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This book reveals the ever fertile mind of Bill Doyle in all its many facets, from the carefully researched, intricate minutiae of venality and finance in ancien régime France, to the grand sweep of the fall of monarchies and the roots of revolution across the Western world in the Age of Revolutions. There is a fresh insight and a refreshing dash of much needed iconoclasm, on every page. Doyle is a scholar who continues to provoke, instruct and inspire, in prose as sparkling and clear as a vintage Champagne.'

Michael Broers, Professor of Western European History,
University of Oxford

'Here is William Doyle at his finest. In this book, distilling his most recent research, this master historian of the Old Regime and French Revolution explores key issues in the collapse, and rebuilding of French state and society from Louis XIV through Napoleon. In typical Doyle fashion, the chapters emphasize contingency, complexity and continuity. By steering clear of determinisms and refusing to treat the French Revolution as inevitable, Doyle makes palpable the sense of possibility that infused those heady times.'

Rafe Blaufarb, Professor of History and Director of the
Institute on Napoleon and the French Revolution,
Florida State University

'In recent decades William Doyle has been the leading British historian of France's evolution from ancien régime to Revolution and beyond. This welcome collection of incisive short studies throws illuminating and, at times, unexpected light on this trajectory and will be essential for all who study or teach Europe's long-eighteenth century.'

Professor Hamish Scott, University of Glasgow

FRANCE *and the age of* REVOLUTION

Regimes Old and New from Louis XIV to Napoleon Bonaparte

WILLIAM DOYLE

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Introduction

Most of the essays in this collection have appeared since the publication of *Venality: The Sale of Offices in Eighteenth-Century France* in 1996. In that book I attempted to analyse the structure, operation, and implications of a practice which lay at the heart of how institutions and elite social life worked in pre-revolutionary France. The abolition of venality was one of the most radical and enduring of all the reforms of the French Revolution. Its ramifications were so far-reaching that no single volume could do complete justice to them.

Part I of the present book explores some aspects of venality that a general survey could only have discussed in unbalancing detail. The only piece falling outside the Age of Revolution concerns the attempts of Louis XIV's great minister Colbert to rein in its growth, and his hopes of getting rid of it altogether. His failure illustrates the scale and intractability of the problem, and, by implication, why it took a revolution to bring his dreams to fruition. Colbert himself owed much of his rise to the opportunities offered his family by venality; and throughout its history few even of its fiercest critics were completely untainted by it. Among the most celebrated after Colbert was Voltaire, whose hostility turns out to have been far more equivocal than has often been assumed, and directed overwhelmingly against a magistracy which attracted his contempt largely for quite different reasons. The venal instinct penetrated into some most unlikely places, including the church. Although simony, the sale of priestly functions, was one of the oldest and most execrated of abuses, in France other positions confined to priests were open to purchase. Yet few clergy defended venality, any more than most of the laymen who wrote about it. There was, in fact, a massive consensus against it, regarding it as a virulent form of corruption. The problem remained not simply how to eliminate it, but how to do without it. Some critics feared that, however undesirable, some sort of corruption was a necessary evil in public life. Nor was this perception confined to France. Across the Channel in Great Britain and in Ireland there was relatively little venality outside the army, but corruption seemed just as pervasive in other ways, and perhaps just as necessary. Yet over the Age of Revolution, roughly between 1770 and 1850, corruption of the old sort was largely eliminated in both France and Great Britain. It was a great turning point in the history of political culture, and a final essay in this section explores the very different routes by which two polities arrived at the same destination in abandoning the instinctive ways of their old regimes.

