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James B. Collins

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The State in Early Modern France

A new edition of James B. Collins's acclaimed synthesis that challenged long-standing views of the origins of modern states and absolute monarchy through an analysis of early modern Europe's most important continental state. Incorporating recent scholarship on the French state and his own research, James B. Collins has revised the text throughout. He examines recent debates on "absolutism"; presents a fresh interpretation of the Fronde and of French society in the eighteenth century; includes additional material on French colonies and overseas trade; and ties recent theoretical work into a new chapter on Louis XIV. He argues that the monarchical state came into being around 1630, matured between 1690 and 1730, and, in a new final chapter, argues that the period May 1787 to June 1789 was an interregnum, with the end of the *Ancien Régime* coming not in 1789 but with the dissolution of the Assembly of Notables on 25 May 1787.

James B. Collins is Professor of History at Georgetown University. His previous publications include *From Tribes to Nation: The Making of France, 500–1799* (2002), *The Ancien Régime and the French Revolution* (2002), and *Classes, Estates and Order in Early Modern Brittany* (1994).

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All maps are reproduced courtesy of the Special Collections of Lauinger Library, Georgetown University. The maps are adapted from eighteenth-century originals found in Rizzi-Zannoni, *Atlas historique de la France Ancienne et Moderne* (Paris: Desnos, 1766). The use of maps contemporary with the period under discussion allows us to get some sense of how early modern French people perceived the shape of their country, but it does sacrifice a bit of accuracy in comparison with modern maps. The enclaves, for example, are not as precisely drawn as they might be: they tend to be a bit larger than they should be. Observant readers will notice that their boundaries vary from one original map to the next, even though the actual territory in question had not changed.

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Preface to the second edition

Why a second edition?

Miles Davis, the relentlessly innovative jazz trumpeter, once said that any day he discovered he was playing the same way he had played six months before, he'd give up jazz. Historians' time is a bit slower than that of jazz trumpeters, but if I wrote the same book in 2008 that I did in 1995, I would give up the profession. Writing a synthesis of 1,300 years of French history (*From Tribes to Nation: The Making of France, 500–1799*), and working on two major research projects over the last decade, have changed my outlook as an historian. My doctoral students have given me vast new amounts of empirical knowledge, as well as new perspectives for my own research. Conversations with colleagues, above all Andrzej Kaminski, working on topics far from my own, outside of French history, have forced me to confront the methodological limitations of my approach in the early 1990s. I am far from the same historian who wrote *The State in Early Modern France* between 1993 and 1995.

My evolution as an historian leads me to three conceptual changes here. First, I have tried to be more comparative, adding material on French colonies and overseas trade. Second, I have tried to explain more thoroughly why I reject the term “absolutism,” and to explain why I prefer the term “monarchical state.”¹ Third, drawing on one of the research projects noted above, I seek to define what the “state” was. The first edition avoids that question, an inexcusable lapse given that the word “state” took on its modern meaning in European languages precisely in the first quarter of the seventeenth century.

At the boundaries of the personal and the professional, the developments of our own time have invisibly led me and many others down new

¹ My profound thanks to Peter Campbell for a series of conversations about the monarchy. Although we disagree on whether the pre-1690 state differed so fundamentally from the post-1725 state that one needs to consider them distinct entities, we agree on important continuities, such as the key role of the Court. We agree even more strongly that one must view the French state in these two centuries on its own terms, neither a recharged apparatus of the feudal state nor the failed prototype of the Weberian modern state.

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paths. The flood of recent studies related to “identity,” to things like the origins of “nation,” surely springs from the confusion created by the mass migrations of the late twentieth century.² The events of the last decade make it obvious that the French, like all Europeans, have some fundamental rethinking to do about who they are. The present moves ceaselessly, so we change our narrative of the past, what we call history, to accommodate it.

One key element of change in the historiography on France has been the use of methodological insights from other disciplines, which have transformed our research paradigms, leading to new questions, and new answers. The work of Pierre Bourdieu, above all his use of the *habitus* as an organizational framework for the study of human societies, has, in many ways, replaced the social model of Jürgen Habermas’s *Transformation of the Public Sphere* (English-language edition, 1989), because Bourdieu’s emphasis on fields of practice, and on the social capital that actors hold in different realms, provides a more effective means of examining early modern societies.

Old-fashioned rooting around in the archives by my colleagues has considerably expanded the empirical knowledge about all three legs of the state stool: military, judiciary, fiscal. Young North American researchers have published path-breaking books about the local judicial system, including seigneurial courts, while French scholars have published more traditional monographs about the presidial and bailiwick courts.³ Joseph Bergin has extended his magnificent work on the French episcopacy through the reign of Louis XIV, which enables (and reminds) me to integrate these essential political actors into the narrative. Jotham Parsons has resuscitated the study of Gallicanism, rescuing us from our Jansenism-obsessed delusion that it was primarily an eighteenth-century phenomenon.

These scholars, for all the rich material they have brought forth, have primarily deepened my understanding of the French state. For me, the two new “discoveries” about the state came through the works of: (1) Zoë Schneider, whose *The King’s Bench*, on the local courts of Normandy between 1670 and 1730, transforms our understanding of the king’s legislative sovereignty by shifting our focus from criminal to

² James B. Collins, *From Tribes to Nation: The Making of France, 500–1799* (Toronto: Wadsworth, 2002), introduction. The most creative look at “nationality” in early modern France is Peter Sahlins’s brilliant *Unnaturally French: Foreign Citizens in the Old Regime and After* (Ithaca: Cornell University Press, 2004). James Melton’s *The Rise of the Public in Enlightenment Europe* (Cambridge: Cambridge University Press, 2001) neatly summarizes Habermas’s influence.

³ See the new bibliography for all titles. As in the first edition, I have tried to limit footnotes to direct quotations.

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civil cases (85 percent of the docket); and (2) Antoine Follain, whose *Le village sous l'Ancien Régime* forces us all to rethink how village communities encountered the state. By examining civil cases, Schneider demonstrates how the law worked in practice in its most important function: the regulation of property; by looking at parish-level records, Follain brings back to life the village assemblies, which met on their *own* authority, not at the behest of others, king or seigneur. His insistence on the “municipalization” of villages in the eighteenth century strongly reinforced my belief in the fundamental change in the state after 1695, just as I was completing this edition.

