete malleability and adherence to Maurepas's politics<sup>183</sup>. A lesser appointment opened up by the change of ministry was the Lieutenancy of Police, which reverted to Lenoir as part of a general purge of économistes: Condorcet, Angervilliers, Roubaud, and Baudeau also suffered disgrace or eclipse from minor posts.

For the Control General Maurepas chose Clugny, whose career had been based on the Admiralty where he had become a protégé of Praslin. While involved in colonial administration, however, he had been disgraced by Estaing and had had to resume his career as intendant in Bordeaux. Clugny could be presented to Louis XVI as a supra-factional minister: he had offered his services to Maurepas, but had travelled to Versailles via Chanteloup to receive his instructions<sup>184</sup>. Such were the feelings this man had aroused that Estaing felt compelled to write to the king warning him what manner of man was to become Controller General<sup>185</sup>. Both Stormont, the Espion Anglais, and Véri ascribed the appointment to the most vicious type of Court intrigue with Ogny, the Superintendent of Posts who was a protégé of Maurepas, intercepting compromising correspondence, or forging it where none existed, to show Turgot as a villain and Clugny as an honest man. This intrigue was reinforced in the bed chamber by the devious Thierry<sup>186</sup>. However much influence these methods may have had as a supplementary factor, they remain more a part of the mythology than the reality of the regime, but that people believed ministers



were made and unmade through the abuse of the Posts compromised such ministers' political authority.

To set the seal on a new ministry Maurepas was created Head of the Council of Finances which both institutionalised his position as prime minister, and gave him direct influence in the Control General. The tone of the new administration was set by Clugny's subservience to the Farmers General. "M. Clugny," reported Gaillard from Provence, "a donné un diner splendide aux fermiers généraux, ce qui fait juger qu'il presse sur leur compte plus assurément que son prédécesseur" <sup>107</sup>. The political credit of both Vergennes and Miromesnil rose, and the latter spent a busy summer reestablishing himself on the ruins of Furgot's dismantled reforms <sup>108</sup>. Joly de Fleury, then procureur general of the parlement of Paris, enjoyed the ministry's confidence; Séquier's power reached its zenith. Maurepas now had a manageable team of whom he was firmly the prime minister <sup>109</sup>. This ministry and the King's Party generally was overtly robin as opposed to militaire. Indeed the only significant support from the great or militaires came from the House of Rohan (of which more below). This shows how Choiseul had manoeuvred the majority of these groups under Marie-Antoinette's patronage thus making their eventual ministerial positions defeats for the crown.

It is easy to dismiss this ministry as an unfortunate interlude between the reforms of Furgot and Necker, but in its context it is as important as either. Clugny, alone among the late century Controllers General, might have been able to implement reforms along the lines proposed by Naveau <sup>190</sup>, (because he alone was not thought to threaten vested interest) and under this ministry the parlement was able to develop its conservatism. In the context of Court intrigue the new team was a compromise between Maurepas and the queen. Choiseul's pressure on the ministry via Marie-Antoinette had become irresistible, particularly as Louis XVI was now enjoying full sexual relations with the queen after his operation, and was beginning to succumb to her influence. Maurepas decided to meet the Choiseulists half way by appointing men acceptable to them but loyal to himself. Maurepas was sailing close to the wind, he had to appoint St-Cermain a minister (giving him a vote on Council) to prevent the Choiseulists gaining a majority, but he succeeded in temporarily taking the wind out of their sails <sup>191</sup>. There was an urgent political need to placate Choiseul because he controlled the parlement; "It is certain," believed Stormont, "that the parlement is much

connected with, and in a manner devoted to Choiseul". If Maurepas bought peace in parlement with Choiseulist political appointments, it was at the expense of Miromesnil's long-term political credit (which was repeatedly undermined by the disruptive incursions of others into his jurisdiction); indeed by March 1777 St-Fargeau was secretly being promised the seals<sup>192</sup>. Maurepas did buy political peace with the parlement, but this could only be temporary because the parlement refused to abrogate any of its presumed prerogatives in financial affairs. Maurepas allowed the government to lose face without any compensatory gain in authority.

Such was Choiseul's threat to the ministry that in January 1777 Stormont transmitted a depressing report that, "Peu de ministres ont eu autant de partisans que le duc de Choiseul pendant son ministère", and that although he had been outmanoeuvred in 1774, Choiseul, acting through Marie-Antoinette and Artois, was now in a position to form a new ministry supplanting Maurepas completely. (The detail of this "shadow ministry" is set out in the table at the end of this Chapter<sup>193</sup>). This ministry would have been militaire in outlook, and have had no hesitation in declaring war on Britain in favour of the American rebels. Choiseul could appear to unite parlementaire opposition behind this proposed ministry, because of his promise to revert to the politics of the 1760's, where power was devolved into the corporations. This gave the advantage of alliance between government and aristocracy, but without the benefit of central direction or administrative efficiency. Elements in the parlements could see many advantages in a disorganised ministry, which would not meddle in their affairs, and which would allow them to expand their constitutional pretensions.

Detailing rumours of a ministerial crisis in 1776, which probably prompted the compiling of Stormont's report in the first place, the Gentlemen's Magazine wrote, "Choiseul, and some other men out of power, in concert with the queen, had laid a deep scheme, not only to put out (St-Germain), but also by a coup de main to overturn the whole court system, and bring about a change of ministers and measures". The report continued that Louis XVI had heard of the plan, and vetoed it<sup>194</sup>.

Maurepas was by now being forced to experiment with new and other options, in December 1777 Paul Wentworth reported that the death of Iesay and the temporary eclipse of Beaumarchais having deprived Maurepas of his two "crutches", he "... will use the duke d'Aiguillon to defend him against the attacks of the [Choiseulist] party"<sup>195</sup>. On a different level after 1776 Maurepas

determined to counter Choiseul's influence at Court and to rival his candidates for high office by promoting the interests of the house of Rohan. This process had started in 1774 when the duc de Bouillon decided to sell the Grand Chamberlainship, a great Office of State which both gave direct access to the king and allowed the holder to control the access of others. Both Choiseul and Aiguillon had attempted to buy the office creating a minor crisis because Louis XVI found both personally unacceptable. Maurepas had skilfully had the prince de Guémenée put forward as a suitable compromise candidate <sup>196</sup>.

The house of Rohan was strong in the Order of St. John, and during 1776 several knights noticed Maurepas's interest in the Order, and one correspondent went as far as to speak of Maurepas's "great" and "intimate consideration" for prince Louis, and that they were working with Miromesnil and Joly de Fleury <sup>197</sup>. In March 1777 the Order's embassy in Vienna fell vacant; a Breteuil in the Order was put forward for the post, but Maurepas insisted, successfully, that prince Camille de Rohan should have the embassy. Stormont was convinced that Maurepas was using the house of Rohan to block Choiseulists. <sup>198</sup>

In November the old cardinal Rocheaymon died, vacating the Folio of Benefices and the Grand Almonership. Choiseul, and the queen, presented Jarente, the bishop of Orléans who had held the Benefices until he made his support for Choiseul too obvious in 1771. Jarente was unacceptable to Louis XVI, so Maurepas proposed a compromise: prince Louis de Rohan received the post of Grand Almoner, which made him private chaplain to the royal family, and the young Falleyrand, with his Choiseulist leanings, was suggested (unsuccessfully) for the Benefices. <sup>199</sup> All this might have remained as inconsequential, as most Court intrigue remained in the long-term, but after Maurepas's guiding hand was removed prince Louis lost all restraint. He had been groomed by the family as prime minister in 1774, and may have hoped to succeed Maurepas in 1781 <sup>200</sup>. He was already nominal elector of Alsace, archbishop of Strasbourg, and a cardinal in 1780's, but he could not grasp the ultimate power at Versailles of which he dreamed. Given vanity, a degree of gullibility, and an ambition beyond his capacity to fulfill it <sup>201</sup>, prince Louis was in a vulnerable position and easy to exploit. In the affair of the Diamond Necklace the whole house of Rohan was disgraced and the queen's reputation ruined. Napoleon dated the Revolution from this loss of face by the royal family <sup>202</sup>.

These were the long-term problems which concerned Maurepas and in which Clugny was as much a pawn as an ally. Clugny's ministry was marked by two trends. The first was the destruction of all Turgot's work, root and branch. Vested interest was given free rein. The old Louisquatorzième fiscal solutions were disinterred, lettres de cachet proliferated, and the General Farms enjoyed a golden age. The ministry was characterised by, "un attachement aveugle à d'anciens usages et aux préjugés qu'ils ont consacrés", whether in the parlement or the Control General. The ministry was the reverse of Turgot's which had been tight in the centre and loose in the provinces. The sole innovation was a lottery, which was a success beyond all expectations, and had none of the drawbacks of a new tax <sup>203</sup>. Censorship was reimposed, as were corvées and guilds.

In the provinces Clugny's ministry marked the last drive for centralisation. Any relaxation of abuse or authority 1774-6 was attacked, internal customs, an issue in the balance under Turgot, were now secure and enforced with exceptional vigour <sup>204</sup>. The authority of the intendant was bolstered against that of local institutions, and repression by the intendant became the answer to any call for reform according to the Espion Anlais <sup>205</sup>. The test case came when the deputation from the States of Burgundy arrived at Versailles; Maurepas, Bertin, Clugny and Amelot joined forces to treat them with unheard of brusque hostility <sup>206</sup>. There was fear of a reversal of the steady trend towards decentralisation back to a Louisquatorzième policy of centralised absolutism. What Clugny could have achieved in internal policy was a draconian reassertion of centralised royal authority. He could have rallied all those elements which had opposed philosophe reform, and forged a fresh alliance between crown and corporations. In practice, Clugny must have been a sick man when he took office, and can not have been up to the task. He died before his policies could show any benefit, but not before contemporaries had noticed the corruption, self-interestedness, and anachronisms attending his administration <sup>207</sup>.

In foreign affairs Turgot's fall was the signal for great activity. The navy was given an extraordinary payment of 6,000,000l. in July to prepare it for war, and a further 12,000,000l. were voted to it in October <sup>208</sup>. Rumours of war became rife <sup>209</sup>, and as a result government credit dried up. The Espion Anlais claimed that a firm commitment had been made to the rebels, and this was confirmed on the other side of the Atlantic by Jefferson who wrote on 26 August, "We have (official) assurance that the French governors of the West Indies have received orders not only to furnish us with what we want but to protect our ships.

They will convey our vessels, they say, thro' the line of British cruisers" <sup>210</sup>.

Clugny died in October 1776; of all contemporaries the only word of praise came from Georget who recorded that he had a solid record for hard work in his generality <sup>211</sup>. By July, however, Stormont could call him, "unequal to his office" <sup>212</sup>. By October Bertin was having to stand in for him, and Montyon quipped that his death relieved Maurepas of the embarrassment of dismissing him <sup>213</sup>. Intrigue and rapacity went unchecked, "the whole was one constant scene, of secret plunder and extortion" <sup>214</sup> was Stormont's comment. An anonymous pamphleteer published, 'Essai sur le Despotisme' which, so he claimed, had been written before Louis XVI's accession, but which was now relevant to the political scene <sup>215</sup>. When his papers were opened they contained only a few notes on the Farmers General and the lottery; Bachaumont's epitaph was that Clugny was a minister, "qui n'a rien fait, dont on n'esperait rien, dont on craignait beaucoup, qui avait contre lui la voix générale" <sup>216</sup>. The Council then chose two men to fill the vacant post: Taboureau des Reaux and Necker.

Taboureau des Reaux had acquired political respectability by having refused to serve under Turgot in October 1775 <sup>217</sup>. He was a former intendant of Valenciennes and a perfect Louisseizième minister as well as a pliable protégé for Maurepas. He appealed to the king because of his lack of patronage at Court, the same quality which had recommended St-Germain, he was a man of solid reputation and known to be, "above all suspicion of corruption" <sup>218</sup>. Each appointment influenced by Louis XVI up to 1776, shows an overreaction against the previous incumbent or incumbents - while Taboureau would never display the reforming zeal of Turgot or the corrupt malfeasance of Clugny he lacked imagination, drive and nerve. For the third time Louis and Maurepas found that qualities essential to an intendant did not necessarily make a good Controller General. Within the Control General it was hoped that Taboureau would deal with the administration while Necker produced the ideas and dealt with the king. In less than a year Taboureau found the task beyond his scope, and Necker to be too radical for his tastes. He resigned in June 1777 over Necker's abolition of the intendants of finance, who had become his protégés. (There were seven intendants to 1771, and five thereafter; they were eligible to attend the plenary Council of State.) <sup>219</sup>

There can be said to have formed a new ministry in October

-November 1776 (Maurepas's third) as there was a chance in the War Department. St-Germain had become a political embarrassment, acquiring the nick-name "le Turcot militaire" <sup>220</sup>, but Maurepas could not do without his vote on Council. To moderate his behaviour Maurepas forced him to accept Montbarey as co-equal holder of the Department. This division of competence (in the Control General, War Department, and between Grand Almoner and Folio of Benefices) was a feature of Maurepas's political behaviour in 1776-7. St-Germain resigned at the end of September 1777 unable to retain Louis's confidence or overcome Court intrigue. As a mark of respect for faithful service he was allowed to stay on in the hôtel de l'Arsenal until his death, a gesture unique to Louis XIV's style of monarchy.

Montbarey was a militaire of the old school who set on a course of refeudalisation <sup>221</sup>. He was an ideal minister for Maurepas, being characterised by incompetence and sexual indiscretion which undermined his political authority. Montbarey himself seems, from his memoirs, to have been a remarkably insensitive and unperceptive man <sup>222</sup>. Up to April 1777 he enjoyed the patronage of Choiseul and the queen, but when he discovered he was being used as a pawn to engineer Castries's appointment he defected to Maurepas entirely, which in turn allowed the prime minister to drop St-Germain <sup>223</sup>. He was deceived again by Maurepas, who, after failing to have Mesay created Secretary of State for the Admiralty, tried to have him made Director of War, a post which would have undermined Montbarey's political competence. Montbarey blocked this move, thus isolating himself from both Choiseul and Maurepas by 1778 <sup>224</sup>. He was dismissed in 1780, by his own account for trying to circumvent Maurepas's cabinet system, but the change of Secretaries of State for War and the Admiralty were part of a wider repercussion of the war of American Independence, and represented the second militaire ministerial offensive as well as a triumph of Marie-Antoinette's influence.

The detail of Necker's ministry has been examined in Chapter VI, but its broad course was of Necker's success in rebuilding liquidity (as opposed to long-term solvency), of his cutting free from the circle of patrons - including Maurepas - who helped him to power, and the development of his reforming policies. His ministry showed three broad features: the management of the Control General as a step in its institution, the appeal to public opinion over the heads of ministers and magistrates (culminating in

the 'Compte Rendu'), and the attack on the robe through provincial reform following Letrosne's ideas. Necker attempted to synthesise the best features of new reign politics and present himself as all things to all men while at the same time attempting to transcend politics as Turgot had. For the short-term, and for his contemporaries, Necker's most important role, which enabled him to stay in power against Maurepas's opposition, was to be able to fund the forthcoming colonial war.

The problem of when to declare war was becoming a thorny one. Reading the intercepted dispatches from the American delegation in France, it is difficult not to conclude that France had given some sort of assurance that she would declare war once the rebels had committed themselves militarily, but was unwilling to honour the obligation. The simplest explanation was that money was difficult to find, and that France had no desire to bankrupt herself. Another, more acceptable excuse was that war was being postponed until the Family Compact was recemented and other European alliances (notably with Holland who subsequently did declare war on Britain) had been negotiated <sup>225</sup>. The war party at Court (Lauzun, Montbarey, Fesay, Bertin, Soubise, Maillebois, Chartres, and Biron <sup>226</sup>) had come to the conclusion that the rebels would have to score a major victory in the field before France committed herself; this might be termed the "Saratoga policy", <sup>227</sup>. Another factor in delay was Stormont's deliberately overoptimistic reports of British successes. Lastly, it must be remembered that from the summer of 1776 onwards France was mobilising and was almost openly exporting munitions to the rebels. <sup>228</sup>

Such rational reflection was not so easy for the Americans at Versailles. Their diplomatic position was difficult to the point of causing them despair <sup>229</sup>. The Americans declared themselves, "... heartily disgusted in the manner with which their overtures have been accepted. Tho' promises in abundance have never been wanting", they condemned, "... the fallacious promises of ministry...", and wondered if they could even count on the clandestine help continuing. Their most explicit complaint against France came after an audience with Vergennes in September 1777, "... requesting that if (France) cannot immediately make a diversion in our favour, they would give a subsidy sufficient to enable us to continue the war without them, or afford the States their advice and influence in making a good peace" - a very defeatist outlook <sup>230</sup>.

Behind the scenes, however, the progress towards war was inevitable, the government's hand was being forced from too many directions. In the capital Franklin had captured public opinion. He was its idol, able to satisfy its thirst for novelty, for American ideas, for hard political news, and for Rousseauist ideology. He could combine the allure of a backwoodsman with the sophistication of an Enlightened aristocrat. Franklin met Rochefoucauld and Choiseul, and slipped easily into the pattern of Court intrigue. This greatly helped the American cause by rallying faction and vested interest to them <sup>231</sup>. Early instructions to the delegation urged them to stress to Vergennes, "... how important it is to the security of American independence that France should enter the war as soon as may be ..." and offered American support in capturing the British West Indies as an inducement. A far more effective bait proved to be tobacco. Franklin managed to negotiate a treaty with the Farmers General, for which he reported the government to be pressing hard <sup>232</sup>. This was the domestic breakthrough of recognition for the rebels, and a subsequent international commercial treaty confirmed their success in the government's recognition of the new state and declaration of intent to join the war. On the diplomatic front there was a strong hint of war up to March 1777 when Britain threatened an ultimatum before France was ready, Vergennes prevaricated and the immediacy of a declaration of war receded for nearly a year; but no one in either the French or British governments ever doubted eventual conflict.

From within France the militaires were threatening to precipitate war on their own account by volunteering, in embarrassingly large numbers. In July 1776 Jefferson wrote from Philadelphia, "I would not advise that the French gentlemen should come here. We have so many of that country, and have been so much imposed on, that the Congress begins to be sore on that head". In March 1777 the American delegation reported, less ungratefully, "The desire military officers here of all ranks have of going with the service of the United States, is so general and so strong as to be quite amazing" <sup>233</sup>. The war party was able to exploit this undercurrent of pressure for war.

The decision to declare war was not taken lightly. It caused much soul searching, not least in the King himself, though he became enthusiastic once the decision was made <sup>234</sup>. The damage done to the monarchy was irrevocable. St-Friest, a distinguished



diplomat, believed that war was declared either because public opinion was bowed to or because ministerial ambition had overridden all other considerations <sup>235</sup>. Vergennes desired to be the first foreign secretary for over a century to preside over a defeat of the British, and Necker in his turn would have been the first Controller General to finance a war without internal disruption. Vergennes was able to prove that 1778 was the most propitious year for upsetting the balance of Atlantic power in France's favour, Necker could provide the money, and Montbarey added that the opportunity was just too good to miss <sup>236</sup>. A combination of outstanding diplomacy on the continent and military victory across the Atlantic gave France the triumphant war she had dreamed of since the 1740's, unfortunately it laid many of the foundations for the destruction of the regime in 1789.

Ten years of political activity led from Choiseul's system built on the aftermath of the Seven Years War to Necker's which was poised to launch a successful colonial war overseas and constructive provincial reform at home. Under Choiseul reform was haphazard but often successful, though less so once the Court Party used reform as Choiseul's weakest point and concentrated their energies against the physiocrat policies of Laverdy and Invaux, and against the supposed philosophic connection between 'Système de la Nature' and the ministry over 1770. Under Maupeou the regime over-reached itself in the direction of "authoritarian" reform and hence wasted the opportunity presented by Choiseul's fall. The legacy of the "authoritarian" monarchy was to create both radical and conservative oppositions to the crown, while giving the crown a fillip of self-confidence which carried it through the recall of the parlements and forward into the reforming ministries of Turgot and Necker. It was with this pattern of political activity that the various institutions and reform schemes of the period interacted - most important of them the monarchy itself.

#### SUMMARY

The study of the political process 1768-78 has shown how the various themes and institutions described earlier operated in a ministerial context. The crown's determination to regain the initiative by direct action is explored. This began as a ruthless change of ministers and a reformed parlement under Louis XV. Under Louis XVI the crown adopted a more conciliatory, but still absolute approach. The Council was demoted to a consultative role and managed directly by the king. Two reforming ministries were supported while the support of the institutions was still sought.

PRINCIPAL POLITICAL APPOINTMENTS 1763 to MAY 1789.