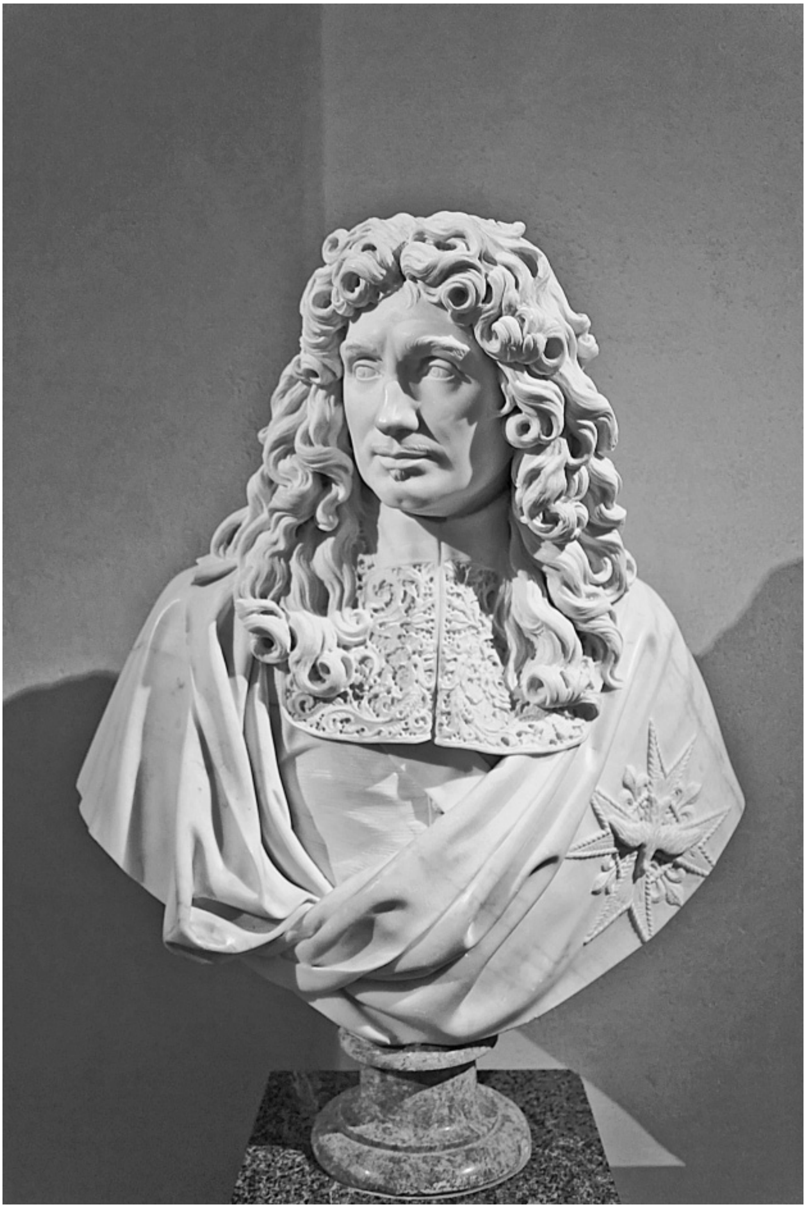
Even in Great Britain one of the major forces bringing this about was the French Revolution. Having spent many years, thanks to an unlikely chapter of accidents, teaching the history of Ireland in the revolutionary age, an invitation to discuss the Irish Union of 1801 in a European context gave me the opportunity to contribute to debates on how far Great Britain in the eighteenth century might be called an ancien régime. Nevertheless most of Part II reflects on how the French destroyed theirs. The main theme of the various essays is to emphasise the role of choice and contingency. In the mid-twentieth century, writing about the French Revolution was pervaded by a certain economic and social determinism, much of it inspired by Marxism. Between the 1950s and the 1980s the empirical underpinning of this approach was chipped away by what became known as revisionism. But many, especially in France and across the Atlantic, worried that revisionism had exorcised Marxism while 'putting nothing in its place'. Why something was needed in its place was far from obvious; but those who felt the need eagerly embraced the so-called cultural or linguistic 'turns' sweeping through wider history writing by this time. The result was a post-revisionism in which cultural and linguistic determinism came to replace the old economic and social varieties. Two essays here take issue with some of the results. While post-revisionists tend to accept that the Revolution had to become 'thinkable' before it became possible, I argue quite the opposite. Some also believe that the regicide which was one of the crucial events of the Revolution could not have come about without a long-maturing pre-revolutionary 'desacralisation' of the French monarchy. It has seemed to me ever since the idea was first mooted that no such process can be demonstrated convincingly, and that it is not in fact necessary for explaining the overthrow of monarchy. Nobody dreamed of executing Louis XVI in 1789. It was the unprecedented, hitherto *un*thinkable events of the Revolution itself which largely explain his fate. The course of those events is revisited in a further set of reflections on how the Revolution transformed attitudes to monarchy and its basis in France and beyond. Fully a year before the French Revolution turned republican, the revolutionaries also attempted to abolish the social elite previously inseparable from royal government, the nobility. On that occasion, the lead was taken by nobles themselves, who, ever since their eager participation in the republican revolt across the Atlantic, had heedlessly embraced ideas and developments deeply dangerous for the interests of their own order.