Both books also form part of a broader pattern of scholarship that has focused on the end of the seventeenth and beginning of the eighteenth centuries. In the first edition of this book, I hypothesized that the French state *seemed* to have undergone a fundamental transformation between 1690 and 1730. The recent works of other scholars, and some of my own research, allow me here to create a “seem”-less statement: the French state underwent fundamental transformation in the generation after 1690. The research of other scholars, as well as some of my own research, shows us that eighteenth-century French society had more apparent than real continuities with its seventeenth-century predecessor. This research has also completely discredited the prevailing paradigm on women’s economic roles in early modern France. The expanded economic role of women – in production and employment, as well as in consumption – helped transform the economy and society, and thus push the state in new directions.

Much of the original text remains intact. Rather than adding new sections, except in the new chapter 5, I have integrated new findings into the existing text or replaced outdated presentations with more accurate ones. In rare cases, such as the intellectual changes of the 1630s, which should have been covered the first time, I have added a new sub-section. Such changes will integrate the first of the three conceptual alterations noted above, but the other two – on “absolutism” and the “state” – require a short essay of their own because I want to set out an explicit framework, so that readers can understand my choice of “monarchical state” over “absolutism.”

“Absolutism” and the “state”

Estat, Il vient de Status.

Estat, m. Signifie tout ce qui est dit par ces mots, disposition, ordre, succes, police, et cours, conduit et maniemment des affaires, ainsi dit-on, Tel estoit ou est l’Estat du Royaume.

Jean Nicot, *Trésor de la langue française*, 1606

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L'intérêt particulier cede à la raison d'Etat.

Antoine Furetière, *Dictionnaire universel*, 1695, giving an example of the meaning of "estat"

The French state underwent two dramatic changes between 1559 and 1725. First, the state, in its modern sense, came into being, both as a word and as a reality. Jean Nicot created the first dictionary of the French language in 1606; we can see above that he defined "state" (estat) as the equivalent of the Latin, "status," meaning "the disposition, order, success, administration, functioning, conduct and direction of affairs, thus one says, such was or is the State of the Kingdom." By the end of the century, French dictionaries gave "state" its modern sense, and also reflected confusion over the word's meaning that has lingered to our own day. The official dictionary, of the Académie Française (1694), defined "state" as "the government of a people living under the domination of a Prince, or in a Republic." They offered the following examples of usage: "The states of Christianity, the states of the Turk, France is the noblest state in Europe, the King forbade him to enter into his states, expand the borders of the state."

Antoine Furetière used virtually the same examples in his contemporary dictionary, although he also offered a riff on the Académie's second definition: "Kingdom, provinces or extent of a country (*pays*) which are under a single (*mesme*) domination. The Estates of the Turk, of the King of Spain are very broad; those of the King of France are strongly united and densely populated."⁴ State is used also for "the domination or the manner by which one governs a nation . . . Political figures have made several sorts of states or governments" (monarchies, popular governments, aristocracies – here Furetière uses only the three Aristotelian forms of legitimate government).

Furetière and the Académie thus both present "state" as meaning simply the government, or form of government, of a political community, and as a synonym for the political community itself. The royal government sought consistently to play on that confusion, to get French people to identify the state and the political community, what the vocabulary of the time called the "république" (commonweale, in early modern English).⁵

⁴ "Royaume, provinces ou estendue du pays qui sont sous une mesme domination. Les Estats du Turc, du Roy d'Espagne sont fort estendus; ceux du Roy de France sont fort unis & peuplez." "Mesme" means same, but I find "single" carries the sense better in English.

⁵ Jean Bodin, *Les six livres de la République* (1576; 1583), the preeminent French political thinker of his time, defined "république" in his first sentence, here using the English translation of Richard Knolles, published in 1606: "Commonweale is the legitimate government of several families, and of that which unto them is common, with a puissant

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The commonwealth was the collective group of national citizens, which included the nobility, the upper clergy, and the urban elites. Sixteenth-century European political discourse borrowed Aristotle's definition of a citizen: a man (men only) who participated in governance, either by holding office or by choosing those who did. Towns, which often thought of themselves as little "commonwealths," had their own citizens: merchants, property owners, legal men, and artisan masters.

Peasants, although never really citizens in the eyes of elites (even when, as in 1576, two-thirds of French villages participated in the first level of elections to the Estates General), believed they had a place in civic space, as their grievances in times of revolt make clear. The circular sent out by the Croquants of Quercy, Agenais, Périgord, and Saintonge in June 1594, for example, addressed the peasants as follows: "Messieurs, we hold you to be among the 'gens de bien'." This phrase, which we might render in English as the worthy people, was a ubiquitous synonym for the full-fledged members of society, both political and economic, yet the peasants scrupulously avoided calling themselves "citizens" in their grievances.

Civic society – the political public space – included many people, not simply male peasants, but male artisans and even women, who did not hold political citizenship. These people only held legal citizenship – the protection afforded by the law to all the "French," which soon came to be the dominant meaning of the word "citizen," as Peter Sahlins has shown – but their lack of political citizenship did not mean, to them, that they had no place in civic space.

The monarchical state existed in immature form throughout most of the seventeenth century. The governmental crisis created by the Great War (1683–1714) accelerated processes begun long before. I believe the first capitation, of 1695, levying a tax – without consent – on all those living in the kingdom, except the king himself, marked a definitive break with the old state. The eighteenth-century state displayed considerable continuity with the previous one, but I would suggest that it provides a case study of the mature monarchical state, in contrast to the immature, more personalized seventeenth-century model. The transition from immature to mature monarchical state happened roughly between 1690 and 1725.

Having said that, I want to add two caveats. First, the French state remained highly personal. An individual king or a specific minister could

sovereignty." Knolles switches the parts of speech – Bodin used "puissance souveraine" – in part because the noun sovereignty had, due to Bodin, taken on a clear meaning between 1576 and 1606. Bodin does not define the noun until later in his text.

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have a disproportionate influence on state development, because the royal prerogative retained such broad scope. Second, because the state was so personal, the political management skills of its leaders remained at a premium. Louis XIV was a very savvy political manager; Louis XV, too, had considerable political skills. When the social ground underneath the political system had shifted, by the 1760s at the latest, however, Louis XV did not adapt his management techniques. Louis XVI had virtually no skills as a political manager, but he also inherited a governing system that no longer reflected the socio-economic system it theoretically served. Because that dissonance lasted for so long – I would say close to a half century – I believe the basic events of 1787 – January 1790 were inevitable.