DATE:	1763-8	1769	1770	1771	June to August 1774	1774	May to October 1776	1776	Choiseul's 1776 shadow ministry.	Maurepas's counter-ministry.	1781	1788-9
HEAD OF THE COUNCIL OF FINANCES:	<u>Praëlin</u>	<u>Praëlin</u>	<u>Praëlin</u>				MAUREPAS	MAUREPAS	CHOISEUL	MAUREPAS	Vergennes (to 1787)	LOMÉTIE DE BRIENNE
CONTROLLER-GENERAL:	Laverdy	Invan	Terray	Terray	Terray	Turgot	Clugny	Laboureur des Reaux 1776-7 Necker	Lométie de Brienne or Calonne	Lefevre d'Amécour	Joly de Fleury Ormesson Calonne	Lométie de Brienne
CHANCELLOR:	Blancmesnil	Maupéou	Maupéou	Maupéou	Maupéou	Maupéou (Cancellor to 1789, no powers)						
KEEPER OF THE SEALS:	Maupéou enr. (as Vice-Chancellor)	as Chancellor	as Chancellor	as Chancellor	as Chancellor	Mirameau (acting as Chancellor)	Mirameau	Mirameau	St-Fargeau	Mirameau	Mirameau (to 1787)	Malsherbes
SECRETARY OF STATE FOR FOREIGN AFFAIRS:	<u>Choiseul</u>	<u>Choiseul</u>	<u>Choiseul</u>	<u>Aiguillon</u>	Vergennes	Vergennes	Vergennes	Vergennes	Bretoull	Vergennes	Vergennes (to 1787)	Montmorin
SECRETARY OF STATE FOR WAR:	<u>Choiseul</u>	<u>Choiseul</u>	<u>Choiseul</u>	Monteynard 1771-3 Aiguillon	May	May 1774-5 St-Germain	St-Germain	St-Germain 1776-7 Montbary 1777-80	Castries or Châtelet	Aiguillon	Ségur	Brienne
SECRETARY OF STATE FOR THE ADMIRALTY:	<u>Praëlin</u>	<u>Praëlin</u>	<u>Praëlin</u>	Boines	Turgot* (July) Sartines*	Sartines	Sartines	Sartines 1776-80 Castries	Castries or Estain	Peay	Castries	Luzerne
SECRETARY OF STATE FOR THE KING'S HOUSEHOLD:	St-Florentin	St-Florentin	St-Florentin (Vrillière)	Vrillière	Vrillière	Vrillière 1774-5 Malsherbes	Amelot	Amelot	Sartines	Amelot	Bretoull	Bretoull
SECRETARY OF STATE WITHOUT PORTFOLIO:	Bertin	Bertin	Bertin	Bertin	Bertin	Bertin	Bertin	Bertin (retired 1780)				
MINISTER OF STATE WITHOUT PORTFOLIO:	<u>Soubise</u>	<u>Soubise</u>	<u>Soubise</u>	<u>Soubise</u>	<u>Soubise</u> Maurapas*	<u>Soubise</u> Maurapas	<u>Soubise</u> Maurapas	<u>Soubise</u> Maurapas	Joly de Fleury	Maurapas	<u>Soubise</u> (to 1787)	
LIEUTENANT OF POLICE:	Sartines	Sartines	Sartines	Sartines	Lenoir	Lenoir Albert (from May 1775)	Lenoir	Lenoir			Lenoir 1781-5 Croene	Croene

KEY: italicized ministers underlined, Prime Ministers in capitals, members of recall committee with asterisk, Ormesson Controller General 1783).

FOOTNOTES

1. S P 78 292 pp. 12, 39.
2. Albertas IV p. 1640.
3. S P 78 292. p.55, 293. p.284.
4. Besenval II p. 63.
5. 'Le Philosophe Cynique' Thévenau de Morande (London ? 1771) p.83.
6. B.N. Mss. fr. 6572 various documents from May 1774.
7. Besenval II pp. 203-4. Lévis p.6 Métra I p.67.
8. quoted Moreau II p.91. (Louis XVI's birth in 1754 coincided with the collapse of Machault's Royal Chamber).
9. Albertas IV passim. (This is the fullest account of the fluctuations in opinion, others do not contradict it).
10. S I 78 293 p.144. Métra I p.52.
11. Walpole, Liter X p.207.
12. S.P. 78 292. pp.142, 290.
13. S P 78 293. p.57.
14. Condorcet p.135.
15. S P 78 293. p.84..
16. St. John 9 1237 p.225 (23 September 1774).
17. S P 78 293. pp.109-10.
18. Ibid. pp.157-9, 282-3.
19. Archives Etrangères, Mémoires et Documents 1618. Isle de France 1771-4. 'Plan de Pacification pour la Pacistrature', 'Analise du premier Plan ...', 'Considérations particulières et Secrètes sur le Plan', 'Analise du second Plan de Pacification' September-October 1774.
20. S P 78 293 p.174.
21. Soulavie II pp. 176-8.
22. S.P 78 294 p.50.
23. Daudet, Louis XVIII pp.41-4. Soulavie II p.206.
24. 'Turgot et le Rappel des Parlements' H. Carré pp. 193-4, 196 in 'La Révolution Française' (Revue d'Histoire Moderne et Contemporaine) Paris 1902 Vol.II.
25. S P. 78 294. p.17.
26. Froyart, Louis XVI Détrôné p.25.
27. S I 78 294. p.17.
28. Walpole, Letters IX p.103.
29. Besenval II p.196, Lévis pp.2-3. Sénac de Meilhan, du Gouvernement p. 142. (Reported as fact, Faure pp. 17-19).
30. Walpole, Letters VIII p. 2.

31. 'Le Cardinal de Bernis Depuis son Ministère 1758-1794' F. Lasson. Paris 1884. p.269.
32. See Chapter II.
33. Montbarey I pp.293-5. Véri I p.31.
34. Bachaumont VII pp. 138-9.
35. Valpole, Letters IX p.71 (October 1774).
36. Mercy II p.14.
37. S.P. 78 292 p.155.
38. S.P. 78 292 pp.59, 114-15, 188.
39. Sécur p.23. 'Mémoires du Marquis de Bouillé' Paris 1821 p.17. F-C. Bouillé 'Mémoires Relating to the French Revolution' Paris 1821 p. 15. Sénac de Meilhan, gouvernement p. 143. Lévis p.4.
40. Necker, de l'Administration I p.xix.
41. Auckland III p.290.
42. Besenval II p.196.
43. S P 78 292 pp.115, 121.
44. Auckland II p.456 (report by Paul Wentworth 15 May 1777).
45. Soulavie II pp. 149-50.
46. Chantelour 1771-4 best described in 'Le Duc de Lauzun et la Cour Intime de Louis XV' G. Maufras Paris 1893. 'Mémoires sur les Rènes de Louis XV et Louis XVI et sur la Révolution' J-N. Dufort. 2 vols. Paris 1886 I p.390.
47. Phrase used Valpole, Letters VII p.434.
48. Mercy I p.116. (Maria-Theresa to Marie-Antoinette 6 January 1771),
49. S P 78 292 p.51.
50. Journal Historique VI p.87.
51. Lauzun p.177. S.P. 78 292 p.140 293 p.58. Bachaumont IX p.25.
52. Valpole, Letters IX p.362.
53. Georcel I p.429. S P 78 300 p.225.
54. S I 78 290 p.207.
55. Métra I p.10.
56. S P 78 292 p.166.
57. S P 78 292 p.275.
58. Hardy II p.307. Déffand II p.423.
59. Condorcet p.132.
60. S P 78 292 p.25. Besenval II p.110.
61. S P 78 293 p.57 (13 August 1774).
62. Carré, 'Sur et de le Rappel des Parlements' p.193.
63. S P. 78 293 p.57.
64. Besenval II p.116.
65. Cröy III p.241.

66. Bachaumont IX p.136.
67. Espion Anglais I p.289.
68. Espion Anglais I p.292.
69. Métra I p.126.
70. S P. 78 293 p.137.
71. S P. 78 294 p.43. Dakin, Turgot p.131.
72. Journal Historique VI p.121.
73. The "liberal" teleological case put, 'Turgot, Théoretician de l'Individualisme libéral'. J. Bourrinet (Revue d'Histoire Economique et Sociale 1965) p.469. "(Turgot) préfigure toute la pensée libérale du dix-neuvième siècle". The other side presented by C.B.A. Behrens in Historical Journal 1971 p.447.
74. Georges I p.406.
75. S P 78 294 p.123. Georges I pp.401-2.
76. S.P. 78 293 p.152.
77. S P. 78 293 p.140,
78. Carré, sur et de la Rappel des Parlements pp.194-5.
79. Véri passim. Lenoir p.544. Espion Anglais II p.195.
80. Albertas IV p.2043. Regnaud III p.93. Montbarey II p.104. Sécur p.37.
81. Correspondance Secrète I p.62.
82. Besenval II pp. 192-3.
83. Georges I p. 395. S.P. 78 296 p.120.
84. Hardy II p.308.
85. Montbarey. III p. 254. Véri I p.111.
86. Métra I p.19.
87. Soulavie II p.228.
88. St. John 9 1233 p.212.
89. St. John 9 1238 p.206.
90. Valpole, George III II p.249.
91. S P 78 294 pp.43-4.
92. Cocuereau pp. 22, 224.
93. Métra I p.19.
94. Fars-Fausselandry I p.180.
95. Richelieu IV p.280.
96. Métra I p.180.
97. Bachaumont VII p.368.
98. Richelieu IV pp. 288-99 (his own analysis).
99. S P 7 302 p.1 1.
100. S P 78 294-301 passim. Métra III passim. Bachaumont VIII pp. 61-2.
101. S.P. 78 294 pp. 123-5. Moreau II p. 39.

102. S F 7c 297 p.11. 298 p.256.
103. Métra I p.138.
104. S.F 78 296 p.17.
105. Ibid. pp. 16, 219. Cröy III p. 164. Faure p. 249.
106. espion Dévalisé p.63.
107. S F 7c 293 p.152.
108. S P 78 293 p.35.
109. Mercur de France 1775 VIII pp.229-30,
110. Coquereau p.225.
111. Bachaumont VIII p.59 (Bachaumont rejected other explanations in favour of the economic).
112. 'Les Lettres de Cachet à Paris ... 1659-1789' F.Funck-Bretano Paris 1903. pp. 396-8.
113. Sallier p.11. Soulavie II p.302.
114. Bachaumont VIII p.17.
115. S P 7" 295 p.278. 296 pp.16,17,23. Hardy III p.54. Cröy III pp.154-5.
116. B N Mss, Fr. Collection Joly de Fleury 1159 'Crains e' Disettes 1775'.
117. Véri I p.291.
118. Deffand III p.554.
119. S P 7c 296 p.120.
120. S.P. 78 292 pp. 223-4. Lenoir p.549.
121. S.P. 78 296 p.298.
122. M'nyon p.184. Véri I p.336. Soulavie III p.313.
123. L-R. Belleval 'Souvenirs d'un Cheval-Léger' Paris 1866 p. 192.
124. 'Mémoires sur la Vie Privée de Marie-Antoinette' Mme. Campan. Paris 1823 p.130. Allonville I p.82.
125. Albertas V p.2302.
126. Bachaumont VII p.302.
127. S F 7c 296 p.276.
128. Métra II pp. 62, 270.
129. S.F 7c 297 pp.179-80.
130. Cröy III p.153. Soulavie III pp.12-18.
131. C I 78 297 p.179.
132. Bachaumont VIII pp. 135,139,201,222.
133. Bachaumont VII pp. 302-3.
134. S I 7c 297 p.52.
135. S.P. 78 297 p.132. Métra II pp.173-4.
136. Soulavie III p.81. S.P. 78 301 p.14. Bachaumont VII p.304.
137. Fadover p.87. Falpole, Letters IX p.94 (his description after meeting her).

138. S P. 7. 297 p.98.
139. Croÿ LII pp. 250-9.
140. St. John 9 1239 29 March 1776.
141. S P 7. 297 p.99. Turçot, Oeuvres VIII pp.189-249. (This was a debate between the two men, reprinted in Turçot's collected works, in which all the issues involved in the abolition of the corvée were set out).
142. S P: 70 297 p.100 (unfortunately Stormont does not explain this intriguing remark, though most likely the intent was constitutional rather than financial in a political alliance of privileged corporations.)
143. Grimm I pt III pp.141-2.
144. Espion en lair III p.75. S P 78 293 pp.72, 94-5.
145. S.P. 7' 298 p.235.
146. Hardy III p.175. S.P. 78 298 p.193.
147. 'Lettres de l'Abbé Morellet à Lord Shelburne 1772-1803' Paris 1898 pp. 101-2. (12 March 1776).
148. S.P. 78 290 p.320.
149. S.F. 70 293 pp.72,94 (Eprémesnil's own words).
150. Mercur de France 1776 I p.73. Mackrell pp.133-62 shows 'inconvenients ...' as the central point of a utilitarian attack on feudalism; apart from the books quoted there also appeared on feudal law in this period: 'Traité du Droit Commun des Fiefs'. Caetsmann. 2 vols. Paris 1768 'Code des Seigneurs Hauts-Justiciers et Féodaux'. Henriques. Senlis 1771 and 'Système nouveau sur l'Origine des Fiefs'. Marchand. Chartres 1776.
151. Journal Encyclopédique 1776 IV p.187.
152. S.P. 70 298 p.148.
153. Hardy III p. 198. Baker p.72 shows that Condorcet was inadvertently undermining Turgot's position by publishing a rash of pamphlets attacking these targets.
154. Métra III p. 24.
155. A point agreed on by: Albertas V p.2470. Mercur Historique et Politique 1776 I p.707. Hardy III p.212.
156. Metra III pp. 72-3 'Arrêt de la Cour du Parlement' 3rd May 1776 (A-L. Séguier) p.5. Bachaumont LX p.111.
157. S P. 70 298 pp.192,218,229.
158. S.F. 7' 298 pp.24,321 (January-March 1776).
159. S P. 7 299 p.16.
160. Rossclaud p.390. 'L'ordonnance de Maloheries, Défenseur and Reformer of the French Monarchy 1721-94' J.M.S. Allison. New Haven 1938 p.34.
161. S P. 70 29 p.23.
162. S.P. 78 290 p.221.

163. S.F. 70 290 p.23 (quoted on 24 April 1776).
164. S.F. 70 291 p.97.
165. MacCloy, Government Assistance p.125.
166. S.F. 78 293 p.221 (21 September 1774).
167. S.F. 70 293 p.205.
168. S.F. 70 294 p.45.
169. S.P. 73 297 pp.54-6 (31 October 1775).
170. S.P. 70 297 p.205.
171. S.P. 78 299 pp.126, 209.
172. S.F. 70 299 p.97 (3 May 1776).
173. S.P. 73 294 p.165.
174. S.P. 70 295 pp.251, 254 (nb. this had been British policy over involvement in Corsica).
175. S.F. 78 299 p.532 (25 September 1776) 300 p.32 (3 October 1776).
176. S.F. 70 299 p.401. Lévis p.16.
177. Resenval IJ p.110.
178. Montyon op.176-7. Métra III p.14.
179. Espion Anglais III p.253. Grimm III pt.II p.292.
180. Véri p.201.
181. Allonville I p.80.
182. S.F. 78 299 p.120. (Véri seems not to have known that his name was put forward and turned down by Maurepas, implying that he was not as close to the minister as he would like us to believe).
183. Georget I p.452. S.P. 70 297 p.26 (Amelot first noticed 18 October 1775.)
184. S.F. 70 299 pp.125, 10, 241.
185. Hardy III p.230.
186. S.F. 70 299 p.241. Espion Anglais III p.272. Véri I passim. (Véri believed that almost every political misfortune to befall Mureot or Malesherbes could be attributed in part to Ogny).
187. St. John 9 1239 p.132. Albertas pp. 2492-3.
188. Véri II p.31.
189. Croÿ III p.250. Georget I p.454.
190. See Chapter V for analysis of Naveau's plan based on the tax farms.
191. S.F. 70 299 pp.103, 105. Croÿ III p.243.
192. S.P. 78 301 p.359.
193. S.F. 70 301 pp.14-17. 292 - 306 passim.
194. gentleman's Magazine 1770 XI p.507.



195. Auckland III p.413.
196. S P. 70 292 pp.246-7. Bachaumont VIII p.175.
197. St. John 9 1239 pp.170,528,873-4 (June-August 1776) (nb. the Order was, and still is, a sovereign state in its own right with its own government and diplomatic corps.)
198. S.F. 78 301 p.423.
199. Métra IV p.137, VI p.37. S.P. 78 305 p.16.
200. Mercy II p.47. Véri I pp.176-80.
201. Lévis p.153.
202. Cobban, History of Modern France I p.115.
203. Espion Anglais III p.272. Métra II pp.207-8, 303.
204. Espion Anglais V p.245.
205. Espion Anglais IV pp.250, 253-4.
206. Hardy III p.261. (Full account given in Chapter IV above).
207. Chévenau de Morande, Gazette Noire pp.282-4.
208. S.F. 78 299 pp.261, 300.
209. S P. 70 299 p.532. 300-306 passim. Albertas V pp.26 3 ff.
210. Espion Anglais III p.371. 'The Papers of Thomas Jefferson' ed. J.A. Boyd. 18 vols. Princeton 1950 I p.505 (26 August 1776).
211. George I p.453.
212. S.F. 78 299 p.310.
213. S.P. 78 300 p.114. Montyon p.106.
214. Hardy III p.227. S P. 78 300 p.127.
215. Bachaumont IX p.157.
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225. Auckland II p.311, IV pp.317-22.
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APPENDIX II, A POLITICAL BIOGRAPHYLINGUET: A NIGHT'S "DEVOT"

"Il brule, mais il éclaire",<sup>1</sup> was one of Voltaire's kinder comments on Linguet, and it serves as a starting point for this chapter, for Linguet belongs completely to the Louisseizième political generation and his career, writings, and interaction with his society so illuminate the late old regime that he deserves a separate study.

It is de rieur for every study of Linguet to make the comment that he has fallen into oblivion but deserves attention<sup>2</sup>. In his lifetime he was a towering figure mentioned frequently in all the journals and diaries of the capital, and his ideas aroused furious debate<sup>3</sup>. Morellet labelled him, "an enemy of reason"<sup>4</sup>, and one of the philosophes' most redoubtable opponents. The essence of his life and thought was paradox. While he was a man of the Enlightenment he rejected its political conclusions; while he championed the cause of the oppressed he feared their revolution; while his political position was functionally dévot, he rejected the operation of divine influence in politics. He preached submission but warned of revolution<sup>5</sup>. He is best described (in modern terms) as an atypical conservative<sup>6</sup>.

Linguet's father was a Jansenist academic of the bourgeoisie de robe from whom he received a magisterial education. The young Linguet was a small, thin, ugly, and nervy man who found it almost impossible to establish relationships with people around him; the bitterness and instability this engendered are clues to Linguet's tempestuous career at a personal level. His first position was in the bureau of Bridges and Highways; his experience of government, however, brief, was first hand. He then served a philosophe apprenticeship with the duke of Zweibrücken, a prince-ling on France's border who patronised many of the great philosophes. According to Cruppi Linguet's association with the duke lasted 1751-4. From 1754 to 1762 Linguet moved in a dévot littéraire set which included Dorat and Fréron, though during this period he became an aide-de-camp for the prince de Beauvau - another philosophe patron - and was able to travel in Spain and Portugal<sup>7</sup>.

Linguet's first career was as an historian and dramatist starting with a study of Alexander the Great which was well received<sup>8</sup>. His most important work here was a history of the

Roman Empire in which he praised the tyranny of Nero as the reime most beneficial to the mass of the people. Bachaumont noted him as a promising young historian, but added in a comment which was to set the tone for almost all other criticism of Liguët, "Il prend surtout à tâche de contredire tous les idées reçues ... Il écrit avec beaucoup de génie, de force, de chaleur, et fournit aux spéculations" <sup>9</sup>. Liguët's drama 'La Mort de Socrate' (Amsterdam 1764) received such bad reviews that it was never performed <sup>10</sup>. Very much as an afterthought to his historiographical career an 'Histoire Universelle du Seizième siècle' appeared in 1769 and was given an encouragement rather than enthusiastic review by the Mercure de France. His praise of Henri IV threatened to make Liguët respectable. The Mercure made the important observation that Liguët wrote like a philosophe while refuting philosophie <sup>11</sup>.

Liguët had by now (1764) settled in France and was putting down roots in the town of Abbeville. He wrote 'Mémoires sur un Objet intéressant pour la Province de Picardie' (Abbeville 1764) which showed strong physiocrat influence. Liguët was in Abbeville at the time of the La Barre affair, and Cruppi believes that this experience decided Liguët's whole attitude to his society and was the inspiration for his political philosophy <sup>12</sup>. Liguët announced his interest in the law with 'La Nécessité d'une Réforme dans l'Administration de la Justice et dans les Loix civiles en France' (Amsterdam 1764), which was well received. In another direction he had published 'Le Fanatisme des Philosophes' (Amsterdam 1764) which attacked Rousseau using the philosophe's own framework <sup>13</sup>. In 1765 Liguët became an advocate and practised for the next ten years.

In this combined period of legal practice and political writing he wrote 'Théorie des Loix Civiles' (Amsterdam 1767) which was his single most important work being a refutation of Montesquieu. In 1768 he wrote 'L'Histoire impartiale des Jésuites', which was burnt by the parlement for containing, "Maximes dangereuses, des principes éronnés" - an opening shot in the war between them <sup>14</sup>. In the same year he wrote the satirical 'Pierre Philosophale'. In 1770 his 'Mémoire pour M. le duc d'Aiguillon' was a defence of his political system, and was burnt by the parlement of Rennes. In 1771 he had published 'Réponses aux Docteurs Modernes' which was his most important intellectual attack on the philosophes in general. From 1771 to 1774 he pleaded in

Maupeou's parlement and conducted several important cases which made him as unpopular in the new court as he had been in the old. In 1775 he conducted a vigorous defence against his veneful enemies in the recalled parlement, but with only Séguier to help him he was disbarred.