This is a theme I have explored at greater length in *Aristocracy and its Enemies in the Age of Revolution* (2009). There I followed the fortunes of nobility through abolition, emigration and Terror to show that although the revolutionaries denied it any recognition, they were unable to destroy nobility as they intended. Napoleon, in fact, revived it in a new form: and one of the essays in Part

III discusses some remaining problems concerning the imperial elite. Only in the most superficial sense can this creation be described as a betrayal of the Revolution; and the same can be said of Napoleon's notorious marginalisation of women, which seems much in line with what leading feminist historians have seen as the deep misogyny of the Jacobins. Napoleon has been a late interest for me, and only one of the four pieces in Part III has been published before. On the political culture of his empire, it explores how far he drew on instinctive French reflexes long predating the Revolution (in the original version, delivered as a conference paper, I suggested calling them memes, but the audience discouraged me from going on with this). In the end, however, I conclude that Napoleon did far more to consolidate the work of the Revolution than to reverse it. His reputation as the Revolution's gravedigger seems to be largely based upon an assumption that its essence lay in the Jacobin republic, much of whose Terror-haunted work he did indeed repudiate. But, apart from sullying the reputation of republicanism in Europe for three generations, Jacobinism achieved nothing enduring. The earlier years of the Revolution, by contrast, destroyed the ancien régime and rationalised French public life for ever. Napoleon welcomed both achievements as the bedrock of his new regime. He then used his power to extend them to Europe beyond France, with unavoidable ramifications in its extensive overseas dominions. These achievements too were never reversed. Bonapartist authoritarianism, it is true, had little content beyond nostalgia, and was to have no longer-term future than Jacobinism. Perhaps that was because its true destiny, the destruction of Europe's old order, had already been accomplished by its founder.

PART I

FUNCTIONS FOR SALE



Jean-Baptiste Colbert (1619–1683) by Antoine Coysevox

CHAPTER 1

Colbert and the Sale of Offices

When in the later Middle Ages kings began to realise that they could no longer wage war effectively by raising feudal levies, they were compelled to look for unprecedented sums instead to fund professional warriors. They realised at the same time that they would never be able to find the necessary sums through taxation alone. Soon seeing themselves as overtaxed, their subjects resisted their demands either by evasion or simply by refusing to pay; and states lacked the means of assessment and compulsion to back up their demands, especially among their richest subjects who found means to avoid at least the majority of direct taxes. Great orders or corporate bodies, such as the church or the nobility, soon proved able to formulate excellent reasons for exemption that no king was able to set aside. Above all, the liquid wealth of mercantile groups completely escaped fiscal demands.

These were the problems that gave rise to the sale of offices. By selling public offices, in other words farming out portions of the royal authority to persons prepared to pay for it, kings found a way of persuading holders of liquid capital to place it in their hands. Nor was it only their own capital. Office-holders themselves could borrow more on the security of their offices; and by varying the powers and privileges attached to them, a king could find further occasions to make their holders borrow and pay out.

And so in the sixteenth century the sale and manipulation of offices became widespread in European monarchies. It was found in the Spanish Empire and the states of the Pope, in England, and in several German principalities.[1] But nowhere was venality more widespread or more systematically exploited than in France. It was already well established when, in the 1520s, King Francis I set up the Office of Parts Casual (*bureau des parties casuelles*) to serve, in the famous words of the jurist Loyseau, 'as a stall for selling this new merchandise'.

Given that, ever since 1467, an office was defined as a function of which no holder could be deprived except by death, resignation, or forfeiture, it was the soundest of investments. Very soon, most of the king's offices were venalised, and their number never ceased to multiply. Entire new categories of offices were created simply for selling, without the slightest regard for sound administration. Between 1515 and 1610, their number rose from around 4–5,000 to about 25,000, most of them judicial offices. The advantages attached to venal offices reached their peak in 1604 with the introduction of the Paulette or annual due (its official name, usually shortened to *annuel*) which guaranteed the free transmission of an office to a named successor, heir, or buyer in return for the payment of a fee worth one sixth of its official valuation (*finance*). This protected the officer from the operation of the so-called forty-day rule (introduced in the 1530s) under which, if an officer happened to die within 40 days of relinquishing an office, it reverted to the king or, as the phrase went, 'fell to the Parts Casual'. The only worry office-holders might still have was over the renewal of the *annuel*, which was normally only granted for a period of nine years. The king might always choose not to renew it, which would upset the matrimonial strategies of thousands of families whose property and fortunes were bound up in offices.