The Old Regime had become so thoroughly antiquated, from local to regional to national government, that a revolution in all levels of government had to take place. If the state was going to remain the national political community, French elites had to seize control of its right to make law, to levy taxes, and to borrow money. Not surprisingly, the *cahiers de doléances* of the spring of 1789 overwhelmingly called for a representative assembly that would have control (full or partial) over precisely these three activities. Once the king had to share such powers with a representative assembly, the state we are examining here had ceased to exist.

Before our state could mature, let alone “die,” it had to be born. We will get to that narrative in a moment, but first we need to consider the definitions of three key words: “absolutism”; “state”; and “sovereignty.” Let us thus follow the wise advice of the inventor (Bodin) of “sovereignty,” to begin always by defining one’s terms.

The death and rebirth of “absolutism”

Sovereignty is the absolute and perpetual power of a Commonwealth . . . The first mark of the sovereign Prince is the power to give law to all in general, and to each in particular.

Jean Bodin, *Les six livres de la République*, 1576

What is wrong with the term “absolutism?” Well, first one must define it, a task surprisingly few authors have attempted. Fanny Cosandey and Robert Descimon call to task Yves-Marie Bercé, in his *La naissance dramatique de l’absolutisme (1598–1661)* (*The Dramatic Birth of Absolutism*), in terms that apply to almost all historians who have worked on the

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subject: “one searches in vain for a definition of that which is the process of being so dramatically born.”⁶

Before we get to that daunting task, we might consider the remarks of two works that have most successfully defended the idea of “absolutism”: those of Cosandey and Descimon and of John Hurt. The former write “absolutism was not as absolute as all that,” while the latter tells us “few historians today believe that there was anything very ‘absolute’ about what was once reflexively called the absolute monarchy.”⁷ If “absolutism” was not “absolute,” why on earth do we persist in using the term? Where did it come from, and how has it evolved? Cosandey and Descimon provide a fascinating discussion of the concept of “absolutism.” They specifically reject the “late eighteenth-century myopia” that tied absolutism to despotism. They tell us such a connection is out of style (*démodé*, 11), but, although I agree that connection should be abandoned, I would argue that it remains strong.

The French word “absolutisme” appeared first in 1797, in Châteaubriand’s *Essay on Revolutions*; the Oxford English Dictionary gives absolutism’s first usage in English as 1842. Cosandey and Descimon suggest that “absolutisme” quickly came to be an antonym for democracy and liberalism, because historians like John Motley (*The Rise of the Dutch Republic*, 1857) used absolutism as a synonym for despotism. The confusion of the two terms continues to our own day: scholars working on Western Europe often refer to the “enlightened despots” of eighteenth-century central Europe (Frederick II of Prussia, Joseph II of Austria, *et alia*), whereas specialists of east central Europe use the term “enlightened absolutism.” I do not think classifying Louis XIV as a despot provides a useful analytical tool, and, disagreeing with Cosandey and Descimon, I think “absolutism” leads us precisely down that path.

The old “absolutist” model attacked in the first edition of this book has been discredited, but a generation of historians has reentered the lists, to do battle for a new, improved “absolutism” that overturns the supposed “revisionist” orthodoxy. As William Beik has pointed out in a recent essay, that orthodoxy is nothing of the sort; “revisionist” as a catch-all term for people as far apart as Beik and Roger Mettam reduces the word to a mere rhetorical device.⁸ Quite apart from the new generation

⁶ F. Cosandey and R. Descimon, *L’absolutisme en France. Histoire et historiographie* (Paris: Seuil, 2002), 13.

⁷ *Ibid.*, 21; J. Hurt, *Louis XIV and the Parlements: The Assertion of Royal Authority* (Manchester: Manchester University Press, 2002), ix.

⁸ W. Beik, “The Absolutism of Louis XIV as Social Collaboration,” *Past and Present*, 188 (August 2005): 195–224.

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of Anglophone absolutists, who, to their credit, are trying to redefine “absolutism,” French scholars continue to insist on its existence.

As you will quickly see, I remain apostate. Fearful of the intellectual baggage attached to absolutism, I now think the emphasis must be on the *noun* state, not monarchy, as in the phrase “administrative monarchy” (popularized by Bernard Barbiche and Michel Antoine), which I used extensively in the first edition. Why? Contemporary dictionaries still define “absolutism” as “the theory or practice of a government exercising an absolute authority” (Académie Française, 9th edition) or as “the principle that those in government should have unlimited power” (*Oxford English Dictionary*, revised edition). The Académie Française, official arbiter of the meaning of French words, defines “absolu” as “that which depends only on oneself; sovereign, without limit and without control”; they offer as one example of its usage, “monarchie absolue.” The 4th edition of the *American Heritage Dictionary* defines “absolute” using the example, “Unconstrained by constitutional or other provisions, *an absolute ruler*.”⁹

The original *Oxford English Dictionary*, tracing the origins of “absolute,” offers contrasting definitions: with respect to “ownership, authority: free from all external restraint or interference; unrestricted, unlimited, independent.” A bit later, we learn that “absolutism” is: “The practice of absolute government; despotism; an absolute state.” Is that not precisely the problematic juxtaposition rightly castigated by Cosandey and Descimon? Textbooks continue to use it that way, and most people reading this book will come to it with a strong connection, conscious or unconscious, to such a definition. The ever judicious Bernard Barbiche summarizes the situation all too well: “In common usage, it evokes a regime where the power of the sovereign is without limits, a sort of dictatorship or despotism.”¹⁰

Do I believe the early modern French state meets these definitions? No. Quite apart from the linguistic chicanery at work here – “absolutism” is an “absolute state” is a tautology, not a definition – the various terms transgress boundaries fundamental to early modern people, for example,

⁹ “théorie ou pratique d’un gouvernement exerçant une autorité absolue”; “qui ne dépend que de soi; souverain, sans limite et sans contrôle.” Volume I of the 9th edition is available online at: www.academie-francaise.fr/dictionnaire/. Earlier editions can be consulted at the ARTFL website of the University of Chicago. *The American Heritage Dictionary of the English Language* (Boston and New York: Houghton Mifflin, 2000); *The Compact Edition of the Oxford English Dictionary*, 3rd edition (Oxford and New York: Oxford University Press, 1971).