He spent the remainder of 1775 in more literary pursuits. He attacked physiocratic grain policies in 'Lettre à l'Auteur des Observations sur le Commerce des grains'. His 'Essai philosophique sur le Monachisme' was a strong attack on celibacy. He became embroiled in a furious literary battle with Morellet, who took exception to Lincuet's attacks on the physiocrats and attempted to discredit his political arguments by refuting his intellectual method in 'La théorie de l'arabesque'. Lincuet replied in 'La Théorie de Lillie' and Morellet riposted with 'Réponses sérieuses à M. L.'. More importantly his career took its third and final, change of course when he became a journalist, perhaps the greatest of the period.

In 1776 his 'Journal de politique et de Littérature' was closed down by Miromesnil and Lincuet was driven into exile in Forney; from there he addressed his 'Très-humbles, très-respectueuses Représentations adressées à Sa Majesté' to Louis XVI outlining his sufferings in the parlement. In 1777 he wrote a 'Lettre de M. Lincuet à M. le C. de Verennes' in which he detailed his misfortunes at the hands of ministers and magistrates. These two pamphlets were masterpieces of polemic, but lost him his last chance of being accepted in France. In 1777 he founded his 'Annales politiques civiles et littéraires' with Mallet du Pan's help in Brussels. This journal was outstanding and was the most important critique of the old regime.

Lincuet returned to France only to be imprisoned in the Bastille 1780-82. His resultant 'Mémoires sur la Bastille' (1782) were his most successful book and ran into many editions. The memoirs reiterated every cliché about the capricious, despotic and abusive nature of the late old regime; the mob which stormed the Bastille in 1789 was more likely to have read this than Rousseau's 'Contrat Social'. 1787-1789 he became deeply involved in both the Belgian revolution against Joseph II and in the French "pre-revolution". He argued in favour of fiscal reform along the lines of Vauban's *dîme royale* and joined Siéyès in attacking the political pretensions of the nobility.

The Revolution itself, however, was an event he was unable to cope with even though - perhaps even because - he had accurately

predicted it in the preliminary reflexions in his Annales in 1777. As the Revolution failed to live up to his expectations Linnæus became opposed to it, and in 1797 he was executed; a fitting end for one who likened himself to Cicero.

This career was a failure in the old regime's terms, but at every point up to 1776 Linnæus could have achieved the highest honours. His work on history and canals could have earned him a place in the Académie. His legal career could have established him in parlement as one of the century's great jurists, and by 1773 services rendered to the nobility of Gevaudan promised to earn him ennoblement<sup>16</sup>. In his literary and journalistic career he might have won a place in "le Monde" and gained respect and a pension. Instead in 1776 he was hounded from France a destitute commoner lacking patronage<sup>17</sup>, position or profession. This failure results from Linnæus's character, in which, "intransigence was the keynote"<sup>18</sup>. A quick temper, a passion for polemic, and a total lack of gratitude combined with a burning desire to combat abuse and injustice, an exaggerated sense of self-importance and a cosmic self-pity made him a totally impossible person to work with or to form any stable personal relationship with. He was detested by every every person who came in contact with him, and Voltaire described his uninvited guest of 1776 as a "faggot of thorns" - it was as painful to endure him as to cast him off<sup>19</sup>.

Very roughly Linnæus's intellectual career divides into three sections. his attack on philosophie (1764-71), his involvement with the law (1765-75), and his role as outcast and critic (1775-1797).

The influences working on Linnæus in the early 1760's were his father's Jansenism, which led into the law, the Enlightenment, of which the Court of Zweibrücken was a minor centre, and his devout literary friends. From these influences Linnæus synthesised a radical but anti-philosophe and highly idiosyncratic alternative to the accepted ideas of his day. He made the philosophes of the high Enlightenment the first target of his pen in 'Le Fanatisme des Philosophes' in 1764. This work went unnoticed at the time, but it represented something quite new on the literary scene, a serious and polemical attack simultaneously on the philosophes and the Church.

'Fanatisme' showed how one spiritual tutelage, the Church, was being replaced by another, the Enlightenment. Of religion he wrote, "Le fanatisme religieux ensauvante la Terre. Il élève

à l'intolérance des monuments affreux. Il s'entoure de cadavres: c'est en buvant leur sang qu'il s'applaudit de sa victoire".

The philosophes, however, could offer in return only destructive criticism based on vanity and a corruption of moral standards. Lincuet feared the philosophes' dissection of the body politic would turn into an autopsy as they thoughtlessly revealed to the people the true nature of their society<sup>20</sup>. The similarity of these ideas with those of Duclos, of Séguier, and of the Old Dauphin is striking, and while Lincuet parted company with Fréron over religion, he borrowed many of his ideas attacking the philosophes. If ignorance was the establishment's last weapon,<sup>21</sup> Lincuet was not yet ready to spike its guns, in 'Théorie' he condemned all education for the peasant beyond the technical minimum as, "un germe de découragement ou de révolte, et pour la société un commencement de troubles"<sup>22</sup>. Only after he had lost faith in the old regime did he turn to the dissemination of information for political ends.

Lincuet opened up a line of criticism outside the accepted frames of reference, he condemned the philosophes for being at best irrelevant to society and at worst destructive of its few good features. He opened up ground explored more fully in 'Théorie', calling Montesquieu and Mirabeau "ces lâches impostures" for their failure to alleviate any of society's ills; when bread was needed they offered sugar<sup>23</sup>. He dismissed Newton for losing himself in the voids he had discovered, and contrasted his abstract thought with the realities of this world, "Chez (les peuples civilisés) fameux par les arts et par l'opulence, l'unique espérance de trois quarts de la nation, est de périr sur un fumier, aux premières maladies causées par l'excès du travail et de la misère"<sup>24</sup>.

At the time Lincuet failed to make any impact on the public as a serious opponent of philosophie, a contemporary playwright, Palissot, was receiving great acclaim for his satires against the philosophes. Another "enemy of reason", Palissot held the same ideas as Lincuet, superficially at least. He called the Encyclopedia, "Ce pénible monument", of plagiarism and called its authors "charlatans"<sup>25</sup>. 'Les philosophes', Palissot's most famous play written in the 1760's and performed regularly thereafter as a modern classic, showed the philosophes as the arduous of the intellectual world, dogmatic even in their scepticism. Lincuet resorted to satire to catch the public eye with 'La pierre

Philosophale in 1763. This purported to be a physiocrat programme presented to a Chinese academy. Grimm, who was now at least reviewing Linguet, wrote, "M. Linguet n'est ni gai ni plaisant". Métra later condemned Linguet's attempts at satire as, "inópties noyées dans un farrago de mots gigantesques, d'anecdotes puériles" <sup>26</sup>.

Linguet's broadside against the philosophes was his 'Réponses aux Docteurs Modernes' in 1771. He affected the pose of a non-partisan observer persecuted for revealing truths. One of the few men of the period to take a stand against "Anglomania", he accused the Encyclopedia of creating, "Je ne sais quelle effervescence antilicane, qui annonçait déjà aux yeux claire-voyants les signes d'une révolution prochaine". Taking up a theme from 'Fanatisme', he wrote of the philosophes, "... ils ne réussirent qu'à corrompre les mœurs, qu'à relâcher tous les liens sociaux, qu'à isoler les hommes, à favoriser le luxe, à introduire partout la dépravation et la misère, l'esprit de despotisme et celui de révolte, le désir et la haine du pouvoir" <sup>27</sup>. This critique would be devout were it not that Linguet's politics were atheist. Having previously dismissed religion, Linguet's message seemed to be one of unpalatable despair, "Les peuples," wrote Brissot of their role in Linguet's politics, "sont des troupeaux condamnés de toute éternité à être tondus, mutilés, martyrisés" <sup>28</sup>. To this Linguet was to provide two answers, his political system of despotism in 'Théorie' and his anticipation of a revolt of the masses in 'Annales'.

Linguet was particularly concerned to refute the économistes: the "anabaptists of philosophie" <sup>29</sup>. In 'Fanatisme' and 'Réponses' he had changed his target from the économistes to Rousseauist philosophie. 'La Pierre Philosophale' had been only a light-weight foretaste of 'Du Pain et du Bled'. He was not the first in the field, Galiani's 'Dialogues sur le Commerce des Grains' had questioned all the economic premises of physiocracy in 1770, but Linguet widened the argument to its fullest social implications, and, again, went outside the regime's usual frames of reference, a quality which makes D.C. Levy describe Linguet here as "so prematurely, so intriguingly modern" <sup>30</sup>. In 'Réponses' he had defined the économistes as "abbots", "gentilshommes", "magistrats", and "clock-makers" (presumably a reference to the hapless Dauphin) <sup>31</sup>, in 'Théorie' he accused these men of wanting, "de tuer les hommes pour les rendre heureux" <sup>32</sup>, for their advocacy of a free market economy in food.



Linquet saw the dependence of French agriculture on corn as the root of all social injustice owing to the socio-economic structures required to grow it which created, in all-but name, conditions of economic slavery, but without the reciprocal obligations imposed between true slave and owner <sup>33</sup>. Forster's analysis of the grain economy in the Garonne plain confirms Linquet's belief that grain was the basic reality of the regime and that it generated conditions of economic subservience. Forster shows how the successful cultivation of grain reinforced all the existing structures in society <sup>34</sup>. Linquet could show that men would be better off fully enslaved than as a depressed peasantry, and, however shocking, this idea seemed to enlightened opinion it was the same conclusion that the parlement of Besançon came to when it considered the question of freeing the serfs. This idea was also put forward in 'Pensées sur différents Sujets' by an "ancien militaire" <sup>35</sup>. Pursuing similar lines of thought the Espion Dévalisé declared that all the problems of political economy would be solved if chemists could synthesise bread and wine, and Condorcet told Turgot that cheap bread and free justice would end superstition <sup>36</sup>.

The reintroduction of physiocrat grain policies in 1774 prompted Linquet to write 'Lettre à l'Auteur des Observations sur le Commerce des Grains'. With customary arrogance Linquet ascribed France's economic problems to the government's consistent failure to heed his advice since 1764 <sup>37</sup>, glossing over the fact that he had supported the physiocrats back in the mid 1760's <sup>38</sup>. In 'Lettre, Turgot' Linquet extended his ideas on economic servitude. Agriculture allowed, even encouraged: the exploitation of the urban poor by the rural land-owners, the economic depression of seasonal itinerant workers, the falling off of production to keep prices artificially high, and the deliberate reduction of land under arable cultivation to the same end <sup>39</sup>. Implicit in Linquet's analysis was that the physiocrats were more interested in maintaining a particular economic structure in agriculture, beneficial to the social élite, than in making technical improvements.

At root Linquet was attacking the concept of a free market economy, though he failed to separate the idea from the body of physiocrat thinking. Here he agreed with the post-1774 parlement and with Sévigné in particular. Linquet believed that food must be an absolute right and not a matter of commercial speculation or rights of property <sup>40</sup>. Linquet drew the contrast between

the physiocrat method of regulating a basic commodity whose supply would not always meet demand and his own method. The former was to allow the price to rise until the demand fell to meet supply, which had the unfortunate result of killing off large numbers of people. The latter was to regulate the supply, rather than the demand, by controlling price and distribution to ensure all had an adequate minimum.

Linguet constructed his own theory of society and the solution to its problems. The decade 1764-1774 saw the development of the Enlightenment's major societal ideas, and Linguet was not to be left out <sup>41</sup>. In 1767 'théorie' caused the kind of uproar in its field that 'Système de la Nature' was to in the field of materialism. Linguet had started where the philosophe and dévot ideas about society had left off, he attempted to grasp and solve the problems which their writings had merely revealed. He rejected both the Christian account of society as divinely ordained and the philosophe belief in a rationally negotiated contract (or contracts). Linguet started from "nihilistic anarchism" <sup>42</sup>.

For Linguet the origin of society lay not in philosophical systems but in human nature; social organisation was a biological imperative as necessary as eating or breathing. Government and society were the realities Linguet started from <sup>43</sup>. Given this human predicament some men will enslave others by violence, and every society was founded on force and every social structure on slavery. This was no more than the dévot critique of Rousseau but while the dévots could only suggest going back to more Christian principles, Linguet proposed borrowing on the experience of other cultures to find some other solution, given that he dismissed the utopian answers given by the philosophes. For Linguet men were trapped in their situation. "Natural man" having become corrupted into "economic man" was doomed to cycle after cycle of degradation and suffering <sup>44</sup>. As a corollary élites persisted in Linguet's political philosophy as nowhere else; when the Franks invaded Gaul they made a compact with the existing Romano-Gallic élite to keep the masses in subjection, thus Linguet reduced the whole problem of noble versus royal theses to one of élites against masses <sup>45</sup>. The interest in élites was not confined to Linguet, his contemporary, Chastellux was analysing Europe in terms of a unified social, political, and economic élite <sup>46</sup>. Linguet played the same role in eighteenth-century political thought as Hobbes had done a century earlier

in Britain, he reduced problems to their unsavoury essentials. "Il n'y a de gouvernement par sa nature, ne soit ennemi des sujets". The "chimerical" liberty of one section of society resulted in the economic exploitation of another <sup>47</sup>.

Before his involvement with the legal profession, which caused him to make far more pessimistic judgments about society, Linguet proposed solving the problem of oppression through a despotism of law, such as he imagined the Ottoman ideal to be. He also praised the Jesuit state of Paraguay as a near-perfect society <sup>48</sup>. Thévenau de Morande quipped that men were equal only in destitution <sup>49</sup>, Linguet proposed to make all men equal in society and before the law by abolishing rank and property, this alone could ensure justice and bread for all <sup>50</sup>. The most basic political necessity was the absolute obedience of all subjects to legitimate authority <sup>51</sup>, a paradox in itself because for Linguet authority can only exist de facto never de jure. In the old regime he based his hope on the dévots and their absolutism, "Le roi et la loi ne font qu'un" he quoted Séguier with approval <sup>52</sup>.

Linguet based his politics on the "people" as a whole and on the individual in particular, and not on families or corporations. Both these concepts were outside the usual frames of reference; the people were usually considered beyond hope or help and the individual an unfortunate and lonely creature. The fault behind this thinking was that the governments in Europe were the enemy of the people while the despotic governments of Asia were their friend. Western governments had reached a situation where, "Les vertus et les vices du prince sont également funestes aux sujets" <sup>53</sup>, Linguet could see a solution only in starting afresh with a regime which eschewed the whole phantom of constitution, political liberty, or social rank, and which subjected all to an equal despotism of law where justice was swift, sure and unvitiated by political intervention <sup>54</sup>.

The philosophes were horrified by Linguet, who, "pour s'en écarter, a-t-il été obligé de se jeter dans des systèmes aussi singuliers qu'absurdes. M. Linguet ose avancer que le despotisme est le gouvernement le plus favorable et le plus naturel. La plume tombe des mains en écrivant cette assertion exécrationnelle" <sup>55</sup>. Grimm called him, "cet homme si étrangement fameux, ce panécyriste zélé du despotisme asiatique, ce détracteur furieux de tous les gouvernements libres" <sup>56</sup>. In October 1770 the Lercure

de France devoted a long and hostile article to Liguët. He was attacked on his style, his "ridiculous" ideas on despotism, the "inconséquences révoltantes" of his work, and for his heretical opposition to Montesquieu. The Mercure found any freedom preferable to any slavery. It accused him of trying to emulate Tacitus and Rousseau for their ideas on "savages" by praising the primitive political structures of the East. The Mercure finally contrived to hoist Liguët with his own petard: working within the system (he was pleading before the bar in 1770) he had achieved less for justice and humanity than the philosophe Voltaire had from outside <sup>57</sup>.

While orthodox enlightened opinion castigated Liguët, his former dévot colleague Fréron praised him. "M. Liguët a loué une belle chimère", he wrote of Liguët's political vision. Fréron précised Liguët as he understood him, "de toutes les formes de gouvernements, la meilleure est sans contredit celle où la justice est plus prompte et plus égale, les loix plus simples et plus respectées, le nom d'homme plus considéré dans la portion la plus nombreuses d'êtres qui le portent, le peuple plus tranquille, les impôts moins onéreux, les vexations plus rares et moins impunies, le crédit des Grands moins redoutable, et leurs caprices moins tolérés ..." <sup>58</sup>.

Liguët naturally stood alone, but others of his generation were following similar lines of enquiry and of attack on the old régime: Moreau satirised the philosophes in 'Cacouacs' (1757) and believed in judicial reform, Letrosne and Aubusson leading on to Necker followed Liguët's critique of the régime, Holbach and Mably attempted to find secular bases for authority. Liguët was grouped with Mercier de la Rivière as an apostle of despotism, "le despotisme est le système à la mode", quipped Bachaumont when Mercier de la Rivière's 'De l'Ordre naturel et essentiel des Sociétés politiques' was reviewed in the same month as 'Théorie' <sup>59</sup>. We can hardly speak of Liguët founding a school but in 1777 Métra reviewed a young writer who, "fait le petit Liguët" <sup>60</sup>, and 'Principes de la Législation Universelle' (the first book to bring liberty, equality and fraternity together as a political slogan) acknowledged a debt to Liguët <sup>61</sup>. Darnton integrated Liguët fully into the Cynical late Enlightenment as the greatest of the Crub Street journalists <sup>62</sup>.

Such, broadly, was Liguët's intellectual career, but in 1765 he had joined the bar hoping to be able to bring his ideas

to bear directly on society. He was spurred on by Voltaire's success in the Calas affair and by the case of La Barre who was accused of sacrilege and beheaded and burnt in 1766, a case with which Linnet concerned himself - without success. Linnet wanted to help the underdog, and he came to specialise in cases of religious victimisation (e.g. the plight of mixed Protestant and Catholic marriages), and cases where a cause célèbre had prejudged an individual guilty. He was a vigorous campaigner for legal reform and against legal abuses, Brissot wrote, "M. Linnet est vraiment le premier qui les ait dévoilés avec une sainte audace", though he does accuse Linnec of being incoherent and unbalanced in his legal ideas<sup>63</sup>. His experience in parliament also led him to publicise canal building and uniformity of weights and measures<sup>64</sup>.

Linnet's first case was an aftermath of the La Barre affair and concerned a mass trial of people accused of sacrilege at Abbeville. Linnet likened the case to the excesses of the Byzantine Iconoclastic era and the thirty-two defendants were acquitted revealing a mass of corruption, bribery, and injustice among members of Abbeville's establishment<sup>65</sup>. Cases such as this won him Voltaire's respect and eventual hospitality in 1776. His third case in 1765 arose from maladministration of grain, and Linnet shows himself a supporter of the physiocrats at this date; like the parliament he only changed his mind after seeing a free market in operation<sup>66</sup>. Another case arose from a group of office-holders in Issoudun refusing to comply with Laverdy's municipal reforms and relinquish their posts<sup>67</sup>. A case in this period enabled him to attack the corporate structure of economic life, "L'établissement des communautés exclusives, des maîtrises dans ses arts et métiers est une gêne sans contredit"<sup>68</sup>, giving him common ground with Turgot. A dispute in the publishing world enabled him to attack the philosophic hegemony in literature<sup>69</sup>.

Two cases then came up which illustrated, to two poles of Linnec's legal career, the first enabled him to implement some of his ideas, the second seems to have shaken deeply his faith in the regime. He defended a seigneur against the "unjust pretension" of his vassals. Linnet believed the peasantry should adhere to its legitimate structures of authority<sup>70</sup>, though he tempered this attitude with humanitarianism in attacking mortmain<sup>71</sup>. He illustrates here Verri's adage that the eighteenth century parlements had moved from defending the vassal against

seigneur to upholdin<sup>g</sup> the seigneur's position <sup>72</sup>. The other case was a dispute between two priests with rival jurisdictions in the same parish, Lincuet used this case to expose one of the regime's greatest abuses, "Pour le malheur des citoyens, soumis et paisibles, on ne voit que trop souvent naître des conflits entre les juridictions qui doivent les protéger: ces débats scandaleux, qui opposent la justice à elle-même, anéantissent le pouvoir des loix, sous le prétexte du respect qu'elles exigent ..." <sup>73</sup>. Here, for Lincuet, was Montesquieu refuted in practice - corruption, abuse, and dereliction of duty were the fruits of his system.

In 1770 Lincuet undertook his most famous case, and the century's most spectacular political trial when Ai uillon was tried before the peers in the parlement of Paris on charges of criminal maladministration in Brittany brought by the Breton magistrates led by Chalotais. The charges arose out of road-building in the province, but the real dispute was one of local versus royal authority: the power of the crown through the governor and his deputies against the parlement and States of Brittany. It would be unfair to say that Lincuet's brief was irrelevant to the issues at hand, but he widened the scope of the case in a way damaging to A' uillon's interests. Lincuet said in effect that of all the political figures in the late century Ai uillon came closest to implementing the political ideas of 'Tiberius'. The brief was condemned to be burnt by the parlement of Rennes as being contrary to the interests of the Breton States and nobility <sup>74</sup>.

Marmontel claimed to have inside information on the defence. The chances of winning the case against the combined talents of the parlement and States were thought so slight that all the leading advocates in Paris refused the brief. Only a young "adventurer in despair" of dubious talents would take the case, and the defence he produced was "unseemly and absurd" and caused the duke much displeasure. Marmontel then claimed that Ai uillon asked him to alter the brief <sup>75</sup>, if so Marmontel failed as badly as Lincuet for, according to Thévenau de Morande, it resulted in Ai uillon being labelled the Tiberius of his age <sup>76</sup>. As the case was never judged it gained Lincuet publicity without compromising his professional reputation. It left two marks on Lincuet's career: he earned Ai uillon's lasting enmity (though this was compensated by Marie-Antoinette's patronage, which,

of course, he then forfeited by pleading in the parlement (Maupéou<sup>77</sup>), and he could expect no place or sympathy in the 1770 parlement of Paris.