Almost inevitably, therefore, any renewal by the king offered him the chance to demand extra payments from officers in order to retain the privileges of 'admission' to the payment of the *annuel*.

French society and institutions in the seventeenth century were deeply marked by the development of venality. Office purchase became the main ladder of social mobility for the elites, and several thousand ennobling offices at the summit of the system opened nobility to the ambitions of the richest commoners. The body of office-holders made up a powerful network of interests, and each company fiercely protected its corner of the system. At the same time, the king came to depend more and more on venality. His 'casual' revenues, essentially what venality brought in, made up an important proportion of the royal finances. In the year when Richelieu entered the Thirty Years' War, casual revenues made up no less than 40 per cent of the king's income.[2] And, since the alienation of royal authority represented by the sale of an office was never more than temporary, capital advanced in this way could never be considered more than a loan. The king could not suppress an office without reimbursing the holder. And so, despite repeated promises by monarchs and regents throughout the sixteenth and seventeenth centuries to abolish venality, reimburse office-holders, and recruit servants of the state on merit, it was never seriously possible to think of such a policy because of its prohibitive cost. It is probable that the point of no return in this process had already been reached as early as the reign of Henry II (1547–1559), when the renewal of Italian wars brought renewed expansion of venality.[3] The creation under Henry IV of the *annuel* marked in turn a recognition of the fact that it was better to milk systematically a system which could not be got rid of. This approach reached its peak under Richelieu who, while deploring the principle of venality, realised the practical impossibility of doing without it, and exploited it to its very limits.

It was under the ministry of Richelieu that Jean-Baptiste Colbert entered the circles of power. He did so in 1640 when his father bought for him the office of commissioner for war (*commissaire des guerres*). He passed some time at the beginning of his career in the office of François Sabathier, Treasurer of the Parts Casual,[4] thus learning very early on how the venal system worked, not to mention the operations of the great state financiers and the dangers brought on by their bankruptcies (like that of Sabathier himself in 1641) for the stability of the crown's finances.[5] Later, as a clerk to Secretary of State Michel Le Tellier, and his link-man to Mazarin, he found himself at the centre of the state's affairs at the time of the crisis which led to the Fronde. Notoriously, the Fronde began with a revolt of office-holders. Triggered by new financial demands prior to the renewal of the *annuel* in April 1648, the Fronde quickly developed into a protest movement, led by the magistrates of the Parlement of Paris, against the suspension of interest payments (*gages*) attached to offices, against new office creations, against the extortionate demands of the *traitants* or *partisans* who managed the market in offices, and against the loss of jurisdiction by courts made up of venal officers in favour of non-venal commissioners in the form of the intendants. Colbert, by then a Counsellor of State and so close to the centre of power, was able to observe how this resistance imperilled the kingdom's war effort, and finally plunged it into civil war. The latter in turn almost destroyed the career of this man on the rise when, in 1651, Mazarin, the patron to whom he had sworn loyalty, was driven into exile. Colbert was reduced simply to managing the affairs of the absent cardinal. These experiences seem to have determined his attitude towards officers in general, and the whole system of venality.

Although the defeat of the Fronde and the uncontested return of Mazarin to power brought a renewal of many of the 'innovations' condemned by the magistrates of the parlementary Fronde (*gages* in arrear, return of intendants, renewed reliance on *traitants* and *partisans*) Mazarin did not stubbornly carry on as if nothing had happened. It was true that the war, which as before continued to drive the exploitation of venality, continued until 1659, but the creation of new offices slowed markedly and when the *annuel* was renewed in 1657 there were no new conditions or financial demands. In this Mazarin followed the advice of Fouquet, who as procurator-general of the parlement thought himself best placed to manage it, and as Superintendant of the Finances sought to persuade the court not to impede new financial edicts necessary for the final resolution of the Spanish war.[6]