¹⁰ B. Barbiche, *Les institutions de la monarchie française à l’époque moderne* (Paris: Presses Universitaires de France, 1999), 3.

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in the distinction between independent and unrestricted.¹¹ The king of France did have independent power to make law, but his power was not unrestricted: in the vocabulary of early modern times, his power was absolute (independent of other lords, like the Emperor, or institutions, like the Church, at least in secular matters), but limited (restricted by divine law, natural law, the laws common to all nations, and contracts, to use the list provided by Bodin in 1576).¹² Our modern, anachronistic view focuses the term “absolute” downward – to mean the king did not have to consult his subjects; the focus should be upward – when the king of France referred to his “absolute power”, he meant that he did not have to answer to an earthly superior, whether lay (the Emperor) or ecclesiastical (the Pope). For the Académie Française a sovereign was an “independent Prince, who does not hold of another power.”

Allow me to offer two examples, from the beginning and end of the reign of Louis XIV, on the importance of this point. On 18 May 1643, four days after Louis XIII’s death, his widow, Anne of Austria, went to the Parlement of Paris to hold a *lit de justice* to install her as Regent for her four-year-old son, Louis XIV. Four weeks earlier, Louis XIII, by his “very expressed and last will” had registered letters patent naming Anne Regent, but outlining a Regency Council (Anne, Louis’s brother Gaston, the prince of Condé, Cardinal Mazarin, chancellor Séguier, Bouthillier, superintendant of finances, and Bouthillier de Chavigny, secretary of state for war) that was to hold decision-making authority, “by the plurality of voices.” Anne wanted no part of that system; she insisted that she would have the “absolute, free, and entire administration of affairs of his kingdom during his minority.” Lest there be any confusion, she added that although she would listen to the Council’s advice, “nonetheless, she would not be obliged to follow the plurality of voices, if it did not suit her.” “Absolute” here is unambiguous: independent.¹³ The Parlement, in supporting Anne, thus reaffirmed the principle that the person holding royal authority, even as Regent, had the right to independent action. In

¹¹ The first edition of this book suffers from loose terminology on this point; I have tried to correct it.

¹² Lucien Bély, the preeminent French historian of early modern diplomacy, in his invaluable *Dictionnaire de l’Ancien Régime* (Paris: Presses Universitaires de France, 1996), provides a superb discussion of the term, noting that it meant, on the pen of Châteaubriand, “an evil, a system of government where the power of the sovereign remained without limits.” He continues, “yet, the power of kings was not without brakes”; like Bodin, he lists the first such restraint as Divine Law, then natural and fundamental laws (like Salic Law). He further notes that kings always had to negotiate with elites, and around privileges, liberties, and rights. Nicot does not give a definition for “absolu,” but the Académie Française, 1694 edition, gives as the synonyms: “indépendant; souverain.”

¹³ M. Antoine, *Le cœur de l’état. Surintendance, contrôle générale et intendances des finances 1552–1791* (Paris: Fayard, 2003), 223.

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essence, the Parlement of 1715, in rejecting key clauses of Louis XIV's final testament, and granting full powers to the Regent Philip of Orléans, merely reaffirmed this principle.

In the great crisis at the end of Louis XIV's reign – whether the papal bull *Unigenitus* (against Jansenism, see chapters 5–6) was an inviolable “law of the kingdom” in France – two successive chancellors (Pontchartrain and d'Aguesseau) and most jurists objected precisely on the grounds that such a step violated the “puissance absolue” of the king of France. Because the king of France had “puissance absolue,” that is, power independent of any earthly figure, the Pope had no right, in their view, to issue a law binding in France. Louis XIV (or Louis XV), by insisting that *Unigenitus* was such a law, acted in violation of the fundamental principle of the king's two bodies, because an individual king could thus not abrogate a right of the Crown.¹⁴

Here the 9th edition of the dictionary of the Académie Française offers a second example of the definition of “absolute” (*absolu*) that illustrates the confusion: “the absolute character of divine power” (*le caractère absolu de la puissance divine*). For early modern French people, God, and God alone, truly did have absolute power and absolute authority, in the sense that the Académie here uses the word. I would agree wholeheartedly with the comments of Barbiche; he concludes that “absolute power (*le pouvoir absolu*) cannot be assimilated with tyranny, nor with despotism, nor with dictatorship.”¹⁵

For Cosandey and Descimon, the “absolute monarchy” (a much more accurate term than “absolutism”) and the “republic” are “two successive and antagonistic, and therefore intellectually connected models,” both of which took their paradigmatic form in France. As they say, “the opposition of the two French paradigms, absolutist and republican, has determined the cognitive interests and the learned (*érudits*) and political engagements of a large part of the intelligentsia.” They locate the emergence of the “republic” in the Enlightenment, making passing reference to the Huguenot rebels of the sixteenth century. Although they forthrightly state that “absolutism was not all that absolute,” they end by posing the question: “But could that sort of society really prevent the French sovereign from being absolute in context?”

¹⁴ E. Kantorowicz, *The King's Two Bodies* (Princeton: Princeton University Press, 1957), lays out the key elements of this theory. The Parlement also objected strongly to its loss of jurisdiction, implicit in the “law of the kingdom” definition. In so doing, they defended both their rights and those of the king, from whom they drew their authority, too.

¹⁵ Barbiche, *Les institutions*, 9.

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Julian Franklin offers the most useful definition of absolutism: “Absolutism in the sense here used is the idea that the ruler, however much he may be responsible to God for observation of the higher law, does not require the consent of any other human agent in making public policy.”¹⁶ Consent, that is the perfect word; the king of France did not require consent to make public policy, but he did require cooperation. To get that cooperation, he had to operate within bounds fixed by society as a whole. Louis XIV’s dinner table at Versailles offers a perfect example: Louis had the right to elevate a given person to the rank of duke and peer of France, but he did not have the right – in the eyes of his contemporaries, or, I would argue, in his own eyes – to change the order of seating, based on established rules of social precedence, at his dinner table. If Louis wanted to sit next to the playwright Racine at dinner, he had to leave the official court at Versailles, and go to his nearby small chateau of Marly, where seating could be informal, because it was not “public.” Sick and tired of the ceremonial at court, Louis often did precisely that in his later years; and Racine did indeed sit next to him at dinner.