In 1771 the logic of old regime politics made it inevitable that Linguet would support Maupéou in the reformed parlement. The complicating factor of Aiguillon's hostility kept Linguet outside the court 1771-72, but, for all Cruppi's special pleading, Linguet committed himself to Maupéou's judiciary early in 1772. He enjoyed the patronage of the presidents Nicolai and Châteaueyron<sup>78</sup>. He pleaded in the new parlement, took on many causes célèbres, and in 1773 the Journal Encyclopédique printed a 'Notice historique de M. de Maupeou' by Linguet which contained the most fulsome praise for the Chancellor and claimed Maupéou had succeeded where Hospital had failed<sup>79</sup>. In the same year Renaud had noted, "Linguet était un homme qui lui (Maupéou) avait été et qui lui était encore très utile pour son système"<sup>80</sup>. Linguet considered his reputation unfair and unfounded, and gave a defence of his position in 1774 in a brief for the comte de Béthune: 'héroïe' (and of course defending Aiguillon) had aroused the hostility of the old magistracy against him, but the nature of Maupéou's reforms were also repellent to him and in, "the most violent despair", he withdrew from the Bar. As the only option available to him, however, he had to return to pleading in the new parlement<sup>81</sup>. Two years later he put forward the same argument that he had unjustly been associated with, "une révolution étonnante", (carried out by "cette association redoutable" of Maupéou, Terray, and Aiguillon) on account of his defence of Aiguillon. He claimed to have publicly disassociated himself from Maupéou after already losing Aiguillon's patronage<sup>82</sup>.

One way or the other - and probably both - Linguet displayed some disincenuousness under Maupéou. His 'Notice historique' was probably no more than an expedient to end the exile to Chartres that Monteynard had imposed on him<sup>83</sup>. Linguet's career 1771-5 illustrates the dilemma faced by all magistrates not wholly committed to Maupéou, whether to hope for a recall, stick to the old loyalties and principles, and hope not to starve in exile, or whether to throw in their lot with the new parlements in order to remain active and solvent. For Linguet the choice can not have been so difficult as fewer options were open to him, nonetheless he did hope he could encourage the new courts to initiate reforms without committing himself. In October 1771 he was acting for reforms in the General Farms and on the

question of mixed marriages <sup>84</sup>. Aiguillon's refusal to pay him, according to the Journal Historique, forced him into hack writing and his authorship of Grub Street material was suspected <sup>85</sup>.

The chronology of Linguet's cases is confused, they seem to run simultaneously. For the sake of clarity they will be taken separately and as if in sequence. From 1772-1774 Linguet defended the vicomte de Bombelles, the comte de Morangiés, Bellegarde, and the comtesse de Béthune. The Bombelles case had Linguet exiled to Chartres by Monteynard for defending the interests of the nobility of Gevaudan against the government (see Chapter IV for Gevaudan's constitution). The Béthune case dragged on through the recall of the old parlements and Linguet's disbarment. Morangiés was acquitted, Bellegarde condemned. In none of these cases was the guilt or innocence of the defendant the most important point at issue <sup>87</sup>.

In 1772 he outraged the advocates, who had decided as a body to boycott Maupeou's parlements <sup>8</sup>, by pleading again in parlement. In his defence of Morangiés he accused the prosecution, "Ils travaillent sur-tout à reveiller dans les coeurs cette malignité secrète qui se rejouit de l'humiliation des Grands. Ayant affaire à un homme de distinction, ils s'efforcent de persuader à la portion nombreuse et inférieure de la société, que leurs intérêts sont ceux quiconque n'est point dans une condition élevée. Ils n'oublient rien pour faire de leur procès, celui de la bourgeoisie contre le militaire, et de la roture contre la noblesse" <sup>88</sup>. This was a personal statement of faith in the need to protect persecuted innocence and to uphold structures of authority, and a specific attack on Maupeou's apparent desire to divert public attention away from political reality towards carefully arranged political scandals.

Bellegarde was quartermaster under Choiseul's patronage; he was accused of corruption and dereliction of duty, presumably at Monteynard's instigation for the minister took a close interest in the case in order to discredit the Choiseulists in the army <sup>89</sup>. Linguet defended his client by making a savage attack on the ministry and parlement which had brought the case in the first place. The patriots could not have attacked the parlement more strongly than Linguet in his 'Consultation pour le Sieur de Bellegarde'. Hardy wrote that Linguet, "se permet une sortie aussi vive qu'indécente contre ses confrères", of another occasion, and recorded the cautioning and finally ostracising of Linguet within the parlement <sup>90</sup>. The ministry could overlook



Linguet up to 1773, but his vigorous and successful defence of Bellecarde - "Le plus sage, peut-être, mais aussi le plus convainquant qui ait jamais été donné" - threatened to turn onto the government the discredit they had hoped would fall on the Choiseulists<sup>91</sup>.

Linguet's last case was ostensibly internal to the family of Béthune, with the countess defending herself against the count supported by the duc de Broglie and Lauzun, stretched on into 1775 and was more important for the opportunity it gave Linguet to publicise himself than for any service it may have rendered the countess. "Mon coeur répuge," Linguet addressed the parlement, "à en chercher les complices dans une compagnie que je n'ai cessé de respecter malgré l'injustice de quelques-uns de ses membres, et d'aimer malgré ce que j'ai souffert pour en soutenir l'honneur. Mais je crois continuer de bien mériter d'elle, en mettant au jour les complots révoltants dans son sein. Les fluides les plus purs produisent toujours quelque écume quand ils sont acités"<sup>92</sup>. Linguet used the case to issue an apology for his career to date and to justify his conduct. He had acquired two powerful enemies in parlement: Gerbier and Vergès. Gerbier, "le calomniateur le plus acharné" against Linguet<sup>93</sup>, was an Anglophile advocate in Conti's pay<sup>94</sup>, who managed the transition to and back from Maupeou's parlement. Vergès was advocate general 1771-4 and a protégé of Maupeou, he issued an arrêt on 11 February 1774 to have Linguet's brief burnt and its author disbarred. This left both the case and Linguet's career in limbo, and he spent much of 1774 working on the 'Journal de Politique et de Littérature' which appeared at the end of the year.

The recall of the parlements opened up the possibility of reinstatement; Linguet put his case before the advocates at a meeting on 3 March 1775, where Gerbier led the move for disbarment. Moreau reported that the advocates had had to act as a body because no individual dared stand against him<sup>95</sup>. Gerbier, nonetheless, was the focus of opposition and the battle between him and Linguet was causing, "the devil of a row"<sup>96</sup>. The tone of his 'Discours' implied that disbarment would come as no surprise, but Linguet lost no time in vilifying his opponents in print. "Jamais," he told Louis XVI, "un citoyen n'a reçu un plus sanglant outrage, jamais un homme, un écrivain n'a été plus cruellement compromis"<sup>97</sup>. He bewailed his fate in both 'Observation' and in more detail in a new brief for the comtesse de Béthune, "Suis-je donc le seul homme au monde pour qui les succès ne soient que des sources de dangers, le seul citoyen condamné à des

guerres éternelles, et à passer sa vie dans des angoisses, convulsions non-interrompues, à arracher journallement par l'évidence des absolutions toujours éludées par la calomnie, le seul individu en faveur de qui les loix, la justice, le voeu public, les arrêts ne puissent rien?". Of being disbarred he declared, "Les cours d'Asie, l'Inquisition elle-même n'ont rien d'aussi effrayant, d'aussi cruel, d'aussi abominable entout sans que cette procédure" <sup>98</sup>. "his was the old régime's polemical style at its best, and representative of the style of public dispute in the 1770's.

Linguet called the Bar, "cet empire orageux" where, "jamais il n'y a eu de lieu plus odieuse, plus criminelle contre la société". He realised that the advocates regarded him as, "un jurisconsulte dangereux et pervers ... un écrivain systématique," who, "a attaqué dans ses écrits le droit naturel, celui des gouvernements, le droit public de royaume, le droit ecclesiastique et les loix civiles. Dans les défenses des parties, il a violé les règles de la modération, de la décence et de l'honnêteté" <sup>99</sup>. As a self-confessed fanatic and enthusiast <sup>100</sup> he was unrepentant, but implacable in his opposition to the way the magistracy could abuse its power. his "devil of a row" focused unwelcome public attention on the Bar, and as a direct result reforms there were initiated in 1777 <sup>101</sup>.

The events of 1774-5 when Linguet was disbarred by the advocates on 22 December, reinstated by the parlement on 1 January, and finally re-excluded by the advocates on 3 February put Linguet in the limelight of public attention. "Tout le monde le regarda comme un mauvais citoyen," wrote Regnaud <sup>102</sup>, but Fréron believed the public would regret his disbarment <sup>103</sup>. Métra recorded him as a, "caractère fourgueux et dur", but with a reputation for dropping a matter at the first serious check. In March 1775 this, "terrible homme", was still highly newsworthy, "le seul de nos avocats qui joigne à des talents qui illustrent le barreau, des connaissances en littérature". He had caused the Bar to lose much face in their self-interested persecution of him <sup>104</sup>. Linguet's brief reinstatement in January to February 1775 was attributable to Séguier's patronage; this association damned him in philosophical and radical patriot eyes and made Hardy call him, "un méchant homme" <sup>105</sup>.

Linguet was already working as a journalist, but within the accepted limits of the régime. The period 1774-6 marks the intellectual transition from advocate to hack. During these years

Linguet continued to work on the fringe of the legal profession giving help and advice <sup>106</sup>. His experience at the Bar, his insights into the regime, and the encounter of his ideas with reality were engendering a pessimism and cynicism which by 1770 made him as much an intellectual as physical outcast of the regime. "Sa plume inépuisable" churned out pamphlets and satires - one against Vrillière likening the minister to Caligula's horse <sup>107</sup>. He earned the enmity of Turgot for his attack on the free market in grain in "Observations", and he claimed that Turgot had tried to buy his silence for 2,000l., a story that the Espion Anglais confirmed <sup>108</sup>. He complained that the freedom of the press allowed by Turgot helped only the physiocrats, though the very publication of his work in 1775 in Paris belies this <sup>109</sup>. Métra heard that he had applied to Frederick II for patronage, but was prudently turned down <sup>110</sup>.

France was becoming an uncomfortable environment for Linguet, though as long as Turgot remained at the Control General he was free to write and publish as he saw fit. When Turgot fell in May 1776 Linguet's final split with the old regime could no longer be averted. The pretext for the government to close down the 'Journal' was "the greatest indecency" Linguet showed against the Academie in July 1776 <sup>111</sup>. Linguet believed Miromesnil had always borne him malice, and Miromesnil was able to use this specious opportunity (an insult against Harpe) to turn Vergennes, Nivernois and Duras against him <sup>112</sup>. Linguet fled to Ferney, which by tacit agreement lay outside France's judicial reach, to impose himself on Voltaire on the strength of his early anti-clerical cases, and possibly on Voltaire's support for Maupeou. Nothing that Linguet wrote after 1776, even in apparent supplication for reacceptance, could do anything but widen the breach between himself and his society. The old regime had nothing to offer him, and he joined the Grub Street Cynics; in the regime's own terms, politics in Linguet were as bitter and perverted as was sex in Sade.

Before going on to his thought in the 1770's we must remember that Linguet had worked out a thorough-going critique of the old regime in the 1760's; it had been the starting point for 'Théorie', but before 1776 he had hoped it might be used constructively to promote reform. While Linguet had put these ideas across in book form it was as closely argued and complex political philosophy, he had made no attempt to reach any broader

reading public than other philosophes. Works such as 'Annales' or 'Mémoires sur la Bastille' were to have a much wider appeal than 'Théorie', and reach down to a very different readership than the rarified atmosphere of *Le Monde*. Linguet portrayed a society where "titled lions" devoured the helpless and depressed flocks of the peasantry, where a continent-wide élite had entered into concordats with the king to crush the people, where the state was still governed by a constitution which dated from a time when France had been a vast forest conquered by northern barbarians. Justice was corrupt, abusive, and tyrannical, serving the interests only of the judges <sup>113</sup>. At every point society condoned and reinforced exploitation, whether juridical by the Great or economic by the middle classes. Linguet would have started by abolishing juridical rank and provincial autonomy - "Ces titres plus chimériques encore que fastueux" - to help the people <sup>114</sup>.

One of Linguet's most intriguing lines of thought was on the role of women in society. The usual opinion of women was that they exercised an inordinate influence over men, and enjoyed a dangerously privileged position <sup>115</sup>. Several writers were concerned to reimpose that traditionally inferior position women were supposed to be undermining: Rétif de la Bretonne ordered them to consider men their "lords and masters", and Aubusson would have made every woman a minor before the law <sup>116</sup>. Linguet rejected this absolutely: women were the slaves of slaves. In the lower classes they bore the brunt of physical toil - tilling, threshing, harvesting, running a house, feeding the livestock, etc. - in the upper classes they were kept in a state of "dependence and humiliation" as inferior beings and second class citizens. Linguet traced this subjugation to child-bearing which brutalised, exploited, and oppressed their sex. Linguet accused a society which condemned harems but condoned convents of being hypocritical. In Linguet's speculative writing the woman appears as man's potential equal, a legally autonomous individual, but in Linguet's day she remained the most subject of the subjugated <sup>117</sup>.

For Linguet, as for almost every other commentator, his century was one of decay and dissolution. An outdated social structure was being undermined by capital and philosophie. If it would be impractical to return to the good old ways, then a drastic restructuring society - along the lines of a despotism of law - would be needed. Linguet analysed the decay since former

times, "... où la magistrature, peu nombreuse, mais assidue, n'avait d'autre ambition que celle de remplir ses devoirs avec exactitude; où le tiers état simple, économe, satisfait de son obscurité, ne connaissait ni ces moyens destructeurs de s'élever rapidement à la fortune, qui y cause de nos jours une si grande fermentation, ni la manie de s'en servir pour se rapprocher des grands, et acheter des alliances qui déshonorent une des familles sans honorer l'autre" <sup>118</sup>. Like Mirabeau, Linguet looked to supposed former social virtues for inspiration, and his belief in keeping to one's station in life reflects Rétif de la Bretonne. Before Linguet was to analyse society again he would have had ten years experience at the Bar, experience which profoundly altered his outlook within the same critical framework.

The 'Journal de Politique et de Littérature' was not an outstanding event, it broke no new journalistic ground, but it was thoroughly competent. From the 'Gazette de France' it reprinted uncontroversial news in depth and detail; it printed in full speeches in the parlement (particularly Séguier's) and official government material (e.g. on the aftermath of the Flour War). By and large Linguet was hostile to Turcot's economic policies (e.g. grain) but favourable to his social reforms (e.g. on guilds). There was much editorial comment conducted with fairness and breadth of mind, and some degree of humour, and Linguet invited readers to write in giving their own opinions. Although the frontispiece claimed the 'Journal' was printed in Brussels the ease with which it was able to be shut down suggests it was based in Paris. The 'Journal' received public interest rather than acclaim, and as it started at the same time as Linguet's battle with the parlement, Linguet was not being taken seriously as an objective observer. Bachaumont dismissed Linguet the journalist: "... gonflé de vent, (il) croîse à son ordinaire et ne parle que de lui" <sup>119</sup>.

Two influences in exile helped and matured him as a journalist. The first, and obvious, was Voltaire's company at Ferney. The second was the publication of 'Doutes sur l'Eloquence et les Systèmes politiques' (Paris ? 1776) by the young Mallet du Pan, who regarded Linguet as some kind of hero and had written this defence and vindication of him in his absence from Paris. The book served as an introduction, and the two men met and determined to found the best political journal the regime had yet seen. Just as he had issued 'Nécessité' as a declaration of intent before entering the Bar, Linguet now stated his grievances and plans

in 'Lettre de M. Linguet à M. le C. de Verennes'. In the letter he roundly condemned the ministers and magistrates of his day saying that the latter in 1771, "réunissait la trahison envers le peuple, a la désobéissance pour leur roi" <sup>120</sup>. Reaction to this letter was analogous to the hostility to 'Systeme de la Nature'; Grimm called it, "un monument si rare d'extravagance et d'amour propre" <sup>121</sup>; Métra called it "vomit", and its contents exaggerated and misplaced <sup>122</sup>; Bachaumont believed it was so extreme that it would imperil Linguet's safety <sup>123</sup>.

After a brief visit in 1777 to London, which Linguet disliked, he moved to Brussels and began publication of the 'Annales Politiques, Civiles, et Littéraires du Dix-huitième Siècle', which was the best periodical of its time. The "réflexions préliminaires" in the first volume are one of the most extraordinary documents to come out of the old régime being an accurate prediction of the peasant revolution of 1789. The constitution as defined by Montesquieu he called, "Des coutumes grossières, fondées sur les caprices de l'ignorance et de la stupidité dans la nuit de l'anarchie féodale" <sup>124</sup>. Just as Gin described constitutional checks and balances as "agitation perpétuelle", so Linguet saw conflicting corporations as the battleground with the people as cannon fodder <sup>125</sup>. The crown had failed to assert its sovereignty and had therefore become an enemy of every part of society - it engaged in a perpetual civil war against its subjects. While the crown, the parlements, and the nobility disputed who was "the nation", their powers ebbing and flowing in constant political battles, sovereignty resided alone in the nation itself <sup>126</sup>.

Society was becoming ever more corrupt and callous. At the same time as industry and learning were expanding rapidly the poor were dying of hunger in ever greater numbers. The rich were shirking more and more of their responsibilities, "L'essence de la société est d'exempter le riche du travail". Finance had run amok completely, the national debt exceeding the value of the kingdom and taxes running at 50% of income for the poor. The parlements he attacked for their abuse, barbarity, pretensions and dereliction of duty. The army was a constant drain on resources, a brutalising influence in society, a stronghold of prejudice, and a cause of brigandage in peace-time from its surplus manpower, unable to readapt to civilian life <sup>127</sup>. Linguet hated the militaires from having had to work with them in the Morangiés and Bellegard cases, and for the militaire ethos, "... vielli

dans le despotisme de sa profession, accoutumé à croire qu'il n'y a pas d'autres principes dans le monde que le commandement et l'obéissance" <sup>128</sup>. Taking for granted the laxity of the Church, he condemned the upper clergy as riddled with philosophie and the lower he dismissed as politically impotent <sup>129</sup>.

Linguet had attacked British politics before, but in Annales he subjected them to close scrutiny. He had to admit that in practical matters the quality of political life was superior to that in France; the law, for example, was greatly preferable for the jury system and the freedom of the press. But the nature of the British constitution, giving free rein to the aristocracy, meant that society was far more tyrannical, and he believed that the people were worse off. Linguet had already outlined his vision of a continent-wide aristocracy in the old world, with despair he recorded the same developments in the newly independent states of America. Linguet had by now despaired of reforming or of breaking the power of this aristocracy, and the only weapon left was knowledge, to show the people the true nature of the world they were living in. "Le rideau qui semblait couvrir les opérations politiques et envelopper, soit les cabinets, soit les armées, s'est enfin levé", he wrote predicting world war as the war of Bavarian Succession would be joined to Britain's colonial war and to hostilities in the Baltic <sup>130</sup>. This was the very attitude he had condemned in 'Fanatisme'.

At every point it was the people and the poor who suffered from the faults of the regime. "Enfin chez nous les pauvres sont traités avec une indifférence, un dédain, et souvent sacrifiés avec une barbarie qui révolte les coeurs sensibles". They had to pay higher prices for bread to satisfy the physiocrats, they suffered punishment for crimes for which the privilégié would only be cautioned, and by the corvée they "watered" the roads with their "blood and tears" <sup>131</sup>. If the peasant or casual labourer could no longer make ends meet he would be no worse off in rebellion than in loyalty <sup>132</sup>. (Behrens shows this to be the regime's most serious flaw.) <sup>133</sup> Given that the authorities were unlikely to be able to take any effective action to help the masses, Linguet could see no other answer but revolution, "L'Europe n'a été plus près d'une subversion totale, d'autant plus terrible que le désespoir en sera la cause" <sup>134</sup>. Linguet added that massive depopulation might ensue with or without a revolution, and here he was agreeing with 'Les Vues simples d'un bon Homme' which predicted the economic breakdown of society from the bottom up if the

lot of the peasant were not bettered <sup>135</sup>.

Linguet was not a utopian revolutionary - just as he had been a nihilist in terms of *dévo*t politics, so he was still a nihilist in a revolutionary context. In 1764 he had written, "Telle est la marche invariable des hommes depuis qu'ils existent successivement barbares et corrompus" <sup>136</sup>, by 1777 he had come truly to believe this and to believe that the now corrupt old regime was about to revert to barbarism and a new dark age after its destruction by the oppressed masses. Their very revolution, according to Linguet, would cause the people yet more misery <sup>137</sup>. How different the way Linguet coped with the human political condition in 1777 to the way Voltaire had reconciled himself to it in 'Candide' in 1759, it was the transition from Stoicism to despair. Linguet has been variously labelled "socialist" and "anarchist" <sup>138</sup>, but neither of these descriptions can embrace his comfortless cynicism.

Before the Annales' publication the Année Littéraire, now edited by Fréron's son, had eagerly awaited them and given Linguet encouragement, saying that journalism was the one area of literature still unconquered by philosophie. On reading the quarterly, however, Fréron changed his mind and gave it a very hostile review, there was little to give heart to a *dévo*t in the Annales <sup>139</sup>. Bachaumont agreed with him calling the Annales "fort méchant" <sup>140</sup>. The Mercure de France gave a prospectus for the periodical a scathing and sarcastic review, "M. Linguet se propose de venger désormais l'humanité des outrages qui la flétrissent, d'éclairer la raison sur les écarts qui la déshonorent, et de fixer le jugement de la postérité sur les événements, les loix, et les moeurs de notre siècle" <sup>141</sup>. For all the Mercure's scepticism the latter comment at least has proved to be true, the Annales is now regarded as a classic critique of its society.