But already Colbert did not like Fouquet's approach. He thought there was nothing to be gained by protecting the interests of office-holders, at whatever level.[7] When in the autumn of 1659 Mazarin asked his opinion on the state of the finances, Colbert condemned the short-term expedients so far favoured by the Superintendant. And although, like the Frondeurs of 1648, he advised the setting up of a special Chamber of Justice to make *traitants* pay back their excessive and illicit profits, that was the only way in which his ideas matched those of the office-holders and chimed in with their interests. For Colbert, the essential corollary of diminishing the power of *traitants* was to reduce at the same time the privilege of office-holders, whose exploitation offered the financiers so many of their so-called 'extraordinary affairs'. He advised starting by cutting the *gages* and fiscal privileges of ten thousand officers in the Bureaux of Finances, and minor financial jurisdictions like the *élections* and the salt stores (*greniers à sel*). Then the number of offices themselves could be cut.

> To this end [he wrote] we might take away their annual due, diminish their *gages* and rights, and order the price of one or two offices of every sort on a footing of the last one sold, in each generality

> or election, always beginning by reimbursing the youngest; by so doing, with justice to all, we might bring down all these offices over the time of 3 or 4 years to the tenth part of the number of officers living on what they draw from the people, raising the number of those subject to the taille who would be the richest and would give the people more means of paying their taxes. The king would also derive an infinitely more considerable advantage than that, which is that more than 20000 men who lived throughout the kingdom by means of these great abuses which have slipped into the finances, will be obliged to apply themselves to trade and to manufactures, to agriculture and to war, which are the only occupations which render the kingdom flourishing.[8]

After that it would be possible to

> work at the reduction of the multiplicity of officers of sovereign and subordinate jurisdictions, of the abuses committed in justice, and to have it dispensed to the people more promptly and at less cost, it being certain that officers of justice draw from the people of the realm every year, by an infinity of means, more than 20 millions of pounds which there would be much justice in diminishing by more than three quarters, which would render the people more comfortable and would leave them more means to provide for the expenses of the state; and further, there being more than 30000 men living from justice in the whole extent of the kingdom, if it were reduced to the point where it ought to be, 7 or 8000 at the most would be sufficient, and the rest would be obliged to employ themselves in commerce, in agriculture or in warfare, and they would work in consequence to the advantage and the good of the kingdom, instead of only working as at present to its destruction. Should his Eminence so desire, notes can be sent to him of all these increases in officers of justice which have been made for 50 or 60 years, and the means that could be employed to reduce them, without risk of any outcry…[9]

Mazarin took no notice of this suggestion; but the memorandum of Colbert clearly shows a first sketch of several ideas which would drive his policies once the cardinal had disappeared and Fouquet was eliminated, with the agreement of the young Louis XIV.

Louis XIV certainly had his own reasons for mistrusting office-holders. He had not forgotten, nor ever would, the humiliating treatment he had received at their hands during the Fronde. He blamed rebellious magistrates for launching this movement, 'parlements still in possession of and relishing usurped authority'.[10] At the same time he deplored 'offices filled by chance and by money, rather than by choice and by merit; the inexperience of some judges, lacking in knowledge; rules on age and length of service evaded almost everywhere'.[11] He concluded that 'reform was necessary. My affairs were not in a state such that I need fear anything from their discontent. Rather it was fitting to show them that there was nothing to fear from them, and that times had changed.'[12]

What change would mean could be seen immediately after the fall of Fouquet. One of the last acts of the Superintendant in August 1661 was an edict abolishing all *élections* established since 1630, and reducing the number of offices in those remaining. The Court of Aids of Paris resisted it, and finally the edict was transcribed on to the registers of the court in the presence of Monsieur, representing his brother the king. Everyone assumed, tacitly, that this was an abolition of a sort that had become normal since the 1630s, something which the king would be prepared to annul for an appropriate payment from those concerned. Accordingly, the *élus* offered 61 millions to be kept in being. But this offer only arrived at the beginning of 1662, several months after the fall of Fouquet, and now Colbert was in charge. The offer was refused, and the government proceeded to liquidate the offices as the edict prescribed.[13] Colbert had the same ambition for officers in the salt stores, condemned to abolition in the same edict, but he had to recognise that the cost of such a liquidation was too high for the moment. He confined himself to depriving them of the *annuel*, so that these offices were liable to fall into the Parts Casual if their holders happened to die within 40 days of relinquishing them,