Barbiche, in his superb book on the institutions of the early modern French monarchy, cites Michel Antoine’s elegant formula about the king’s power: “The king was thus both the unique source of legitimacy for all public powers . . . [and] the ultimate recourse of his subjects against injustice,” including injustices perpetrated by those wielding public powers.¹⁷ As Barbiche points out, the king was therefore the source of all privileges, which had to be reaffirmed by each new monarch. Thus when a king died, all privilege holders, including royal officers, asked that their position be recognized anew. The process was so institutionalized that by the seventeenth century, the government had an official table of fees for officers, who had to pay the “joyous accession” tax to the new king, in return for his acquiescence in their possession of the office in question.

Early modern kings had broad, often arbitrary powers, which the English called the royal prerogative. Rulers could carry out ridiculous whims, like building a palace (Versailles) or a capital city (Saint Petersburg) in a marshland; in both cases, thousands of workers died fulfilling these whims. More seriously, rulers enjoyed broad powers with respect to the military and international relations. Dynastic wars slowly gave way to more national ones, but the will of the “sovereign” prince made foreign policy long after the period examined here. Internally, princes used

¹⁶ J. Franklin, “Jean Bodin and the End of Medieval Constitutionalism,” in *Verhandlungen der internationalen Bodin Tagung in München*, ed. H. Denzer (Munich: Verlag C. S. Beck, 1973).

¹⁷ Barbiche, *Les institutions*, 10.

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various legal subterfuges to tax their subjects, above all the wealthiest stratum of those without political power. In times of crisis, this fiscal pressure struck even privileged elites, as Hurt's study of the Parlements makes abundantly clear.

Crisis tactics, like those employed by Louis XIV between 1689 and 1713, should not hide the fundamental reality that elites and the king negotiated power in these early modern states. Although I disagree with Franklin about the existence of "absolutism," I agree completely with his view that "There was . . . an important change, above all in ideology, during the last quarter of the sixteenth century in France." For Franklin, it was the birth of absolutism. Yet his definition, focusing on public policy, creates a conundrum. The "absolute" king could not have absolute authority, because that belonged to God. Instead, as scholars like Barbiche, Hurt, Cosandey, and Descimon recognize, he claimed absolute power (*puissance absolue*); yet every modern study of an early modern "absolute" state demonstrates that kings had to negotiate the exercise of their power. Moreover, modern scholars rarely bother to consider that the adjective "absolute" meant "independent" in seventeenth-century French, a definition to which the Académie Française (1694) added: "sovereign." As noted above, Bodin, who invented the word, defined sovereignty precisely to be independence of action, the power to give *public* law without having to consult others. That's what the "absolutism" of the king of France meant, nothing more, just as Franklin said.

Modern studies focus on the king's "absolute" right to make law, that is, in reality, on an absolute authority that no king claimed to hold independent of God. Historians have waxed eloquent about Louis XIV's "absolutism," yet even the Sun King remained within the boundaries set by Bodin. The king did not interfere in property law, over which he had neither authority nor power. With respect to public law, the king had full power; following the term used above by Michel Antoine, we might say that the king was the sole source of legitimacy for public power, by means of his mediation of God's authority. The king's ability to make law did *not* extend to the sphere of the *particulier*, the regulation of the property of families and individuals. For early modern French people, the community itself, through custom and precedent, established such *droit*, acting, it is true, in accordance with divine and natural law and right.¹⁸

¹⁸ Martine Grinberg, in her invaluable *Écrire les coutumes. Les droits seigneuriaux en France* (Paris: Presses Universitaires de France, 2006), notes (66) that the process of writing down the local customs, in the sixteenth century, combined "the consent of the people" (local commissions) operating under the "control of royal magistrates," "affirming in

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Because the king mediated God's authority, he was, by definition, bound by God's law. God's Commandments included the unambiguous "thou shalt not bear false witness," which meant that the king had to keep his oaths – like the coronation oaths – and uphold all contracts he made. Early modern society rested on contracts, whose sanctity protected the powerful from "absolutism." Bodin stated unequivocally that the sovereign prince was bound by contracts, because contracts were guaranteed by God's law. Moreover, as Barbiche rightly points out, in the theories promulgated at the time, even by the government, Louis XIV's power was no more "absolute" than that of Francis I (1515–47). Louis XIII, in his declaration of majority (1613), stated it unequivocally:¹⁹

I expect (*attens*) from you my subjects the respect and obedience that is due to the sovereign power, and to the Royal authority that God has placed in my hands. They must also hope (*esperer*) from me the protection and the favors (*graces*) that one can expect from a good king who holds his highest affection for their good and repose.

The citizens of the "republique françoise" (as they called it), transferred *potestas*, the power to enforce public law. Kings everywhere in late medieval Europe insisted on their "full power" (*pleine puissance; plenitudo potestas*), sometimes, starting in the sixteenth century, on their "absolute power" (*puissance absolue*), and their "certain science." Only rarely did royal spokesmen say, "absolute authority," because that would have been a contradiction in terms: authority came from God, who was Himself alone absolute. Furetière defined the word "sovereign" (Souverain) in reference to God: "The first Being; the All-Powerful, who sees nothing greater than himself, God is the sole Sovereign, who has a majesty, a goodness, and an infinite and sovereign power; he allows men to participate in his sovereign and eternal glory."²⁰

this way the role of the king in the production of right (*droit*) and of the law (*loi*)." The citizens themselves made property laws, through local customary laws. The king's courts sanctioned and enforced these laws, but the king did not make them.

¹⁹ This citation comes from Jean Hérouard's journal, by way of the dissertation of Valerie Shearer, "Un bienfait n'est jamais perdu" (Ph.D. diss., Georgetown University, 2006); other citations to texts related to the Estates General of 1614 come from her discussion of the pamphlet campaign, and from my own research on the idea of the public good in France, from the fourteenth through the early seventeenth centuries. *Le journal de Jean Hérouard*, ed. M. Foisil (Paris: Fayard, 1989), II, 223–26.

²⁰ "Le premier Estre; le Tout-Puissant, qui ne voit rien au dessus de luy, Dieu est le seul Souverain, qui a une majesté, un bonté, et une puissance souveraine et infinie; il admet les hommes à la participation de sa gloire souveraine et éternelle." It is worth noting that Bodin claimed *mai statem* (majesty) was the Latin translation for "sovereignty." In other places, however, he uses *summum potestas et dominium*, as in his Latin edition of the *République*. Bély, in his discussion of absolutism, rightly stresses this distinction.