The Annales were widely read, it was reported that Louis XVI himself was a regular subscriber, though it is difficult to believe that he could have grasped the depth of scope of their attack on his kingdom <sup>142</sup>. Cruppi, however, records that Louis XVI had approved of Linguet ever since beginning to take an intelligent interest in his future realm as Dauphin <sup>143</sup>. The standard of journalism was far higher than that of the 'Journal'; the man who read Annales would have been well-informed about events throughout Europe and North America, and would have assimilated much radical comment on his society. Linguet lost no opportunity to print subversive political information from both



past and present. More specifically, editorial policy in its first two years made the Annales give cautious support to Necker, and supported the Presidial courts as counter-weights to the parlements <sup>144</sup>. As a footnote it should be added that Liguët's experience of imprisonment in the Bastille caused him to reverse his ideas about Britain, teaching a wholly practical respect for British law and civil liberty, which altered his political outlook from the mid-1780's <sup>145</sup>.

Liguët has been almost entirely ignored by historians, partly because he is impossible to classify, partly because he blends into his environment, but mostly because only his enemies have received detailed attention. From this latter stand point Léonce de Lavergne concludes that Liguët possessed, "... assurément un esprit bizarre et faux, une imagination inquiète et malade" <sup>146</sup>. Bonno realises that Liguët had developed a detailed attack on Anclomania, but dismisses it as unimportant <sup>147</sup>. A study of Liguët in 1969 begins with the remark that he, "... shocked and unsettled no one, provoked little debate, and was almost universally disdained, ignored, or quickly forgotten" <sup>148</sup>, which is simply not true. Liguët's own account of his failure to gain official recognition in his society was the hostile reception of 'Théorie', "...un ouvrage si indignement, si cruellement jugé, et pour mon bonheur peut-être, si peu lu ..." <sup>149</sup>.

Liguët was a man of the Enlightenment who nonetheless saw the only solution to society's problems in terms of rigid structures, of authority, which brought him into the dévot sphere of the old régime's politics. His practical experience of the régime through its legal system caused him to lose any political optimism he may have possessed, and, as a Cynic, to deliver a radical critique of the régime and to predict its fall. His single most important idea was the primacy of force as the basis of political life and historical process, whether as the origin of property or the agent of the old régime's imminent collapse <sup>150</sup>.

At every point Liguët went one step beyond the accepted position of the day. While he stands out as a unique figure, he illuminates each part of the old régime, not only with his own comments but also by forcing contemporaries to state the norms he had violated. His intellectual progress - from the physiocracy of the 1760's, to consideration of the "despotism" of 1771-4, and on to analysing and exploiting the new political opportunities of Louis XVI's reign - is archetypal. Like Letrosne, he

moved from Jansenism and Physiocracy in the 1760's to more original and challenging thinking in the 1770's. There have been recent suggestions that Linguet should be integrated into his political culture. Both Grange and Baker show that Mecker trod the same intellectual path in the 1760's, but reached very different conclusions, and avoided the "error" of despotism <sup>151</sup>.

This study of Linguet has been both intellectual and biographical. Did his ideas have any lasting impact? Linguet's relationship to the Revolution was analogous to Hobbes' to the English Civil War. His difficult style made his works remote - but no more so than 'Contrat Social'. The main problem for Linguet was his pessimism, which disconcerted both the old regime, the philosophes, and the Revolutionaries. His solution was to accept despotism wholeheartedly. This was too far out of step with contemporary French aspirations.

If we look at him in the wider context of European thought, he can not be ranked with the greater philosophers, nor can he be an apologist for the ancien regime. His criticism of "modern" political and social ideas has been isolated by being linked with throne and altar ideologies. We must return to seeing him as a manifestation of the very peculiar climate of opinion before the Revolution forced men to choose between monarchy and change and development as two incompatible alternatives.

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1773 VIII pp.322-24).
- 'Mémoires et Fastes'. (Paris ?) (2 vols) 1774-5.
- 'Du Plus Meilleur Gouvernement', 'Théorie des Loix Civiles', 'Du  
Fain et du Sicé'. 6 vols. London 1774. 'Journal de Politique  
et de Littérature'. Brussels quarterly 1774-8\*.
- 'Observations sur un Imprimé ayant pour Titre, "Mémoire pour  
M. Gerbier, Ancien Avocat"'. Paris 1775\*.
- 'Discours prononcé à être prononcé par M. Linquet dans l'Assemblée  
des Avocats'. Paris 1775\*.
- 'Essai philosophique sur le Monachisme'. Paris 1775\*. Pamphlet  
battles with Talissot, Neckar, and the Economistes in 1775  
(Métra I p.309) \*.
- 'Lettre à l'Auteur des Observations sur le Commerce des Grains'.  
(Target). Amsterdam 1775.
- 'La Théorie de Libelle'. Amsterdam 1775.
- 'Trois Médailles, des respectueuses Représentations adressées à Sa  
Majesté'. Brussels 1776.
- 'Lettre de M. L. L. L. à M. le C. de Vergennes'. London 1777.
- 'Annales Politiques, Civiles, et Littéraires du 18e siècle'  
quarterly the Hague 1777-90.
- 'Les Mémoires de Politique et de Littérature' (extracts from  
Annales) Bouillon 1778.

'Mémoires sur la Bastille'. London 1783 (several editions).

'L'Impôt territorial ou la Dixme royale avec tous ses Avantages'.  
London 1787 (Extended version of a pamphlet in 1754).

'Quelle est l'origine des Etats-Généraux'. Paris 1788.

\* Enjoying Furgot's freedom of publication.

FOOTNOTES

1. Quoted MacKrell, p.3.
2. ec. 'Limits of Nonconformity in the Enlightenment: The case of S-H-N. Linguet' H. Vyverberg (French Historical Studies 1970), p.475. This study is a useful analysis of Linguet's thought, but wholly ignores his career. 'Un Avocat Journaliste au 18e Siècle: Linguet' J. Cruppi. Paris 1895 p.2. This study is almost wholly biographical, but ends abruptly when "notre hero" (p.205) is disbarred. It is hugely inconclusive but as yet unsurpassed.
3. Vyverberg pp.475,479.
4. Morellet p.232.
5. 'Simon Linguet's Sociological System: an Exhortation to Patience and an Invitation to Revolution' D.G. Levy (Studies, Voltaire and 18th Century 1969) p.287. The most useful piece of work available on Linguet.
6. 'Anclophobia in France 1763-89' F. Acomb. Durham (North Carolina) 1950 p.23.
7. Cruppi pp.3-4, 6, 10-11, 14-15. 'Vicissitudes et Chutes du Parlement de Paris' P. Jacomet. Paris 1954 pp.116-18.
8. Cruppi p.23.
9. Bachaumont I p.101, III p.36.
10. Cruppi pp.41-2.
11. Mercure de France 1769 IX pp.69-76 (An observation also made in 'L'Action Politique et Sociale des Avocats au 18e Siècle' Baron F. Delbeke. Louvain 1927 p.279).
12. Cruppi pp.31 ff. 69-154, 157-63.
13. Ibid. p.40.
14. Bachaumont IV p.344.
15. 'Réflexions pour Me. Linguet, Avocat de la Comtesse de Béthune' ('Mémoires et Factums' (Paris ?) 1774-5, two volumes of Linguet's cases) II p.5. Biographical details after Linguet's disbarment from: 'Mallet du Fan and the French Revolution' B. Mallet. London 1902 pp.15-17. 'Memoirs and Correspondance of Mallet du Fan' ed. A. Sayous. 2 vols. London 1852. I pp.25-33.
16. Journal Historique V p.12. Ephémérides 1769 III p.82. Réflexions ... Béthune p.19.
17. Over the course of his career to 1778 Linguet was patronised by: the duke of Zweibrücken (Deux-Ponts), Beauvau, Dorat, Fréron, Voltaire, Aiguillon, Marie-Antoinette, Maupeou,

- Nicolaï, Châteaugiron, and Sécuier, and received the friendly interest of Louis XVI. This breadth of patronage alone would make Linguet one of the most interesting political figures of the late regime. This isolation from élites noted: R.I. Boss 'Linguet: the Reformer as anti-Philosophe' (Studies, Voltaire and the 18th-Century. 1976 vol. CLI) p. 335.
18. HRG. Greaves. 'The Political Ideas of Linguet' (Economica 1930) p40.
  19. Quoted Mallet du Fan, Memoirs and Correspondance I p.30.
  20. 'Le Fanatisme des Philosophes' Linguet London 1764 pp. 15, 8,9,16,18.
  21. Levy p.225.
  22. 'La Théorie des Loix Civiles' Linguet (first published London 1767). (The edition used here is the collected one published London 1774 in 6 vols: I, II 'Du plus Heureux Gouvernement', III, IV, V 'Théorie des Loix Civiles', VI 'Du Pain et du Bled'. These works form a coherent whole and will be quoted as 'Théorie des Loix Civiles') VI pp.300-01. (Identical thought in Buat, Eléments III pp.41-7, Acomb (p.9) lists Buat as another conservative).
  23. Fanatisme pp.17-21,39. Théorie des Loix Civiles II p.56.
  24. Fanatisme pp. 38, 29. Similar remarks from an ideological position Année Littéraire 1775 IV pp. 112-13, and practically Young p.15
  25. 'Oeuvres de M. Falissot' 6 vols. Liège 1777. II pp.99, 101-02. ('Petits Lettres sur des grands Philosophes') The same points were made in 'Annales Politiques, Civiles, et Littérature du 18e Siècle' Linguet. The Hague. Quarterly 1777-90. II pp. 464-8, and Année Littéraire 1771 I pp.146-7.
  26. Grimm VI pt I p.177. Métra IV pp.294-5.
  27. 'Réponses aux Docteurs Modernes' Linguet. 2 vols. ( - ) 1771 I pp.1,3,10-11,11-12.
  28. Brissot IX p.81.
  29. Théorie des Loix Civiles VI p.xiii.
  30. Levy p.220.
  31. Réponses aux Docteurs Modernes I p.9.
  32. Théorie des Loix Civiles VI p.xiii.
  33. Ibid. VI pp. 31,123.
  34. Forster, Toulouse.
  35. Buat, Eléments III p.115. Journal des Sçavants 1773 XI pp. 707-13.
  36. Expion Dévalisé pp. 169-73. Condorcet, Correspondance p.29.
  37. 'Lettre à l'Auteur des Observations sur le Commerce des Grains' Linguet, Amsterdam 1775 p.6. (Target was the "author", and this will be referred to as Lettre, Target).
  38. 'Mémoires et Plaidoyers de M. Linguet' 7 vols. Amsterdam

1773. I pp.22-3. 'Mémoires sur un Object Intéressant pour la Province de Picardie'. Lincuet. Abbeville 1764.
39. Lettre, Tarcet pp. 21,13,14,28-30,8,20.
40. Théorie des Loix Civiles VI p.69.
41. Strickeln p.143.
42. Levy p.257.
43. Théorie des Loix Civiles I p.xvii.
44. Fanatisme pp.18-19.
45. 'La Nécessité d'une Réforme dans l'Administration de la Justice' Lincuet. Amsterdam 1764 pp.26-8.
46. Chastellux II p.175.
47. Théorie des Loix Civiles I pp. xvii, xvii-xviii, II p.63.
48. Ibid. II p.192.
49. Thénau de Morande, Cazette Noire p.42.
50. Théorie des Loix Civiles I p.xxix.
51. Fanatisme pp. 19-20.
52. Théorie des Loix Civiles I p.6.
53. Ibid. I p.xxii, II p.38.
54. 'Lettre de M. Lincuet à M. le C. de Vercennes' Lincuet. London 1777. p.48. (Lettre, Vercennes).
55. Bachaumont III p.233, similar comments Ephémérides 1769 III p.83.
56. Grimm III pt. II p.362,
57. Mercur de France 1770 XIV pp. 121-39.
58. Année Littéraire 1771 VI p.200.
59. Bachaumont III p.243, the link also made Métra V p.164.
60. Métra V p.123.
61. Journal Encyclopédique 1777 VI p.23.
62. Darnton p.101.
63. Brissot IX p.77, I pp.xxx-xxii. Delbeke p.278.
64. 'Canaux Navigables' Lincuet. Amsterdam 1769. 'Lettres sur la Théorie des Loix Civiles' Lincuet. Amsterdam 1771. Commented on Ephémérides 1769 III p.82, 1770 VI p.164.
65. Mémoires et Flaidoyers I p.1-32.
66. Ibid. I pp. 91-121.
67. Ibid. I pp. 184-294.
68. Ibid. I p.463.
69. Ibid. III pp. 80-466.
70. Ibid. V p. 1-24.
71. Annales I p.84.
72. Véri I p.419.
73. Mémoires et Flaidoyers VII p.119.
74. Mercur Historique et Politique 1770 II p.51.

75. Marmontel III pp. 130-3. Cruppi 213-14.
76. Thévenau de Morande, Gazetier Cuirassé p.91.
77. Cruppi p.205.
78. Ibid. pp. 253-4, 258-9, 261, 299.
79. Journal Encyclopédique 1773 VIII pp. 189.
80. Regnaud II p.140.
81. Réflexions, Béthune p.14.
82. 'Très-humbles, très-respectueux Représentations adressées à Sa Majesté' Linguet. Brussels 1776.
83. Journal Encyclopédique 1773 VIII p.189.
84. Bachaumont VII pp. 12,24.
85. Journal Historique I p.188. Bachaumont VI p. 321. Hardy II p.207.
86. Journal Historique II pp. 174,230.
87. Cruppi pp. 300-338.
88. 'Plaidoyer pour M. le Comte de Moranties' (Mémoires et Factums I) pp.5-6.
89. 'Mémoire à consulter ... (pour Mme. de Bellegarde)' (Mémoires et Factums II) (not written by Linguet).
90. Hardy II pp. 18,207,220..
91. This is Linguet's own account in Lettre, Vercennes pp.11-12.
92. Réflexions, Béthune pp.4-5.
93. Ibid. p.7 'Observations sur un Imprimé ayant pour titre "Mémoire pour M. Gerbier, Ancien Avocat"'. Linguet . Paris 1775 p.33 (Observations).
94. Bachaumont V p.217.
95. Moreau II p.127. The advocates' decision was unanimous, Cruppi p.386.
96. Bachaumont VII pp. 307,314,329.
97. Représentations p.23.
98. 'Supplément aux Réflexions pour M. Linguet' (Mémoires et Factums II) pp. 3,14.. Observations p.3.
99. Représentations pp. 13,35,11,23.
100. Réflexions, Béthune p.8.
101. Bachaumont X p.198.
102. Regnaud II p.348.
103. Année Littéraire 1775 I p.561,
104. Métra I pp. 153,271-2,233.
105. Hardy III pp. 11,20,41.
106. Métra II p.240.
107. Bachaumont VII p.329, VIII p.204.
108. Lettre, Vercennes p.14. Espion Anglais I p.301.



109. Lettre, Vercennes p.14.
110. Métra I pp. 376-91 (May 1775).
111. Hardy III p.255.
112. Lettre, Vercennes p.14,78. Représentations p.11.
113. Théorie des Loix Civiles I p. xxviii-xxix, 113,119, III pp. 60,90, II pp.74,79.
114. Ibid. I pp. xxix, 112, II p.194.
115. Lévis pp. 99-100.
116. Rétif de la Bretonne, Gynocraphes p.164. Aubusson, Alambic des Loix pp. 454-9.
117. Théorie des Loix Civiles II pp. 62-5.
118. Ibid. III pp. 57-68.
119. Bachaumont VII p.261.
120. Lettre, Vercennes p.74.
121. Grimm III pt II p.364.
122. Métra IV p.267.
123. Bachaumont X p.64.
124. Annales I p.18.
125. Gin, Vrais Principes p.180. Annales I p.17 (also, Miromesnil V p.236.)
126. Annales I p.17.
127. Ibid. I pp. 36-7,41,57,84,87,158-180,21-22 35.
128. Lettre, Vercennes p.73.
129. Annales IV p.39-40.
130. Ibid. I pp.179, II pp. 23-53, 355-63 (on the constitution of Maryland), IV p.59.
131. Ibid. II pp. 33, 94-5, 73.
132. Ibid. I p.100.
133. Behrens, Ancien Regime pp. 25-46.
134. Annales I p.84.
135. Mercure de France 1776 III p.126.
136. Fanatisme p.22.
137. Annales I p.84.
138. Stelling-Michaud p.1539. Levy p.257.
139. 'Discours sur l'Etat actuel de Littérature', Année Littéraire 1777 I p.23.
140. Bachaumont X p.101.
141. Mercure de France 1777 X p.153.
142. Correspondance Secrète I p.212.
143. Cruppi p.352.
144. Annales II pp. 29,248-50,277-317.
145. Acomb p.75.

146. Léonce de Lavergne, Les Economistes p.353.
147. G. Bonno 'La Constitution Britannique devant l'Opinion française de Montesquieu à Bonaparte' Paris 1932 p. 92.
148. Levy p.219.
149. Réflexions, Bethune p. 12.
150. Greaves p.46. Vyverberg pp. 476-7.
151. Grange pp.-206-11, 264. Baker p. 64.
152. Cruppi p. 2 records that Linguet wrote some eighty pieces 1755-93.

APPENDIX IIIGLOSSARY

The old regime not only abounds with technical terms which need explanation, but also possesses the problem of words which have changed their meanings or can not be taken at face value. Anglicisations have been taken, in order of preference, from: contemporary British usage (eg. Plume: Quill), current British usage (eg.) Bailli: Bailie), and simple translation (eg. Avocat: Advocate).

- ABSOLUTISM:** Royal authority up to, but not beyond; infringing on the lives and property of subjects; the question of property through office-holding put the parlements outside absolute rule. It implied administration conducted in consultation with the Council rather than by ratification by the States General. (nb. term not coined till 19th century).
- ABUS:** ABUSE, a practice detrimentally decayed away from its original purpose.
- AGENT-GENERAL:** President of the General Assembly of Clergy, a post held for five years and answerable only to the Assembly.
- AIDES:** AIDS, a fiscal jurisdiction, the Court of Aids was a court of fiscal appeal independent of the parlement; the Aids themselves were the internal customs duties levied by the Farmers General.
- AMIRAUTE:** ADMIRALTY (COURT), court with criminal jurisdiction over land in naval ownership.
- ANOBLI:** One who has bought an ennobling office, first generation noble.
- ARISTOCRACY:** Owing to the old regime's social structure, the nobility embraced all those who could be defined aristocracy; but not all nobles were aristocrats.
- ARRET:** A ruling by a court or council with the force of law, also used as a qualification to an Edict not requiring registration.
- ARRETE:** A ruling by a court or council without the force of law to serve as precedent.
- ARRONDISSEMENT:** Administrative unit consisting of several parishes.

- ASSEMBLEE GENERALE: GENERAL ASSEMBLY OF CLERGY**, meeting as both  
**DU CLERGE:** a Corporation and Order the clergy assembled every five years to vote the Don Gratuit and consider administrative, political, and theological issues. This was the old regime's most autonomous institution.
- AVOCAT:** **ADVOCATE**, a barrister entitled to plead before the Bar of a Sovereign Court or Superior Council, a limited and exclusive Corporation.
- AVOCAT-GENERAL:** **ADVOCATE GENERAL**.
- BAILLI:** **BAILIE**, the chief functionary of a Bailiwick, also a more general title for an official as in the Order of St. John.
- BAILLIAGE:** **BAILIWICK**, a medieval jurisdiction below a province still exercising some powers under the parlements in 18th century.
- BAN (E'ARRIERE-BAN):** The feudal military levy based on the Fief.
- BANALITE:** **BANALITY**, a seigneurial right to a monopoly in milling, baking, pressing, etc. - one of the central prerogatives of the Seigneurie.
- BOURGEOIS:** A townsman not working with his hands.
- BUREAU:** A sub-division of a Department of State, usually staffed by Masters of Requests.
- BURGUNDY (DUKE OF BURGUNDY'S CIRCLE):** This was a group of political thinkers who were gathered around the duke in an effort to produce a blue-print of perfect government. This group consisted of: Fénelon, Boisguillebert, Boullainvilliers, St-Fierre, and Vauban. They inspired the 1698 survey of the realm which remained the basic information for political reform to 1789. Between their several and varied outlooks emerged a programme for: a reformed fiscal system based on a single, universal 10% tax on income, and a relaxation of Colbert's mercantilism to allow greater freedom of trade and stimulation of agriculture. The group laid down all the major lines of thought in administrative reform for the remainder of the regime.
- CAHIER DE DOLEANCES: PETITION OF GRIEVANCES**, the right to present one belonged only to the assemblies of

- States (provincial or General); the possible contents of a national Petition of Grievance was an important reason for not convoking the States General.
- CANTON: Sub-division of a province used both as a vague locality and as a specific unit of reformed provincial administration between province and arrondissement.
- CAPITAINE DES GARDES: CAPTAIN OF THE GUARDS, a colonel of one of the three Household regiments whose command conferred voting rights in the parlement.
- CAPITATION: A graduated poll-tax paid as a supplement to the Taille.
- CENS: A Seigneurial tax.
- CHAMBRE: CHAMBER, sub-division of a Sovereign Court or Superior Council.
- CHAMBRE DE FORFEITURE: CHAMBER OF FOREITURE, a body of peers and senior magistrates designed to regulate the conduct of the parlement (never implemented).
- CHAMBRE DES PAIRS: CHAMBER OF PEERS, the peers as a separate body set above the parlement (never implemented).
- CHANCELIER: CHANCELLOR, the head of the judiciary and a Great Officer of State - the last feudal position retaining great political importance.
- CHARGE: Generally synonymous with Office, but it could refer specifically to a non-venal Office revokable to the crown.
- CHATEAU: Mid-way between British castle and manor house usually a seat of seigneurial jurisdiction.
- CHATELET: A Chamber in the parlement with criminal jurisdiction.
- CITOYEN: CITIZEN, a member of the political nation.
- CLASSE: Sub-division of an Order or Corporation.
- CLOCHE: A section of the robe based on ennobling municipal Offices.
- COLONEL: Commander of a regiment, a post important because it was owned as property and conferred jurisdiction over the nobles. It was a theme of the late century to ensure that only "gentilshommes" (qv.) were colonels.
- COMMANDANT (-EN-CHEF): The third post in a gouvernement with competence over civilian administration only (after 1776).