> so that by this means [his Majesty] would free his people in three or four years of the vexations that a great number of officers of this sort make them suffer, would profit by their death from the *gages* and rights which belong to them, would not need to reimburse them, and even hold considerable funds in his Parts Casual in the fixed value (*taxe*) of these vacant offices, to make use of on a pressing occasion.[14]

This would become one of Colbert's key strategies for cutting down venality. As much as possible, hereditary or reversionary (*à survivance*) offices would be transformed into casual ones so as to increase the chances of seeing them fall to the crown or at least produce a regular revenue through the *annuel*. Thus, whereas in 1633 only half of all officers had paid it, by 1665 the proportion had risen to three quarters.[15] Meanwhile, Colbert sought by every means to save the king money. On arriving in power, by an *arrêt* of the council of October 1661, he ordered the reduction by a third of all augmentations of *gages* (on additional interest-bearing capital) granted since 1635.[16] There was general consternation, and the sovereign courts protested, but no notice was taken. Finally a Chamber of Justice was set up to review the conduct of *traitants* and financiers since 1635,[17] and meanwhile their opportunities of profiting from venality were diminished by abolishing three and four year job-sharing. Certain great financial posts even ceased to be venal and became revocable commissions, including that of General Treasurer of the Parts Casual itself. It all proved easier that had been thought. As Colbert explained to the king in October 1664, in a note echoing that sent to Mazarin five years previously:[18]

> The two professions which uselessly consume a hundred thousand of your subjects without contributing to your glory, are finance and justice.

> Finance absorbs more than thirty thousand. You have already destroyed this monster, which was certainly most difficult and most terrible, because it absorbed all other conditions; Your Majesty has seen however how easily you have brought it about.
>
> Justice is particular in that besides absorbing 70 thousand men and more, it imposes a weighty and tyrannical yoke, under the authority of your name, on all the rest of your people: through chicanery, it keeps more than a million occupied.

And yet the diminution of these burdens on the king's subjects and on his finances would be a long drawn out process. A programme would need to be pursued over several years. And, as in all he undertook, Colbert preferred to act on precise information. This was why in May 1665 he ordered the Bureaux of Finances to send him a list of all offices of justice and finance in their jurisdictions, with current prices, *gages* received, official valuations, and the revenue produced by their *annuel*. The overall results, for the year 1664, can be summarised as follows:[19]

Number of offices	45,780
Current price	419,630,842
Gages	8,346,847
Valuation	187,276,978
Annuel	2,002,447

The list was still incomplete in a number of ways. It included neither members of the King's Household nor military posts. But certain results were clear. First the market value of offices was twice that of valuations, which had remained unchanged since 1638. Secondly, since the *annuel* was calculated on the 1638 valuations, it brought in far less for the king than he might legitimately hope. Finally, the king was spending four times more in *gages* than he was receiving from the *annuel*.

Other less direct conclusions were also possible, as the eighteenth-century historian of the finances Véron de Forbonnais, a great admirer of Colbert, saw.[20] First, there were too many officers:

> We see from this Tabulation that there were forty-five thousand seven hundred and eighty Families to do work for which six thousand would have been enough. [Then,] four hundred and nineteen millions six hundred and forty two pounds were diverted from agriculture, from the arts and from Commerce. It was much more than two thirds of the mass of money existing in the state; & in supposing that half of this sum alone was taken from that sort of work, interest on the money should have been lower by a third.

It can scarcely be doubted that most of these thoughts resulted from Forbonnais's reading of the papers of Colbert, echoing the thinking of the minister himself. And for all these matters, an opportune moment was coming: the expiry of the *annuel* in 1666. How might the king take advantage? The most attractive expedient might be not to renew it.

> It is certain, [thought Colbert[21]] that no moment will be more favourable. The King is feared, loved and obeyed more than any king before him, without comparison; he is enjoying universal peace. He has no trouble to dread within the kingdom, and the advantages which the state will receive will be troubled by no apprehensions. The entire consideration and credit of the men of the robe will be entirely overturned by this step alone. Reform of justice will be accomplished much more easily…merchants will be much more respected in the kingdom, which will derive great advantages. The greater part of the kingdom's money employed in that trade, will flow back in time into commerce truly useful to the state.

At the same time there would be important economic advantages:[22]