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Bringing the words “sovereign” and “sovereignty” down to the human level required him to introduce some ambiguity: “Sovereign, with respect to men, is used for Kings, the Princes who have no one above them who commands them, and who hold (*releve*) only of God and their sword.” (The Académie also adds the post-Westphalian international definition of sovereign state: the rights to mint coins and to send deputies to diplomatic conferences dealing with peace and war.) As for “sovereignty,” it is “an independent state that recognizes no laws other than those of its prince.”

In keeping with this doctrine, early modern French people used the term “monarchie absolue” to describe their state, but we must understand this term “absolute monarchy”: by their definitions of “absolute” and “monarchy,” not ours. Quite apart from the problems noted above with respect to “absolute,” we easily forget that to a French (indeed, European) person in the sixteenth or seventeenth centuries, “monarchy” was, by definition, a legitimate Aristotelian form of government. It was one person (usually, but not always, a man) ruling according to law, for the benefit of the whole. “Absolute monarchy,” therefore, in France, meant a *king*, ruling according to law, with sole right to modify public law. The word “king” here stood in contrast to “tyrant,” one man ruling on his own behalf, not on that of the public good.

At precisely the moment the Bourbon monarchy began, the king stopped using the phrase “public good” (*bien publique*) and replaced it with “the good of the king’s service” (*le bien du service du roi*). Those interacting with the central government adopted the new term more slowly, but it became the norm late in the reign of Henry IV. They often combined it with the anodyne “public utility” (*utilité publique*), a phrase drawn from high medieval and Classical works that reentered political discourse in the early 1580s. The use of the term “utility” points us toward the state, not the republic: the republic gives primacy to the public’s “good,” the state focuses on “utility,” a word that neatly avoids the moral and philosophical baggage attached to the “public good,” a term with obvious linguistic ties to the commonwealth. This shift enabled the change Sahlins outlines, in which “citizen” shifted from a primarily political sphere into that of the law.²¹ “The good of the king’s service” did not last long as a justification for action; already in the 1620s, it had been

²¹ Sahlins, *Unnaturally French*, 11. Sahlins posits a complete shift; I would suggest that the old, political meaning endured, above all in the theatre, but would agree that citizen had become a primarily legal term; in a political sense, the new term was “subject,” a word also used in the sixteenth century, but whose meaning evolved along with the stock adjectives applied to it. In the sixteenth century, one was a “faithful subject,” an adjective with obvious ties to the world of feudal homage, and rooted in reciprocity; in the seventeenth century, one was a “very humble and very obedient subject.”

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replaced by “reason of state” or a similar formulation about the *state’s* good. In short, between 1590 and 1630 the monarchy transformed the good of the commonwealth, of the citizens (the “*bien publique*”) into the good of the state, which thus came to be an implicit synonym for the political community itself, as well as the word for the administrative apparatus of that community.

If we harken back to Barbiche’s warning that, *in theory*, Louis XIV’s “absolute power” differed not at all from that of Francis I, we might ask what had changed? The transformation at the start of the seventeenth century was not the creation of an “absolutism,” but the shift from a monarchical commonwealth to a monarchical state. First of all, during the period covered here the French state, like those of other European powers, actually developed into a large institution. Counting its armies, the wartime state of Louis XIV employed close to half a million men, which is to say more than 10 percent of the adult males in France. The state of Francis I employed fewer than 40,000 men, its military included: that would be about 1 percent of the men. Central governments all over Europe, in the sixteenth through eighteenth centuries, removed many powers from the Church, which further altered the relationship of the central power to the community. In France, as in England and elsewhere, secular courts – with the royal judiciary at their apex – took over jurisdiction from ecclesiastical courts. In the eighteenth century, in Prussia and Austria, the central state also took control over primary education away from the churches; the French central state had virtually nothing to do with rural education.

In the last quarter of the sixteenth century, most European political entities reached the theoretical compromise that would define their emerging polities. In France, the state slew the republic. Even today, the French use the terms, “*le président de la république*” and “*le chef de l’état*,” to refer to their president. One might get a sense of the distinction in French television’s use of the two terms with respect to the civil disturbances of fall 2005, in the *banlieue* around Paris. When President Jacques Chirac spoke formally to the nation, French television introduced him as the president of the republic (his title superimposed on the flag); when the television referred to the repressive measures, they spoke of actions taken by “the head of state.”

The commonwealth, as an entity separate from and above any temporal manifestation of political form, ceased to exist in most French political discourse after 1614. Although the rebellious prince of Condé used the term “public good” in some of his publicity in the run up to the Estates General of 1614, when he made an official declaration to the king of his grievances, he insisted on “the love that I carry for the King, for the state,

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and for your person [Marie de Médicis].” Sixteenth-century aristocrats, in rebellion against the government, *always* used the term “public good” in their justifications. The concept of the public good remained alive in political culture, as in the plays of Corneille, but in practical political discourse, such as the exchanges between kings of France and provincial estates, the *bien publique*, synonymous with the *res publica*, vanished. During the Fronde (1648–53), the opponents of the government invariably claimed to act on behalf of the good of the state; virtually none of the thousands of pamphlets, the Mazarinades, used the term “public good.”

I argue here that virtually everything we believe about this transition makes no sense. This book is not a study of “absolutism,” that bogeyman of the bourgeoisie, but of something far more sinister, the state. We must understand that the danger to the fundamental principle of Classical Republicanism – that the republic is the collective group of citizens, and that its good, the “public good,” is the main purpose of the polity – comes not from some absolutist phantom but from the naïve assumption that one can safely define any state, even a democratic one, as the republic. Sixty years after the German historian Fritz Hartung demonstrated Louis XIV’s legendary “l’état, c’est moi,” to be apocryphal, we still cherish the remark – reproduced in countless textbooks, Francophone, Anglophone or in other languages – because it focuses our attention on the threat of the “absolute” monarch, not on the menace of the state. How much more healthy it would be if we remembered instead the king’s actual last words, “I am going, but the state will remain forever.”