- COMMISSAIRE DEFARMI:** Generally a synonym for Intendant, but also used of a magistrate dispatched to the provinces on a specific brief.
- COMPTE RENDU:** An account of actions, finances, policies, etc. made by a Minister to the king - only Necker's of 1781 was made public.
- COMPTE:** ACCOUNTS, a fiscal jurisdiction, the Court of Accounts was a court of fiscal appeal independent of the parlement.
- CONNETABLE:** CONSTABLE, a defunct Great Officer of State with jurisdiction over internal policing, his functions were exercised by the Marshals in the eighteenth century.
- CONSEIL:** COUNCIL, a body with the prerogative of being consulted by the king, under an absolute monarchy the king was under no obligation to heed a Council or accept its majority decision.
- CONSEIL D'ETAT:** COUNCIL OF STATE, more generally referred to as "The Council", made up of the Ministers of State. This was the senior Council with special responsibility for foreign affairs.
- CONSEIL DES DEPECHE:** COUNCIL OF DISPATCHES, the Council with responsibility for internal administration through the Intendants.
- CONSEIL DE DIRECTION/CONSEIL DES FINANCES:** COUNCIL OF FINANCES, the Council with responsibility for taxation and public works, the Minister of State in charge of the Council of Finances might also be Prime Minister.
- CONSEIL PRIVE/DES PARTIES:** PRIVATE COUNCIL, the Council acting as a court of executive appeal, hence with competence over internal administration.
- CONSEIL PROVINCIAL:** PROVINCIAL COUNCIL, a non-sovereign court of appeal, also the co-ordinating executive body in a reformed provincial administration.
- CONSEIL SUPERIEUR:** SUPERIOR COUNCIL, a non-sovereign court of appeal 1771-4.
- CONSEILLER:** COUNSELLOR, a member of a council or court.
- CONSUL:** A type of judge or municipal official, chief functionary of a Consulate, also the term for judges in a reformed judiciary.

- CONSULAT: CONSULATE, type of municipal jurisdiction, lending their name to a general structure of reformed judiciary.
- CONTROLE GENERALE: CONTROL GENERAL, in effect, though not in name, this was the Department of State responsible for finances and some internal administration.
- CONTROLEUR GENERAL: CONTROLLER GENERAL, the Minister in charge of the Control General (not always promoted to being a Minister immediately).
- COQ DU VILLAGE: Peasant notable, the largest non-noble, non-bourgeois land owner in a community.
- CORPS: CORPORATION, an autonomous body with the right to assemble without the permission of the king. Even if only as a member of a parish assembly, every subject under the old regime was expected to be a member of a Corporation and to enjoy some attendant privilege or prerogative.
- CORPS INTERMEDIARE: INTERMEDIARY BODY, any Corporation able to limit the monarchy by imposing itself between the king and his subjects, specifically the parlements' pretension to form a constitutional check through the ownership of its Offices and the Registration of Edicts.
- CORVEE: Forced labour, most often used of peasants on roads organised by the Intendants.
- COUR DES PAIRS: COURT OF PEERS, the Parlement of Paris in plenary session with the peers present.
- COUR SOUVERAINE: SOVEREIGN COURT, an autonomous court of appeal: able to regulate its own composition and conduct (see also VENALITY).
- COUTUME: CUSTOM, generally a political practice sanctioned by antiquity, specifically an unwritten local code.
- CULTIVATEUR: CULTIVATOR, anyone tilling the soil with his own hands.
- DECLARATION: A supplement or qualification to an Edict.
- DEGRE: DEGREE, (of nobility) the number of generations of nobility on the male side only - the basic genealogical reckoning in the old regime.
- DEMOCRACY: Rule by mob.
- DEPARTEMENT (D'ETAT): DEPARTMENT (OF STATE), one of the Four (five 1763-80) divisions of government run by

- a Secretary of State; they were in order of seniority: AFFAIRES ETRANGERES (FOREIGN AFFAIRS), GUERRE (WAR), MARINE (ADMIRALTY), MAISON DU ROI (KING'S HOUSEHOLD), and the fifth responsible for agriculture and communications. Each Department was also responsible for a quota of Generalities.
- DEROGEANCE:** DEROGATION, deprivation of nobility for conduct unbecoming to the rank of noble.
- DESPOTISM:** Absolute rule extending over the lives and property of subjects. Rule by caprice without law.
- DEVOT:** Specifically in this period, a political opponent of the Choiseulists or Queen's Party, using the defence of institutionalised religion as a political weapon. (It embraced all those who could be described as "devout" Catholics).
- DIOCESE:** (Secular) A sub-division of a States Country - especially Languedoc.
- DISTRICT:** Area of a reformed provincial administration, equivalent to a Canton.
- DIXME/DIME ROYALE:** 10% universal tax on income from all sources.
- DOMAINE ROYALE:** ROYAL DOMAIN, land owned directly by the crown and outside the jurisdiction of other agencies of government.
- DON GRATUIT:** An institutionalised tax paid by a Corporation in place of Ordinary taxation, serving to reinforce its autonomy.
- DROIT DE SEIGNEUR:** Seigneur's right to sleep with a vassal on her wedding night - almost certainly extinct by the 18th century, but an abuse deeply embedded in popular consciousness.
- ECHEVIN:** Municipal magistrate.
- ECONOMIE:** The eradication of mismanagement, vested interest, and abuse in finances with implied reform.
- ECONOMISTE:** Synonym for Physiocrat.
- EDIT:** EDICT, legislation promulgated by the crown requiring Registration by the parlements. Almost all legislation was initiated by Edicts, which could only be promulgated by the Crown.
- ELECTION:** Administrative fiscal unit (approximately a Canton) for the collection of the Taille and the Capitation in the Continental provinces (Pays d'Election).



- ELU: Chief functionary of an Election.
- ENQUETES: INQUESTS, a junior Chamber in the parlement, reputedly the most radical.
- EPEE: SWORD, nobility of birth or race disclaiming Robin origins, specifically the ship-board officer corps in the navy.
- ETAT: Synonym of Order.
- ETATS: STATES, assembly of the three Orders of society, either GENERAL (ie. national) or PROVINCIAL.
- ETHOCRACY: Government by secular mores.
- EXIL: EXILE, banishment to, and detention in, a remote rural area.
- EXTRAORDINAIRE: EXTRAORDINARY, (of taxation) governmental activity not ratified by the States General.
- FAUSSE NOBLESSE: FALSE NOBILITY, generally gained by purchasing a noble estate and taking its title to usurp the privileges and prerogatives of the Second Order.
- FEODAL: FEUDAL, the remnants of the feudal regime which had decayed into juridical Property.
- FERME GENERAL: GENERAL FARM, the forty-six financiers (GENERAL FARMERS), who contracted to collect indirect taxation on behalf of the crown - any money raised above the contract (Bail) was kept by the Farmers. Taxes collected included: Gabelle, Tabac and Aids.
- FERIETE: RESOLUTION.
- FIEF: Land granted by the crown to a noble in return for military service, ie. feudal land holding. This persisted as a type of Seigneurial jurisdiction in 18th century (see Frank Fief).
- FINANCE: The financial establishment displaying abuse and vested interest.
- FORCE DES CHOSES: Inertia caused by vested interest and administrative inefficiency.
- FRANC FIEF: FRANK FIEF, a tax paid by commoners buying noble land.
- GABELLE: A tax on salt levied by the tax Farmers, administered separately from other taxes and varying greatly from one province to another.

GENERALITE:	GENERALITY, the jurisdiction of an Intendant, the basic administrative unit of the Administrative monarchy.
GENS. DU ROI:	KING'S PEOPLE, the professional staff of a law court holding non-venal Charges.
GENTILHOMME:	Noble of three or more degrees of nobility.
GOUVERNEMENT:	Jurisdiction of a Governor, the basic military administrative unit based on the medieval provinces.
GOUVERNEUR:	GOVERNOR, the chief functionary of a government.
GRAND:	CREAT, princes, peers, and members of the Order of the Holy host - the political and genealogical élite.
GRAND CONSEIL:	GRAND COUNCIL, Sovereign Court independent of the parlement.
GRAND DEPUTATION:	Official deputation of magistrates from the parlement of Paris to the Court to present a Remonstrance.
GRAND D'ESFACNE:	A noble enjoying reciprocal honours with the Spanish court, equivalent rank to a duc-non-pair - only finalised by the Family Compact.
GRAND OFFICE D'ETAT:	GREAT OFFICE OF STATE, an inalienable Office at Court conferring the prerogative of direct access to the King.
GREFFIER:	CLERK.
HABITANT:	One who enjoys membership of a community, its corporations, and local privileges - the category below Citizen.
HAUTE NOBLESSE:	synonym for the Great.
HEUREUX:	FELICITOUS.
H.M.C.M.(G.):	HIS MOST CHRISTIAN MAJESTY('S GOVERNMENT )
HOBEREAU:	(literally a small falcon) poor provincial noble of 100+ years(3+ degrees) of nobility tilling the soil with his own hands
HUISSIER:	SERJEANT.
INTENDANT:	Chief functionary of a Generality, usually a Master of Requests.
JANSENISME:	JANSENISM, nebulous religious doctrine hostile to ultramontane and Caesero-papalist doctrine associated with the parlementaire opposition to the crown.

JESUITE:	JESUIT, politically a supported of Unigenitus (qv.), Absolutism, and subsequently of Maupeou, an enemy of the Jansenists.
JOURNALIER:	CASUAL LABOURER.
JOYEUX AVENEMENT:	JOYOUS ACCESSION, a tax designed to cover the cost of coronation - waived in 1774.
LABOUREUR:	Peasant owning his own equipment, though not necessarily land, and producing surplus food.
LETTRE DE CACHET:	Sealed instructions with the authority of the crown used generally either for the regulation of assemblies or for the imprisonment of individuals (usually in a noble family) signed by the Secretary of State for the King's Household. At its worst a lettre de cachet allowed one unnamed person to imprison another for an unspecified offence for an unspecified period. This was the old regime's worse abuse.
LETTRE DE JUISSON:	JUSSIVE LETTER, royal order commanding a Registration.
LETTRE PATENTE:	LETTER PATENT, open instruction or announcement with the authority of the crown.
LIEUTENANT-GENERAL:	Governor's deputy with jurisdiction exclusively over military affairs (after 1776).
LIT DE JUSTICE:	Personal appearance in a parlement by the King or his viceroy to force the Registration of an Edict.
LIVRE:	The basic accounting unit of the old regime; its equivalent in specie was the Franc Tournois. Its value was approximately that of a mid 20th century dollar.
LODS ET VENTS:	A Seigneurial tax on the transfer of property.
LOI FONDAMENTALE:	FUNDAMENTAL LAWS, political customs limiting the Monarchy.
LUXE:	SUPERFLUITY, the conspicuous production and consumption of non-essential goods.
MAGISTRAT:	MAGISTRATE, generally anyone from the King downwards with legal or administrative competence, specifically a Counsellor in a parlement. The category is important because the old regime made no differentiation between judicial and executive administrators.

MAINMORTE:	MORTMAIN, serfdom.
MAISON DU ROI:	KING'S HOUSEHOLD, this Department had particular responsibility for the Court and Capital.
MAITRE DES REQUETES:	MASTER OF REQUESTS, fixed at 80 in 1751, these non-venal magistrates formed the majority of the Administrative Monarchy's senior administrators.
MAITRESSE EN TITRE:	TITULAR MISTRESS, the King's Mistress, who had to be a married woman, who had been presented at Court and possessed the prerogative of exercising political patronage.
MAITRISE:	GUILD, usually an employers' association frequently defending restrictive practices.
MARECHAL:	MARSHAL, the highest military post whose holders formed a separate Corporation with extensive jurisdictions.
MARECHAUSSEE:	MARSHALCY, the mounted constabulary.
MESALLIANCE:	MISALLIANCE, a genealogically miscegenous marriage for money.
METAYAGE:	SHARE-CROPPING.
MILICE:	MILITIA, this was raised exclusively from the peasantry and by ballot. There was no fixed term of service. It was a major and disruptive abuse in the country-side. Reformers attempted to turn it into a form of outdoor poor relief.
MILITAIRE:	A noble of 100+ years (3+ degrees) of nobility or holder of an ennobling military rank. This "classe" was composed both of noblesse de race, de naissance, and of former robins (or even roturiers), who could meet these requirements. It was also used within the nobility as the antithesis of "robin".
MINISTRE D'ETAT:	MINISTER OF STATE, member of the Council of State, usually the 8-9 most senior administrators including the Secretaries of State and the Controller General. Only the Secretary of State for Foreign Affairs was a Minister by right.
MOEURS:	MORES, political customs generally limiting the monarchy.
MONARCHIE ADMINISTRATIVE/ABSOLUE:	ADMINISTRATIVE/ABSOLUTE MONARCHY, the structure of government rationalised by Colbert lasting 1660-1789, based on the Intendants in the provinces and the Councils and Departments of State in the centre.

- MONARCHIE AUTORITAIRE:** AUTHORITARIAN MONARCHY, the monarchy as practised under Maupeou 1771-4 with the implied violation of Fundamental Laws.
- MONARCHIE LIMITEE/FEODALE:** LIMITED/FEUDAL MONARCHY, the monarchy as limited by its medieval institutions: the General Assembly of Clergy, the Great Officers of State, the States General, and the parlements. This style of Monarchy declined after the last convocation of the States General in 1614 and the setting up of the Administrative Monarchy after 1660.
- MONARCHIE MECANIQUE:** MECANISTIC MONARCHY, the monarchy reformed to create a self-regulating administrative machine based on provincial devolution of power and limited representative democracy with constitutional checks and balances and a career of talents, but retaining scope for constructive royal initiatives.
- MONNAIES:** MONEYS, a fiscal jurisdiction, a court of fiscal appeal independent of the Parlement.
- NOBLE:** One enjoying the honours of the Second Order, specifically the son of an anobli.
- NOBLE LAND:** Land held by a Noble, or registered as a Fief, at the drawing up of a cadaster and whose income was subsequently exempt from commoner taxation.
- NOBLESSE:** NOBILITY, this was gained either "in the night of time", or by direct ennoblement from the King, or by holding or purchasing an ennobling Office or rank, or by Letters Patent legitimising a false title. All nobility was hereditary.
- NOBLESSE DE NAISSANCE:** NOBILITY OF BIRTH, a noble who could trace his nobility to a specific date after 1400.
- NOBLESSE DE RACE:** NOBILITY OF RACE, a noble whose nobility predated 1400, conferring the right of presentation at Court.
- NOBLESSE DORMANTE:** The Breton practice of setting aside nobility while trading.
- NOTABLE:** A local leader, usually a Seigneur or municipal official.
- OFFICE:** A post, usually legal or administrative, purchased and held as Property (see also SURVIVANCE and VENALITE).
- OFFICIER-GENERAL:** GENERAL OFFICER, the commander of a division - a strategic unit of the army, this was an important political appointment.

- ORDINAIRE:** ORDINARY, governmental activity ratified by the States General.
- ORDONNANCE:** ORDINANCE, a royal decree not requiring registration, usually confined to military affairs.
- ORDRE:** ORDER, generally one of the three juridical divisions of society: Clergy (First), Nobility (Second), and Commoners (Third). For the sake of clarity its synonym "States" is applied only to the Orders in political assembly. Specifically an Order was any body not entitled to assemble without the permission of the King.
- PAIR:** PEER, in general a juridical equal, specifically the highest common denominator of privilege - the right to be judged before those dukes entitled to sit and vote in the parlement.
- PARCOURS:** Right of way across agricultural land irrespective of its crop.
- PARLEMENT:** A Sovereign Court of appeal. "The Parlement" refers to that of Paris. The Parlements' political importance derived from their prerogative to Register Edicts before they became law and their Pretension to be able to concern themselves with "grands objects". They served as the depository of laws. Holding/buying a Counsellorship conferred nobility.
- PARTICULIER:** INDIVIDUAL, someone not a member of a Corporation.
- PATRIOTE:** PATRIOT, an opponent of Maupeou - no other meaning than this and that of the OED is used in this study.
- PAYS ABONNE:** A province enjoying a minimal level of fiscal autonomy.
- PAYS CONQUIS:** Synonym for Pays d'Imposition.
- PAYS D'ADMINISTRATION:** ADMINISTRATIVE COUNTRY, a province reformed after Letrosne's scheme 1778-9.
- PAYS D'ELECTION:** A province under the direct rule of the central government where taxes were levied through the Elections.
- PAYS D'ETATS:** STATES COUNTRY, a province with an assembly of its Orders and consequent fiscal autonomy.
- PAYS D'IMPOSITION:** The eastern provinces retaining some fiscal and administrative autonomy - mid-way between Pays d'Election and Pays d'Etats.

- FENSION:** Payment from government funds for holding a sinecure or post at Court, or for service to the state, or as a reward for political patronage.
- PHILOSOPHE:** Any contributor to the Enlightenment.
- PHYSIOCRATE:** PHYSIOCRAT, a follower of Physiocracy.
- PHYSIOCRATIE:** PHYSIOCRACY, rule by nature, the theory postulated by Quesnay that land was the sole source of wealth and that government should concern itself only with policies to encourage agriculture. The idea extended to embrace a free market economy and freedom of the press.
- PLUME:** QUILL, the shore-based robin nobility in the navy.
- POLICE:** All matters relating to the internal regulation of a society.
- PORNOCRATIE:** PORNOCRACY, rule by harlots, specifically used of when the Titular Mistress dominated politics.
- PRAETOR:**
- PREFECT:** Titles given to hypothetical administrators in reformed provincial administration.
- PREMIER MINISTRE:** PRIME MINISTER, the head of the Council of Finances when empowered to meet the Counsellors of State without reference to the King.
- PREMIER PRESIDENT:** FIRST PRESIDENT, chairmen of a Sovereign Court appointed by the crown.
- PRESIDENT:** Leader of a Chamber in a law court, or chairman-cum "Speaker" of an assembly of States.
- PRESIDENT A MORTIER:** Counsellor entitled to wear a mortar board, junior to a First President, a Venal Office.
- PRESIDIAL:** A provincial court of no appeal responsible to the Grand Council.
- PRETENTION:** PRETENSION, a disputed prerogative or privilege.
- PREVOT:** PROVOST, chief functionary of a Prévôté.
- PREVOTE:** A municipal jurisdiction.
- PRIVILEGE:** An exemption from a tax, service, or regulation held by members of an Order, Corporation, or Community.
- PRIVILEGE:** Anyone exercising a privilege.
- PROCES-VERBAL:** THE official minutes of an assembly, more of

- an extended communiqué having the force of law for precedent than a verbatim account.
- PROCUREUR:** PROCURATOR, equivalent to an attorney.
- PROCUREUR-GENERAL:** PROCURATOR GENERAL, Equivalent to an attorney-general or Director of Public Prosecutions.
- PROPERTY:** Under the old regime this was as much juridical as real and included Offices, or Feudal rights. Under the Absolute Monarchy Property was inviolate.
- QUARTIER:** QUARTERING, the reckoning of nobility on both the male and female sides.
- QUESTION:** Legal torture of an accused person, confined in the 18th century to seeking out accomplices.
- RECEVEUR:** RECEIVER, a collector of the Taille.
- REGISTRATION:** The consideration of an Edict in the Parlements primarily to check it against precedents and subsequently to publicise it. Without Registration no Edict could become law, and this prerogative allowed the Parlements to involve themselves in the governmental process.
- REMONSTRANCE:** Request by a Parlement for the government to reconsider an Edict, a measure not frequently invoked, which the government could only counter with a Lit de Justice.
- RENTRE:** A Counsellor exiled 1771-4 who resumed his functions in 1774.
- REPRESENTATION:** A request for the alteration or reconsideration of an Edict but without prejudicing Registration.
- REQUE TES:** A Chamber in the Parlement of Paris.
- REQUISITOIRE:** An indictment against printed material, a secular anathema.
- RESSORT:** The geographical jurisdiction of a law court.
- RESTANT:** A Counsellor who served under Maupeou 1771-4.
- ROBE:** The nobility based on the law courts, specifically the holders, and their descendants, of ennobling offices of the parlements.
- ROI:** KING, the role of the crown in the old regime was described thus by the Encyclopedia, "Le pouvoir de faire de nouvelles ordonnances, édits, ou déclarations, de les changer, modi-



fier, n'appartient en France qu'au Roi, dans lequel seul réside tout le pouvoir législative". (Encyclopedia: "Ordonnance"). This, combined with the absolute authority to appoint Ministers, made the King the sine qua non of all legislative, executive, and judicial activity.

- ROMAN LAW: The written law based on Codex Justinianum practised in the southern provinces.
- ROTURIER: COMMONER, any member of the Third Order.
- SAINT-ESPRIT: (Order of the) HOLY GHOST, a body whose membership corresponded to the Great or Haute Noblesse.
- SECRETAIRE D'ETAT: SECRETARY OF STATE, one of the four (five 1763-80) men in charge of a Department of State, usually also a Minister of State, the highest political appointments in the Administrative Monarchy.
- SECRETAIRE DU ROI: KING'S SECRETARY, an ennobling venal sinecure.
- SEICNEUR: The "lord of the manor", usually Noble, who owned the juridical prerogatives and privileges of a Seigneurie.
- SEICNEURIE: "Manor", the jurisdiction of a Seigneur comprising: hunting rights, fishing rights, Banalities, various taxes and services, various honours, and precedencies, and the homage of his vassals. The administration of this jurisdiction by the Seigneur (usually as both litigant/defendant, judge, jury, and executioner) formed the most local law court.
- SENAT: The contemporary term, borrowed from Venice, for rule by aristocracy.
- SENECHAL: SENESCHAL, the chief functionary of a Seneschalcy.
- SENECHAUSSÉE: SENESCHALCY, medieval jurisdiction, with some powers extant in 18th century, subordinate to a parlement and gouvernement.
- SENSIBLE: NOTICEABLE, or PERCEPTIBLE, or PERSPICACIOUS.
- SUBDELEGATION: Sub-division of a Generality equivalent to a Canton or District.
- SUBDELEGUE: SUBDELEGATE, chief functionary of a Subdelegation subordinate to the Intendant.

- SUPPLICATION:** Milder version of a Representation.
- SURVIVANCE:** The usually patrimonial disposal of an Office as private property, the next stage on from Venality in the evolution of Offices.
- SYNDIC:** A parochial official.
- TABAC:** The state of monopoly of tobacco leased to the General Farmers.
- TAILLE:** The basic direct tax levied on land, which could be:
- TAILLE PERSONELLE:** paid by head by all commoners living on the land, generally in the Continental provinces. Each community was assessed at a lump sum through the Generality and/or Election and the proportions paid by individuals were settled at an annual village assembly.
- TAILLE REELLE:** paid on all commoner land, even if owned by a noble, sometimes graduated and sometimes levied on a cadaster, generally in the Oceanic provinces.
- TAILLE TARIFEE:** A graduated tax paid on income from property.
- TERRIER:** A feudal land register for Seigneurial taxes.
- TIERS:** THIRD, generally the Third Order (ie. all commoners), specifically the middle-classes as a political force.
- TITRE:** TITLE, a rank of nobility, these were, in descending order of political seniority: Prince of the Blood, Duc et Pair, Duc-non-Pair and Grand d'Espagne, Marquis, Comte, Vicomte, Baron. Below Baron came the untitled nobility, probably the majority of the Second Order, styling themselves Chevalier or Ecuyer. Only the titled nobles were entitled to sit in assemblies of States (Brittany excepted).
- TOURNELLE:** a Chamber in the Parlement of Paris.
- TRESORIER:** TREASURER, local fiscal functionary generally in Oceanic provinces.
- UNIGENITUS:** Papal Bull of 1713 forbidding any but priests to read the Bible, this became the focal point of the Jansenist opposition to the Absolute Monarchy prior to its political expression after the 1750's.
- UNITE DES CLASSES:** The Pretension that the Parlements formed a

single Corporation by implication equal to the King and trustee of the States' General constitutional prerogatives, approximately operative 1750-1771.

VAINÉ PATURE:

VACANT PASTURE, the right to graze livestock in fields and orchards after the harvest, irrespective of other agricultural use.

VENALITE:

VENALITY, the practice whereby the crown surrendered the right to appoint holders of Office in return for cash payment, with particular reference to the Counsellors in the Parlements. These Offices became Property. The independence and autonomy this institution conferred on the parlements was examined by Montesquieu whence it was developed into a theory of a Corporation limiting the monarchy and on to the Pretension of a constitutional check to the government.

VINGTIÈME:

TWENTIETH, an Extraordinary tax of 5% on all incomes levied for specified periods as an Edict requiring Registration, more than one Twentieth could run concurrently.

APPENDIX IV: BIOGRAPHY AND PATRONAGE

Wherever possible people mentioned in this study are listed below in alphabetical order of the name they were known by (eg. 'Montesquieu' rather than 'Secondat') under two main headings of patronage (Court Party and Choiseulists) and three lesser headings (King's Party, Philosophes, and Neckerists). The criteria for inclusion have been made as wide as possible, to include not only those active on the political scene, but also those quoted in the bibliography who were alive during the period.

The bishops are listed separately because of the complexity of their patronage and allegiance. Obvious political figures (eg. Loménie de Brienne) have been listed under their patronage, but most bishops' political behaviour was dictated by the see they held. Ecclesiastical peers were *dévot* in Court and parliament because only a *dévot* position guaranteed their unique dual role of bishops and peers. On the other hand any bishop with administrative competence was forced to support provincial (Oceanic) autonomy against the government; hence Luzerne was *dévot* in Paris and Choiseulist in Langres. On top of this most bishops had some family connection with the great factions. The intendants have been listed by patronage, and then placed in a table of generalities. Finally those who do not fit into any category - either because of their apolitical position or because they were figures from the recent past still very relevant to late century thinking - are listed separately. British and American diplomats/spies have also been listed if they played a rôle in internal French politics.

There are two main sources for the biographical information: 'Dictionnaire de Biographie Française' Balteau et alia Paris 1933 - (still in publication) and 'Dictionnaire de la Noblesse' A. de la Chenaye des Bois et alia. 3rd edition. 19 vols. Paris 1863-76. These have been supplemented by standard biographical works of reference and from scattered details throughout the secondary sources consulted. This still leaves many gaps and probable inaccuracies which it lies beyond the scope of this study to rectify. This appendix can be taken only as indicative, not as definitive. The single most important source for information on patronage was the British embassy's research designed to enable the Foreign Secretaries in St. James's to assess the political import of each new appointment in Versailles or Paris; without this work an analysis of

patronage would be a near impossible task. Again, the complexity of patronage and the shifting patterns of allegiance make it impossible to produce a definitive account. This information is also only accurate between 1768 and 1776, after that date the growing power of the House of Orléans introduces a new element, to say nothing of the growing political turmoil towards 1787-9.

Even given these reservations, however, definitive patterns emerge. The Choiseulists (or Queen's Party) and the Court Party formed two large stable factions which maintained their membership in the exercise or expectation of high office. The philosophes formed a more coherent group with a degree of intellectual cohesion denied to the parties based solely on gaining power. The philosophe patrons link their protégés to the Choiseulists, and this group is politically a sub-section of the Choiseulists. The Choiseulists remained supreme 1768-70 until the Court Party's triumph. Condé then made a brief attempt to establish a new faction. The Court Party, however, disintegrated as an effective political faction with the personal animosity between the "triumvirate" and Aiguillon's attempt 1773-4 to rally the Choiseulists and parlement to his patronage.

The mantle of leadership of the Court Party had fallen to Beaumont even before Louis XVI's accession, but the party never recovered its balance after 1774. The Choiseulists on the other hand believed that the queen's patronage would ensure their triumph after 1774. In the event Louis XVI would countenance neither a Choiseulist nor a dévot ministry, and this forced a new pattern on the regime. The most important development was the formation of a King's Party as a reaction (from high office) to the Queen's Party. This party was composed of men who would otherwise be classified as Choiseulists, but who were either prepared to compromise to gain power or were more royalist than the pre-1771 parlementaires had appeared to be (eg. Sartines, Miromesnil). An ad hoc faction developed around Necker; this was a subsection of the King's Party and was composed of philosophes despairing of anyone better, of Choiseulists dispirited by failure, and of robin administrators prepared to follow a reforming minister. There was the potential of Necker rallying the reforming elements of the Court Party.

To give some simplicity and clarity to the welter of names and titles with which some nobles were endowed some general principles have been borrowed from Chenaye's dictionary:

French Christian names are hyphenated. The particules, both "de" and "le", are ignored for alphabetical purposes. Titles given are those relevant to 1768-78, and previous or future titles have generally not been given. Where different members of the same family are important in their own right they are listed separately (eg. Harcourt and Lillebonne) but with the relationship indicated, where the family is important because of the exercise of, for example, a peerage its members are listed together (eg. Brissac and Cossé).

KEY:

p. ...	peer
b. ...	bishop (see separate list)
x. ...	executed or died violently *
b. 1720	only birth date known
d. 1780	only date of death known
B. ...	member of duke of Burgundy's circle.

With bishops the relevant diocese and date of appointment is given.

\* many of those recorded as dying 1789-94 may have been executed but were not recorded as such in genealogical sources.

COURT PARTY

Armand-Desiré du Plessis-Richelieu duc d'Acénois 1761-1800  
(Aiguillon's son).

Jean-Baptiste Paulin d'Acuesseau de Frèsnès 1701-84.

p. Emmanuel-Armand de Wignerot duc d'Aiguillon 1720-88.

Jean-Baptiste marquis d'Albertas 1716-90.

Armand-Joseph comte d'Allonville 1764-1832.

Pedro-Pablo Abaraca y Bolea comte d'Aranda 1718-99 (Spanish ambassador).

Joseph-Henri Bouchard d'Esparbès de Lussan marquis d'Aubeterre 1714-88.

p. Louis-Marie-Augustin duc d'Aumont 1709-82.

Guillaume-Joseph Dupleix de Baccuencourt 1727-94.

Jeanne Béçu comtesse du Barry (several variations) 1744-93x.

Guillaume comte du Barry 1732-1811.

François de Bastard 1722-80.

b.p. Beaumont (duc de St-Cloud).

Henri-Léonard-Jean-Baptiste Bertin comte de Bourdeilles 1719-92

Louis-Jean Bertier de Sauvigny 1709-88.

Louis-Benigne-François Bertier de Sauvigny 1737-89x.

p. Maximilien-Antoine-Armand duc de Béthune 1730-75.

p. Armand-Joseph duc de Béthune-Charost 1738-1800.

p. Louis-Antoine de Gontaut maréchal duc de Biron 1701-88,

Pierre-Étienne Bourgeois de Boines (or Boynes) 1719-83.

François-Claude marquis de Bouillé 1739-1800.

p. Charles-Godefroy de la Tour d'Auvergne duc de Bouillon 1706-71.

p. Charles-Timoléon-Louis de Cossé duc de Brissac 1693-1770.

p. Louis-Hercule-Timoléon duc de Cossé 1734-70, duc de Brissac 1770-92x.

British embassy staff.

François-Anne-Pierre-Louis de Brochet de St-Frest de Véronny 1735-84.

Charles Brochet de St-Frest 1736-94.

Victor-François maréchal duc de Broglie 1718-1804.

Charles-François comte de Broglie 1719-81 (brother of the duke, transferred allegiance to the Queen's Party 1774).

Charles-Eugène-Gabriel de la Croix marquis/duc de Castries (or Castres because the 'i' not pronounced) 1727-1801. (transferred allegiance to Choiseul 1770).

Antoine-Louis-François le Fèvre de Caumartin 1725-1803.

Auguste-Félicité le Frèste comte de Châteaurion 1723-82.

- p. Michel-Ferdinand d'Albret-d'Ailly duc de Chaulnes 1714-69.
- p. Marie-Joseph-Louis d'Albret-d'Ailly duc de Péccuiny 1741-69, duc de Chaulnes 1769-92.
- Charles-Antoine-Claude de Chazerat (vicomte d'Aubusson?) 1729-1824.
- Renaud-César-Louis vicomte de Choiseul 1735-89 (Fraslin's son).
- p. Gaspard marquis/duc de Clermont-Tonnerre 1688-1781.
- Cossé, see Brissac.
- Louis-Athanase-Boniface de Berton abbé de Crillon 1718-96.
- Emmanuel prince/duc de Cröy 1718-84.
- Gaspard de Curban de Réal (or Réal de Curban) 1668-1774.
- Claude-Joseph Dorat 1734-80.
- Charles-Louis-Joachim de Chastellier-Dumesnil 1700-64.
- Ecclesiastical peers.
- William Eden baron Auckland 1744-1814.
- Esparbès, see Aubeterre.
- Louis-Charles comte d'Eu 1701-75.
- p. Charles duc de Fitz-James 1712-87.
- Jacques de Flesselles 1721-89x.
- Elié-Catherine Fréron 1718/9-76.
- Louis-Stanislaus Fréron 1765-1802.
- Jean-François abbé Georcel 1731-1813 (allegiance followed Prince Louis de Rohan).
- Gesvres, see Tresmes.
- Roger-François Gilbert des Voisins 1690-1767.
- Pierre-Louis-Charles Gin 1726-1827.
- Louis-Valentin Gozman 1730-94x.
- Père Henri Griffet 1693-1771.
- p. Anne-Pierre duc d'Harcourt 1701-83.
- Antoine de Ricouart comte d'Hérouville 1713-83.
- Omer-Louis-François Joly de Fleury (jnr.) 1743-84.
- N. de l'Espinasse chevalier de Lancéac 1748-1839 (natural son of St-Florentin).
- Dominique-Cuillaume Lebel 1696-1768.
- Charles-François Lebrun (duc de Plaisance) 1739-1824.
- Jacques Lefranc marquis de Pompignan (Lefranc de Pompignan) 1709-84.
- b. Lefranc de Pompignan.
- Legitimate princes.
- François-Gaston marquis/duc de Lévis 1720-87.
- Pierre-Marc-Gaston duc de Lévis 1764-1830.
- François-Henri comte/duc de Lillebonne 1726-84 (Harcourt's son).
- Guy-Michel de Durfort maréchal duc de Lorges et de Randan 1704-
- 1773.



- p. Marie-Claude-Louis duc de Luynes et Chevreuse 1717-1771.  
 Marie-Louise de Rohan-Soubise Mme. de Marsan b. 1720.  
 René-Charles Maupeou 1688-1775 (Vice-Chancellor).  
 René-Nicholas-Charles-Augustin Maupeou 1714-92 (Chancellor).  
 René-Ange-Augustin Maupeou b. 1746.  
 Louis-Sébastien Mercier 1748-1814.  
 Mesdames.  
 Jacob-Nicholas Moreau 1717-1803.  
 Louis-François marquis de Monteynard b. 1716.  
 François-Dominique de Reynaud comte de Montlosier 1755-1738.
- p. Jean-Victor de Rochechouart duc de Mortemart 1712-80.  
 Louis-Nicholas-Victor de Félix comte du Muy 1711-75 (but not allied to Maupeou).  
 Aimar-Charles-François de Nicolas 1737-94x.  
 Aimar-Charles-Marie de Nicolas 1747-94x (brother of the above).  
 Marie-François de Paule le Fèvre marquis d'Ormesson 1710-75 (intendant of finance.)  
 Louis-François de Paule le Fèvre marquis d'Ormesson 1718-83 (parlementaire).  
 Henri-François de Paule marquis d'Ormesson 1751-1807 (Controller General).  
 Christophe Fajot de Marcheval b. 1724.  
 Charles Falissot de Montenoy 1730-1814.  
 Pecquiny, see Chaulnes.
- Louis-Jean-Marie duc de Fenthièvre (/s) 1725-93x.  
 Gabriel-Marie comte de Périor 1726-95.  
 Liévin-Bonaventure abbé de Proyart 1734-1808.
- p. Armand du Massis maréchal duc de Richelieu 1694-1788.
- p. Charles Lennox duc d'Aubigny et de Richmond (duke of Richmond) 1735/7-1806. British peer with a French peerage after 1777, never exercised his vote.  
 Aimery-Louis-Roger comte de Rochechouart 1744-91.  
 Louis-Armand-Constantin chevalier de Rohan 1732-94x.
- b. Prince Louis de Rohan (Court Party after 1770).  
 b. Prince Ferdinand de Rohan.  
 Gaspard-Louis Rouillé d'Orfeuil.  
 Royal Family except for Artois and Marie-Antoinette.
- p. Paul-Hippolyte de Beauvilliers duc de St-Aignan 1684-1776.  
 St-Florentin, see Vrillière.
- p. Charles de Rohan maréchal prince de Soubise (duc de Rohan-Rohan) 1715-87.  
 Jean-Louis Giraud Soulavie 1752-1813.

- p. Maximilien-Antoine-Armand de B ethune duc de Sully b. 1730.  
 Joseph Marie abb e Terray 1715-78.  
 Antoine-Jean Terray 1758-94x. (nephew of above).
- p. Louis-L eon Potier duc de Tresmes 1695-1774/6.
- p. Louis-Joachim-Paris Potier duc de Cesvres 1733-74/6, duc de Tresmes 1774/6-94.
- p. Honor -Camille-L eonore Grimaldi duc de Valentinois (prince de Monaco) 1720-95.
- p. Antoine-Paul-Jacques de Qu elen duc de la Vaucuyon 1706-72.  
 Dominique de Verc s b. 1736.  
 Louis-Alexandre-C eleste duc de Villequier 1736-82, duc d'Aumont 1782-1814.
- Louis Ph elypeau (or Ph elypeaux) comte de St-Florentin 1705-70, duc de la Vrilli re 1770-77.

#### CHOISEULISTS OR QUEEN'S PARTY

- Administrative bishops.
- Marie-Fran ois-Bruno comte d'Aray 1722-1805.
- Etienne-Fran ois marquis (1777) d'Alicre 1727-98.
- American delegation.
- Artois
- Jacques-Mathieu Auc ard 1731-1805.
- Ayen, see Noailles.
- Charles-Just prince de Beauvau 1720-93x.
- Charles Fouquet mar chal duc de Belle-Isle 1684-1761.
- Fran ois-Joachim cardinal de Bernis 1715-94.
- Pierre-Victor baron de Besenal 1722-94.
- Louis-Guillaume de Blair de Boisemont 1716-78.
- Jean-Joseph marquis de la Borde (Laborde) 1724-94x.
- Claude-Fran ois Bertrand de Boucheporn 1741-94x.
- p. Louis duc de Branca s-Villars b. 1714.
- Louis-August Letonnelier baron de Breteuil 1730-1807.
- Louis-Marie-Anathase de Lom nie comte de Brienne 1730-90.
- Louise-Julie-Constance de Rohan-Rochefort, Mme. de Brienne b. 1734.  
 Comte de Broglie from 1774.
- Louis-Gabriel comte de Buat-Nan ay 1732-87.
- Charles-Alexandre Calb ne 1734-1802 (but associated with Aiguillon in Brittany).
- Jeanne-Louise Henriette enet, Mme. de Campan 1752-1822.
- Castries from 1770.

- Gaspard-Louis Caze de la Bove 1740-1724.
- Louis-René Caradeuc de la Chalotais 1719-85.
- Daniel-Marc-Antoine Chardon 1731-1805.
- (Probably) Louis-François Charette de la Colinière 1731-92x.
- Florent-Louis-Marie marquis/duc de Châtelet 1727-93 (probably  
Voltaire's son).
- Antoine Chaumont de la Galaisières 1727-1812.
- François-Claude marquis de Chauvelin 1716-73.
- p. Etienne-François duc de Choiseul-Stainville 1719-85.
- Anne-Louis de Bourbon-Condé comte de Clermont 1709-71 (Regent  
Bourbon's brother).
- Marie-François-Henri de Franquetot maréchal duc de Coigny 1737-  
1821.
- Louis-Georges-Erasme maréchal duc de Contades 1704-93.
- Charles-André de la Coré 1720-84.
- Anne-Louis de Quengo marquis de Crénoilles 1734-1824.
- Louis Thiroux de Crosne 1736-94x.
- Jean-François-Claude Ferrin de Cypierre baron de Chevilly 1727-89x.
- Marius-Jean-Baptiste-Nicholas Daine 1730-1804.
- Mouffle Dancerville d. 1794.
- Edmé-François (or Jean-François) Daricrand 1735-71.
- Jean-Samuel Depont 1725-1805.
- Diplomatic Corps.
- Pierre-François (or François-Pierre) Ducluzel de la Chabrière  
1734-83.
- Charles-François Dumourier 1739-1823.
- Emmanuel-Félicité de Durfort marechal duc de Duras 1715-89.
- Jean-Jacques Duval d'Eprémesnil 1746-94x.
- Jean-Baptiste-Charles comte d'Estain (or Estaign) 1729-94x.
- Valentin-Ladislaus comte d'Esterhazy 1740-1805.
- Antoine Mégrec d'Etigny 1719-67.
- (Probably) Louis-Joseph de Facès b. 1736.
- Jean-Louis Favier 1720-84.
- Charles-Henri Feydeau de Brou 1744-1802.
- Financial Establishment.
- p. Bernadin de Rosset duc de Fleury 1715-88.
- Freemasons.
- p. Louis-Antoine-Sophie de Flessis-Richelieu duc de Fronsac 1736-89  
(Richelieu's son).
- Charles-Jean-Baptiste des Galois de la Tour.
- Stephanie-Félicité Ducrest de St-Aubin, Mme. de Cenlis 1746-1830.
- Pierre-Jean-Baptiste Cerbier 1725-88.