In short, this book begins in the 1620s because the monarchy had completed the two-step transition from defense of its policies on behalf of the king and the public good, into the good of the king and of the state. Reforms in the 1620s and 1630s helped establish the institutional foundations of that monarchical state, but the form took mature shape only in the final stages of Louis XIV’s reign. The full-blown monarchical state functioned successfully from the 1720s to the early 1750s, when the pressures of an unprecedentedly broad war – a genuinely world war – and the tensions between the relatively static governmental form and the dynamic socio-economic system it could no longer serve, set in motion the institutional crisis that led to the Revolution. The Revolutionaries, and indeed leaders of French governments ever since, wanted French people to continue to identify the state with the political community, so they raised a battle cry of “despotism” to discredit the monarchy. By the middle of the nineteenth century, “absolutism” had become the word of choice to replace “despotism” as a description of the monarchy; I believe that connection remains nearly as powerful today as in the time

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of Michelet or Lavissee.²² Little wonder that the myth of absolutism, in reality, has more to do with the Revolution than with the monarchy; it makes sense, just as Descimon and Cosandey argue, only as part of the dichotomy absolutist–republican.

Many would argue that scholars have long since abandoned the old, discredited meaning of “absolutism”: Barbiche, Descimon, and Cosandey, and others make that point. Yet, outside of the world of the true specialists – the several hundred people who actually do research on early modern France – absolutism means pretty much what it always has. Bourdieu warns us:²³

The imposition of a sharp divide between sacred and profane knowledge, which underlies the claims of all groups of specialists seeking to secure a monopoly of knowledge or sacred practice by constituting others as profane, thus takes on an original form: it is omnipresent, dividing each word against itself, as it were, by making it signify that it does not signify what it appears to signify.

We historians, keepers of the “sacred” knowledge about the past, should not be using words like “absolutism,” to which we give one meaning, and to which the “profane” – those not trained in the ways of our sacred cult – give another. The past is chaos; “history” is the order we impose on it. That is a dubious enough process without resorting to the sort of linguistic chicanery represented by “absolutism.”

²² Jules Michelet (1798–1874) finished his multi-volume *Histoire de France* in 1867; Ernest Lavissee edited the multi-volume *Histoire de France* (finished in 1911), written by the great historians of the Third Republic. Lavissee probably had a greater influence than any other French historian, because he also authored textbooks for primary and secondary schools.

²³ P. Bourdieu, “Censorship and the Imposition of Form,” in *Language and Symbolic Power*, trans. G. Raymond and M. Adamson (Cambridge, MA: Harvard University Press, 1991), 145.

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Acknowledgments

This book, although it has a single author, rests on the work of many scholars. One could not write a work of synthesis such as this one without drawing on the research of countless historians. Many of these people are my friends, as well as my professional colleagues; I express here my debt to them all, in both capacities. Before shifting to comments germane to 2008 rather than 1995, let me reiterate my thanks to the Washington Area Old Regime Group, who read and critiqued the entire first version of this book.

Fourteen years after writing those three sentences for the first edition, I can only marvel at how much outstanding research has been published in the interim: one of the hardest parts of this edition was to pick which 100 among the books I read for it could be in the bibliography. A generation of young scholars has entered the lists; readers will see reference to the outstanding monographs of many of them, as well as to those of senior colleagues who remain so productive. Conversations with Mack Holt, with whom I have edited the series *Changing Perspectives on Early Modern Europe* for the University of Rochester Press, have immensely enhanced my knowledge and perspective; I would say the same for Peter Campbell, with whom I share a project on power in early modern France, and, as always, of Bernard Barbiche, Jean Bart, and Bill Beik. Special appreciation goes out to my old Lafayette colleague Bob Weiner, for a lifetime of support and friendship. My Georgetown colleagues – especially Gabor Agoston, Maurice Jackson, Osama Abi-Mershed, and Jim Shedel – and students have patiently listened to my views on the state more times than I dare to admit. A decade of conversations with Mériam Belli about history and memory forced me to rethink my old ways, and encouraged me to take new approaches to problems on which my thinking had grown stale. My Georgetown colleagues offered some important suggestions when I presented the new introduction to our faculty research seminar. I offer my thanks as well to everyone at Cambridge, for their saintly patience, and to the Leverhulme Trust for a Visiting Research

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The years have brought less happy developments. Two of those who trained me as an historian, my mentor Wim Smit and Marc Raeff, have recently died. How sad no longer to be able to share my work with them. All of us who knew him feel the loss of John Salmon's wit and peerless erudition. Every historian of Brittany mourned the passing of the most generous of historians, Jean Tanguy, whom I counted among my dearest friends in France. Closer to home, my colleague and beloved friend Hisham Sharabi, with whom I passed countless hours, from whose intellectual rigor I learned so much, has also left us. Greg Flynn, with whom I spent many hours comparing modern and early modern France, to say nothing of sharing tennis games and glasses of wine, died far too young: the entire Georgetown community mourned his loss. Our family historian, Tom Collins, to whom our clan owes an enormous debt for preserving our common past, sadly cannot read the tribute he richly merited. Were it not for these friends and mentors, this book would not have its current shape, of that I am sure. My father died over thirty years ago, but every page of this book takes its understanding of politics from the innumerable conversations I had with him about modern American politics.

Time brings birth as well as death. So, a special thanks to my grandson London for all the joy he has brought his "Papa." Thanks to my daughters, my sisters, and, above all, to my mother, Constance Collins Cain, from her loving and grateful son.

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Chronology of events

- 1589 Assassination of Henry III; accession of Henry IV
(2 August)
- 1590 Battle of Ivry; Henry IV defeats the army of the Catholic League
- 1593 Henry IV abjures Protestantism
- 1594 Henry IV crowned at Chartres
- 1596–97 Assembly of Notables at Rouen
- 1598 Edict of Nantes – Henry IV recognizes Protestantism as a legal religion in France (with restrictions)
- 1598–1604 Wide range of reforming edicts issued by Henry IV; king institutes the *paulette*, guaranteeing heredity of most offices
- 1600–01 War with Savoy; peace of Lyons gives Bresse, Bugey, Valromey, and Gex to France
- 1602 Conspiracy of marshal Biron; Biron executed
- 1606 Conspiracy of duke of Bouillon
- 1607 Largest of Henry's Chambers of Justice, investigating financiers
- 1610 Assassination of Henry IV (14 May); Louis XIII becomes king; his mother, Marie de Médicis, becomes Regent
- 1614 Louis XIII declares his majority
- 1614–15 Meeting of the Estates General
- 1614–17 Endemic revolts of major nobles against Regent; they end with murder of Concino Concini (favorite of Marie de Médicis and dominant influence in government), carried out by Louis XIII and his friends
- 1617 Assembly of Notables, unsuccessful
- 1618 Thirty Years' War begins in Bohemia
- 1620 Navarre permanently united to French Crown
- 1621–29 Internal war with Protestants; key event, capture of La Rochelle by the king (1628)
- 1624 Richelieu rejoins royal council