- Charles-Antoine-Armand duc de Gontaut b. 1708.  
 Alexis-François-Joseph de Gourcues 1725-1819.  
 Amaury marquis de Goyon b. 1717.  
 Antoine-Antonin duc de Gramont b. 1722.  
 Beatrice de Choiseul, duchesse de Cramont 1731-94x.  
 Jean-Baptiste, Gribeauval 1715-89.  
 Henri-Louis-Marie de Rohan prince de Guémené 1745-1807.  
 Adrien-Louis de Bonnières comte/duc de Guines 1735-1806.  
 Simon-Prosper Hardy 1728-91.  
 Etienne Maynon d'Invau (or Invault) b. 1721.
- b.Jarente.
- Jean-Omer Joly de Fleury 1715-1810 (president à mortier).  
 Jean-François Joly de Fleury de la Valette 1718-1802 (Controller General).  
 Antoine-Jean-Baptiste-Alexandre Jullien x1794.  
 Marie-Joseph marquis de Lafayette 1757-1834.
- p.Charles de Lorraine prince de Lambesc (and Elbeuf) 1751-1825.  
 Louis-Léon-Félicité de Brancas comte de Lauracuais 1733-1824.  
 (Brancas's son).  
 Armand-Louis de Gontaut duc de Lauzun 1747-93x.  
 Anne-Alexandre-Marie-Supplique-Joseph duc de Laval 1747-1817.  
 Clément-Charles-François de Laverdy (or L'Averdy) de Nizeret 1723-93x.  
 Charles-Joseph prince de Ligne 1735-1814.
- b.Loménie de Brienne.
- Anne-Faul-Emmanuel-Sigismund chevalier de Montmorency-Luxembourg  
 b.1742.
- p.Louis-Joseph-Charles-Amable duc (1771) de Luynes et Chevreuse  
 1748-1807.
- César-Henri comte de la Luzerne 1737-99.  
 Yves-Marie Desmarets comte de Maillebois 1715-94x.  
 Guillaume-Chrétienne Lamoignon de Malesherbes 1721-94x.  
 Louis-Charles-René comte de Marboeuf 1712-86.
- Mazarin: Louise-Jeanne duchesse de Mazarin inherited the title  
 from her father and her husband Louis-Marie-Guy d'Aumont marquis  
 de Villequier took the title duc de Mazarin b. 1732.  
 Jean-Baptiste-François Durey de Meinières 1705-87.  
 Florimund comte de Mercy-Argentau 1727-94 (Austrian ambassador).  
 Jean-Baptiste-François de la Forte de Meslay b.1743.  
 Alexandre-Marie-Léonore de St-Mauris prince de Montbarey (several  
 variations), 1732-96 (to 1777).
- b.Montazet.

p. Jules-Hercule-Meriadec de Rohan duc de Montbazon 1726-1800  
(retired from public life).

Charlotte-Jeanne Beraud de la Haie de Riou marquise de Montesson  
1737-1806. (Orléans' mistress).

House of Montmorency-Laval-Luxembourg.

Armand-Marc comte de Montmorin-St Hérem 1745-92x.

Jean-Baptiste-Antoine Auger de Montyon 1733-1820.

Philippe comte de Noailles maréchal de Mouchy 1715-94x.

Simon Nicon de Bertv 1702-74.

p. Louis-Jules-Barbon Mancini-Mazarini duc de Nivernois 1716-98.

p. Louis maréchal duc de Noailles 1713-93.

Jean-Louis-François-Paul de Noailles duc d'Aven 1739-1824 (Noailles' son).

Pierre-François Ogier.

Marc-René Voyer marquis de Paulmy 1722-82.

Armand-Jules-François duc (1780) de Folignac 1745-1817, Gabrielle-  
Yolande-Claude Martine de Folastron duchesse de Folignac  
1749-93.

Philippe-Louis-Marc-Antoine de Noailles prince de Poix 1752-1819.

Jeanne-Antoinette Poisson, Mme. d'Etoiles, marquise de Fompadour  
1721-64.

p. Gabriel de Choiseul duc de Praslin 1712-85.

Princes of the Blood (except la Marche).

Jacques-François-Maxime de Chastenet marquis de Puysecur 1716-82.

Pierre-Etienne Regnaud 1736-1820.

Jacques-Etienne Guéau de Reverseaux 1706-94x.

Anne-Louis-Alexandre de Montmorency prince de Robecq b.1724.

House of Rocheambeau.

House of Rochechouart.

b. Prince Louis de Rohan (to 1770).

p. Louis-Marie-Bretagne-Dominic duc de Rohan-Chabot 1710-1801

(known as duc de Rohan),

Michel-Etienne le Peletier comte de St-Farreau 1736-78.

Paul-François de Quélen de Stuer de Caussade marquis de St-Mégrin  
1746-72, duc de la Vauguyon 1772-1828.

Jean-Emmanuel Guignard comte de St-Priest.

François-Emmanuel Guignard comte de St-Priest 1735-1821 (son  
of above).

Raymond de St-Saveur.

Philippe-Henri marquis de Sécur 1724-1801.

Louis-Philippe comte de Sécur 1735-1830 (son of above).

Gabriel Sénac de Meilhan 1736-1803 (under patronage of Noailles).

b. Talleyrand.

Guy-Jean-Baptiste Tarcet 1733-1807.

Antoine-Léonard Thomas 1732-85.

Charles-François-Christian de Montmorency-Luxembourg prince de Tincry (duc de Beaumont 1769) b. 1713.

René-François-André comte de la Tour du Fin 1715-78.

p. Jean-Erétagne-Charles-Godefroy duc de la Tremouille b. 1737.

p. François-Emmanuel de Crussol duc d'Uzès b. 1728.

p. Louis-César le Blanc-de-la-Baume duc de la Vallière 1706-80.

Louis-Philippe de Rigaud de Vaudreuil 1724-1802.

Noël de Jourda comte de Vaux 1705-88,

Mathieu-Jacques abbé de Vermont b. 1735.

p. Gabriel-Louis-François de Neufville duc de Villeroi 1731-94.

#### PHILOSOPHES

Joseph-François-Idelphonse Raymond d'Albert 1722-90.

Claude-Camille-François d'Albon prince d'Yvetot 1753-88.

Jean le Rond d'Alembert 1717-83.

Marie-Louise-Elizabeth-Nicole de la Rochefoucauld duchesse d'Anville (or Enville) 1716-94.

Charles-Augustin de Ferriol comte d'Argental 1700-88.

Louis Petit de Bachaumont 1690-1771.

Nicholas abbé Baudeau 1730-92.

Louis-Claude Birot de Ste-Croix 1744-1803.

Pierre-François Boncerf 1745-94.

Jean-Nicholas comte de Boullonge 1726-87.

Jacques-Pierre Brissot de Warville 1754-93x.

Edmund Burke 1729-97.

Jean-François marquis de Chastellux 1734-88.

Etienne Bonnot de Condillac 1715-80.

Antoine-Nicholas Caritat marquis de Condorcet 1743-94x (suicide).

Gabriel-François abbé Cover 1707-82.

Marie de Vichy Chamrond marquise du Deffand 1697-1780.

Pierre-Samuel Dupont de Nemours 1739-1817.

Nicholas-François Dupré de St-Maur 1685-1774.

Nicholas Dupré de St-Maur 1731-91.

François-Jean Orceau marquis de Fontette 1710-94.

Ferdinando de Galiani 1728-87.

Marie-Therèse de Géoffrin 1699-1777.

- Richard des Clannières.
- Jean-Claude-Marie-Vincent de Gournay 1712-59.
- Frédéric-Melchior Crin 1723-1807.
- N. Crouber de Soubentail (nothing known)..
- Jacques-Antoine-Hippolyte de Guibert 1743-90.
- Jean-François de la Harpe 1739-1803.
- Claude-Arien Helvétius 1717-1771.
- Faul-Henri Thiry baron d'Holbach 1723-89.
- François-Alexandre duc de la Rochefoucauld-Liancourt 1747-1827.
- Jacques abbé de Lisle (or Delille) 1738-1813.
- Gabriel Bonnot abbé de Mably 1709-85.
- Malesherbes.
- Jacques Mallet du Fan 1749-1800.
- Jean-Paul Marat 1743-93x.
- Jean-François Marmontel 1723-99.
- Paul-Pierre le Mercier de la Rivière 1719-93.
- Julian Offray de la Mettrie 1709-50.
- Victor de Riquetti marquis de Mirabeau 1715-89.
- Montyon.
- André abbé Morellet 1727-1819.
- Jacques-André Naicéon 1738-1810.
- Nivernois.
- Dr. François Quesnay 1694-1774.
- Guillaume-Thomas-François abbé de Raynal 1713-96.
- p.Louis-Alexandre duc de la Rochefoucauld-Anville et de la Roche-  
Guyon 1743-92x.
- Pierre-Joseph-André Roubaud 1730-91.
- Jean-Jacques Rousseau 1712-78.
- Pierre-Philippe Roussel de la Tour.
- Claude-Louis comte de St-Germain 1707-78.
- Antoine-Joseph-Michel Servan.
- Emmanuel-Joseph abbé comte de Siéyès 1748-1836.
- Charles Thévenau de Morande 1748-1803.
- Daniel-Charles Trudaine 1703-69.
- Jean-Charles-Philibert Trudaine de Montigny 1733-77 (son of above).
- Anne-Robert-Jacques Turcot baron de l'Aulne 1727-81..
- Joseph-Alphonse abbé de Véri 1724-99.
- François-Marie Arouet de Voltaire 1694-1778.
- Walpole.
- Arthur Young 1741-1820.

KING'S PARTY

Adrien Lefèvre d'Amecourt b. 1720.

Antoine-Jean Amelot de Chaillou d. 1795.

Pierre-Augustin Caron de Beaumarchais 1732-99.

Bertin.

Jean-Etienne-Bernard de Clugny de Nuits 1729-76.

Marie-Anne-Jacqueline de Masson (Mme. de Cassini ?).

Eprémèsnil.

Gerbier.

Guillaume-François-Louis Joly de Fleury 1701-87 (procurator general).

Pierre Lenoir 1732-1807.

Jean-Frédéric Phélypeau comte de Maurepas 1701-81.

Armand-Thomas Hué de Miromesnil 1723-96.

Montbarey (after 1777).

Claude-Jean Rigoley baron d'Ogny.

House of Ormesson.

Alexandre-Frédéric-Jacques Masson marquis de Pesay (several variations) 1741-77.

Eugène-Hercule-Camille de Rohan-Rochefort b. 1737 (Prince Camille de Rohan).

b. Prince Louis de Rohan.

Antoine de Sartines comte d'Alby 1729-1801 (clandestine Choiseulist).

Antoine-Louis Séquier 1726-92.

Soubise.

Louis-Gabriel Taboureaux des Reaux 1718-82.

Target.

Charles Cravier comte de Vergennes 1717-87.

NECKERISTES

François-Louis Lattaignant de Bainville b. 1717.

Beauvau.

Blair.

Castries.

Coyer.

Michel-François Dailly 1724-1800.

Bertrand Dufresne 1736-1801.

Michel Bouvard de Fourqueux 1719-89.

Crimm.



Harpe.

Joly de Fleury de la Valette.

Lenoir.

Letrosne.

Maillebois.

Marmontel.

Maurepas.

Elié (or Jean-Louis) Moreau de Beaumont 1715-85.

Jacques Necker 1732-1804.

Nivernois.

Pesay.

Raynal.

Rouchefoucauld.

Anne-Louise-Cermaine Necker, baronne de Staël-Holstein 1766-1817

(Mme. de Staël) (Necker's daughter).

Antoine Valdec de Lessart 1742-92x.

Jean-François du Four de Villeneuve 1735-81.

#### THE BISHOPS

##### Ecclesiastical Peers

Charles de Brolic (Noyon 1766) 1734-77.

Antoine-Eléonore-Léon le Clerc de Juigny (or Juigné) de Neuchelles

(Châlons 1764, Paris 1781) 1728-1811.

César-Guillaume de la Luzerne (Langres 1770) 1738-1821.

Charles-Antoine de la Rocheaymon (Rheims 1762) 1697-1777,

Jean-François-Joseph de la Rochechouart (Laon 1741) 1708-78.

François-Joseph de la Rochefoucauld-Bayers (Beauvais 1772) 1735-92x.

##### Philosophe and Administrative Bishops.

Jean-de-Dieu Raymond de Boiscelin de Cucé (Aix 1770) 1732-1804.

Jérôme-Marie Champion de Ciccé (Rhodéz 1770) 1735-1810.

Léopold-Charles de Choiseul (Cambray 1764) 1724-74 (created duke 1766).

François Citadella (Nebbio 1772) 1740-75.

Louis-François-Hilaire de Conzié (Arras 1769) 1732-1804.

Michel-François Couet de Vivier de Lorry (Tarbes 1769) 1727-1803.

Arthur-Richard de Dillon (Narbonne 1762) 1721-1806.

Henri-Marie Beradin de Rosset de Cèilhes de Fleury (Cambray 1774)

b. 1718.

François Barreau de Girac (Rennes 1768) 1732-90 (particularist rather than administrative).

François-Mathieu Guasco (Nebbio 1770) 1720-72 .

Louis-Sextius de Jarente de la Bruyère (Orléans 1758) b.1706 (Folio of Benefices to 1771).

Henri-Gaston de Lévis-Leran (Famiers 1741) b.1713.

Etienne-Charles Loménie de Brienne (Toulouse 1763) 1727-94x. Luzerne.

Marc-Antoine de Noé (Lescar 1763) 1724-1802.

Georges-Louis Phélypeau (Bourges 1757) 1729-87. .

Charles-Maurice de Talleyrand-Férigord (prince de Bénévent) (Autun 1788) 1754-1838. (nb. Agent-General 1780).

#### Others

Paul d'Albret comte de Montfort (Sens 1753) b.1703.

p.Christophe de Beaumont (Paris 1745) 1703-81 (archbishop of Paris automatically lay duc et pair de St-Cloud).

Jean-Louis Buisson de Beauteville (Alais 1755) b.1708.

Jean-de la Croix de Castries (Varbres 1764) 1716-96.

François de Conzié (Tours 1774) 1736-95.

Louis-Joseph de Montmorency de Laval (Metz 1760) b.1724.

Jean-Georges Lefranc de Pompiñan (Vienne 1774) 1715-90.

Yves-Alexandre de Marbeouf comte de Lyon (Autun 1767) b.1732.

Antoine de Malvin de Montazet (Lyon 1758) 1713-88 (leading Jansenist).

Louis-Marie de Nicoläi (Cahors 1776) b.1729.

Pierre-Cules-César de Rochechouart (Bayeux 1753) b.1698.

Louis-René-Edouard de Rohan (coadjutor Strasbourg 1760) (Prince Louis de Rohan 1734-1803.

Ferdinand-Maximilien-Meriadec de Rohan (Bordeaux 1769) (Prince Ferdinand de Rohan) 1738-1813.

#### OTHERS MENTIONED

Henri-François d'Aruesseau (Chancellor) 1668-1751.

René-Louis de Voyer de Paulmy marquis d'Arcenson 1694-1757.

Marc-Fierre de Voyer de Paulmy comte d'Arcenson 1696-1764 (brother of above).

Philippe-Auguste de Ste-Foix chevalier d'Arcq (or Arc) 1721-95.

Pierre-Arnaud d'Aubusson 1717-97 (nb.: not the viscount).

- Jean-François chevalier de la Barre 1747-66x.  
 Louis Cassier de Jellecarde 1723-92 (?).  
 Guillaume Lamoignon de Blancmesnil (Chancellor) 1683-1772.  
 b. Pierre le Pesant de Boisquilebert 1646-1719.  
 N. vicomte de Bombelles.  
 Louis-Cuillaume Bon marquis de St-Hilaire b.1715.  
 James Boswell 1740-95.  
 b. Henri de Boullainvilliers comte de St-Saire 1658-1722.  
 Paul-Ésprit-Marie de la Bourdonnaye de Blassac 1716-1800.  
 Joseph Balsamo "comte" de Cagliostro 1743-95.  
 Jean Calas 1698-1762x.  
 Dominique marquis de Caraccioli 1715-39 (Neapolitan ambassador).  
 Charles Collé 1709-3.  
 Jacques-Vincent Delacroix 1743-1832.  
 Gabriel-Issac Douet de la Boullaye b.1734.  
 Jean-Baptiste abbé Dubos 1670-1740.  
 Charles Finot Duclos 1704-72.  
 Charles-Geneviève-Louis-Augustin-André-Timothee de Beaumont  
 chevalier d'Eon . 1728-1810.  
 Alexandre de Gaudechart comte d'Esseville (?)  
 Louis-Charles de Tellier duc d'Estrées 1697-1771.  
 Louise de Peysac Mme. de Fars de Fausselandry (Fars-Fausselandry)  
 1750-1830.  
 b. François de Salignac de la Mothe Fénélon 1651-1715.  
 André-Hercule cardinal de Fleury 1653-1743.  
 Gaspard-François-Anne chevalier de Forbin 1718-80.  
 Louis-Henri chevalier de Gaillard (governor of Gozo 1742-62).  
 Jean-Benoît Cachet de Garnerans.  
 Joseph-Nicholas Guyot 1728-1816.  
 Le Président Hénault 1685-1770.  
 John Lay 1671-1729.  
 Marie-Thérèse-Louise de Carignan princesse de Lamballe 1749-92x.  
 Louis le Peletier de Mortefontaine.  
 Simon-Henri-Nicholas Lincuet 1736-94x.  
 Jean-Baptiste Machault comte d'Arnouville 1701-94.  
 Frédéric-Antoine Mesmer 1733-1815.  
 Charles-Louis Secondat de Montesquieu baron de la Brède 1689-1755.  
 Pascal Faoli 1725-1825.  
 Roche-Antoine Pelisséry.  
 Nicholas-Edmé Rétif (or Restif) de la Bretonne 1734-1806.  
 Marie-des-Neiges-Jean-Emmanuel de Rohan-Polduc (Bailli de Rohan)  
 1725-97 (Grand Master of the Order of St. John 1776-97).  
 Le Président Rolland d. 1794x.

- Donatien-Alphonse-François marquis de Sade 1740-1814.  
 b. Charles-Irenée Castel abbé de St-Fierre 1658-1743.  
 Louis de Rouvroy duc de St-Simon 1675-1755.  
 Julie de Fauris marquise de St-Vincent.  
 Jean Moreau de Seychelles (Controller General 1754-56).  
 Etienne de Silhouette 1709-67. \*  
 b. Sebastien le Prestre de Vauban 1633-1707.

BRITISH EMBASSY AND FOREIGN OFFICE STAFF.

- John baron de Blanquière 1732-1812.  
 William Eden baron Auckland 1744-1814.  
 Simon earl of Harcourt 1714-77 (referred to throughout as Lord Harcourt' to avoid confusion with the French branch of the family)  
 Horace St-Paul (impenetrably obscure).  
 David Murray viscount Stormont 1727-96.  
 Robert Walpole (impenetrably obscure).  
 Paul Wentworth (impenetrably obscure).

AMERICAN DELEGATION

- Silas Deane 1737-89.  
 Benjamin Franklin 1706-90.  
 Arthur Lee 1740-92.

THE INTENDANTS: 1768-78.

PARIS	Bertier de Sauvigny (father and son) (father retired 1776).
AMIENS	Dupleix de Bacquencourt* 1766-71. Agay 1771-90.
SOISSONS	Le Peletier de Mortefontaine 1765-84.
ORLEANS	Cypierre 1760-90.
BOURCES	Dupré de St-Maur 1764-76. Feydeau de Brou 1776-80.
LYON	Flesselles 1767-84.
DOMBES	Garnerans 1762-1775 (Generality abolished).
LA ROCHELLE	Sénac de Meilhan* 1766-73. Montyon 1773-81.
MOULINS	Depon: 1765-77. Reverseaux 1777-81.
RIOM	Chazerat 1767-90.
POITIERS	La Bourdonnaye de Blossac 1750-83.
LIMOGES	Turgot 1761-74. Daine 1774-83.
BORDEAUX	Fagès* 1766-70. Esmangart 1770-5. Dupré de St-Maur 1775-85.
TOURS	Ducluzel* 1766-83.
AUCH ET BAYONNE	Journet 1767-76. Douet de la Boullaye 1776-84.
MOUTAUBAN	Courgues 1761-73. Terray 1773-83.
CHAMPAGNE	Rouillé d'Orfeuil 1764-90.
ROUEN	Crosne 1767-77 (intendant of Lorraine as well 1777-85).
CAEN	Fontette 1752-75. Esmangart 1775-83.
ALENCON	Jullien* 1766-90.
BRITTANY	Agay 1768-71. Dupleix de Bacquencourt 1771-4. Caze de la Bove 1774-84.
AIX	La Tour de Glenée 1744-71. Montyon 1771-3. Sénac de Meilhan 1773-5. Calois de la Tour 1775-90.
LANGUEDOC	MM. de St-Priest (two generalities, Toulouse and Montpellier, two intendants but one administrative unit) 1751, 1764-86.
PERPIGNAN	Bon 1753-73. Clugny 1773-5. La Porte de Meslay 1775-77. St-Sauveur 1777-90.
BURCUNDY	Amelot 1764-74. Dupleix de Bacquencourt 1774-80.
FRANCHE-COMTE	Coré 1761-84.
GRENOBLE	Pajot de Marcheval 1761-84.
METZ	Calonne* 1766-78.
ALSACE	Blair de Boisemont 1764-1777. Chaumont de la Calaisières 1777-90.

FLANDERS Le Fèvre de Caumartin 1756-78.  
 HAINAULT Taboureau des Reaux 1764-75. Senac de Meilhan  
 1775-90.  
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