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1626–27	Rebellion in Quercy
1626–27	Assembly of Notables at Saint-Germain, deliberations lead to a wide range of reforming ordinances, especially
1629	Code Michau, massive recodification of French law and administrative practice
1629–30	Mantuan War against Spain
1630	Day of the Dupes (10–11 November); Louis XIII sides with Richelieu against Marie de Médicis and Marillac
1634	Large-scale introduction of intendants into the <i>généralités</i> ; partial bankruptcy at expense of royal officers
1635	France enters the Thirty Years' War
1635–43	Peasant and urban revolts throughout the country; most serious are Croquants in the southwest, Nu-Pieds (1639) in Normandy
1636	Battle of Corbie; French repulse Spanish from Paris
1642	Death of Richelieu
1642	Intendants for first time receive right to apportion direct taxes
1643	Death of Louis XIII (14 May); Louis XIV becomes king; his mother, Anne of Austria, becomes Regent, with Cardinal Mazarin as chief minister; Condé's army defeats Spanish <i>tercios</i> at Rocroi (19 May)
1644–45	Extensive increase in legal privileges of robe nobility, particularly in Paris (in return for their support for Regency)
1647–48	Public order disintegrates in provinces; disorder spreads to Paris
1648	Peace of Westphalia ends fighting in Germany and war between Spain and United Provinces; France obtains Upper Alsace and certain rights in Lower Alsace
1648	Government conducts another partial bankruptcy
1648–53	The Fronde, a series of revolts by officers (1648–49) and by great nobility (1649–53); Mazarin exiled twice; intendants abolished (1648) then gradually reintroduced (after 1653)
1651	Louis XIV declares his majority
1654	Coronation of Louis XIV at Reims
1659	Peace of Pyrenees ends war between France and Spain; France obtains Perpignan
1661	Death of Mazarin (9 March); Louis declares himself chief minister and reorganizes royal councils

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- 1661 Arrest of Fouquet; abolition of superintendancy of finances; Colbert becomes chief financial officer (but only obtains title of controller general in 1665); government carries out another partial bankruptcy
- 1661–67 Chamber of Justice to investigate financiers
- 1663–72 Great royal academies: painting (reorganized 1663), Sciences (1666), Académie Française (under royal protection beginning in 1671), architecture (1671), music (1672)
- 1666–74 Government-led research inquiry into the legitimacy of claims of nobility; nobles required to furnish written proof of their status
- 1667–68 War of Devolution; Peace of Aix-la-Chapelle (1668) gives France Lille and part of Flanders
- 1669–70 Great legal and administrative ordinances (forests and civil law, both 1669; criminal law, 1670)
- 1672–79 Dutch War; Peace of Nijmegen (1678) gives France small gains in the north and the Franche-Comté in the east
- 1673 Parlements lose right of preregistration remonstrances
- 1675 Papier Timbré and Bonnets Rouges rebellions in Brittany
- 1679–81 Chambers of Reunion gradually add parts of Alsace to France, culminating in occupation of Strasburg (30 September 1681)
- 1682 Four Gallican Articles
- 1682 Permanent move of Court to Versailles
- 1683–84 Conquest of Luxembourg
- 1685 Edict of Fontainebleau (Revocation of the Edict of Nantes) outlaws Protestantism in most of France
- 1689–97 War of the League of Augsburg (fighting begins 1688); at Peace of Ryswick (1697) France gives up Luxembourg, but is confirmed in its possession of Alsace
- 1693–94 Harvest failure leads to famine and mass starvation, especially in the Midi
- 1694 Dictionary of the Académie Française
- 1695 First direct tax levied on everyone except the clergy, the capitation
- 1700 Philip V, grandson of Louis XIV, inherits Spanish throne
- 1702–10 War of the Camisards (suppression of Protestants in the Cévennes Mountains)
- 1702–14 War of the Spanish Succession

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- 1705–08 Disastrous French defeats at Blenheim, Oudenaarde, Ramillies, and Turin
- 1708–09 Creation of *contrôle des actes*, registration of all land sales
- 1709 Louis XIV unsuccessfully sues for peace; Louis appeals directly to the French people for their support in the war; French fight English and Dutch to a draw at Malplaquet
- 1709 Louis XIV closes Port-Royal convent (Jansenists)
- 1709 Bossuet's heirs publish his main political treatise on absolute monarchy
- 1709–10 Brutal winter in France leads to massive impoverishment, widespread starvation
- 1710 Revenue tax, the *dixième*, instituted; abolished in 1717, after repayment of advances from 1716–17 spent pre-1715
- 1711 Death of Dauphin
- 1712 Death of new Dauphin (duke of Burgundy) and his oldest son
- 1713 Peace of Utrecht; France loses territory in America; England obtains monopoly slave trade to Spanish colonies
- 1713 Papal bull *Unigenitus* condemns Jansenism's beliefs
- 1715 Death of Louis XIV (1 September); Louis XV becomes king and his uncle, Philip of Orléans, becomes Regent; Parlement of Paris overturns Louis XIV's will; Regent restores right of preregistration remonstrance to the Parlements
- 1715–23 Regency of Philip of Orléans; he attempts many reforms
- 1716–17 Chamber of Justice
- 1717–20 System of John Law: revises banking and financial practices; founds national bank; ends in bankruptcy
- 1722 Louis XV crowned
- 1723 Louis XV reaches majority
- 1726 Cardinal Fleury becomes chief minister
- 1726 *Livre tournois* fixed in value
- 1730 Open conflict breaks out again with Jansenists
- 1730 Orry becomes controller general
- 1733–35 War of the Polish Succession; Louis XV's father-in-law, Stanislas Leszczyński, obtains duchy of Lorraine and agrees to leave it to king of France when he dies
- 1738 Orry introduces *corvée* labor to maintain roads
- 1740–48 War of the Austrian Succession (French participation starts in 1741); France wins many battles but obtains no gains at the Peace of Aix-la-Chapelle