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## *The Origins of the Revolution in France*

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### *The Classic Theory of the Bourgeois Revolution*

There was a time when historians were confident in describing the origins of the French Revolution. The operative concept was ‘aristocratic reaction’. It meant several things at once. Politically, it referred to the undermining of the absolutism of Louis XIV. The Sun King was thought to have subverted the independence and privileges of the aristocracy. But after his death in 1715, the *parlements*, the regional sovereign and appeal courts of which that of Paris was by far the most important, undertook an offensive, a reaction, on behalf of the entire nobility. They were able to transform their right of registering laws and edicts into a veto on progressive royal legislation. The Crown was consequently much weaker.

This had implications in the social sphere as well. In the course of the eighteenth century, the aristocracy ended up monopolizing the highest offices in government, the military, the Church and the judiciary. This in turn affected the bourgeoisie. No longer able to advance to the top of the predominant social and political institutions of the day, the bourgeoisie became increasingly alienated from the state and from respectable society. Frustrated in achieving its highest ambitions, its loyalties painfully strained, ever open to imaginative criticisms of the system, it was well placed to take advantage of the political crisis of 1788–9 to overthrow the old order altogether. One of the many crises of the Old Regime was a crisis of social mobility.

The argument was irresistibly attractive, partly because of its internal elegance and partly because it explained so much. It made sense of the reign of Louis XIV, the eighteenth century and the Revolution too. The struggle between revolution and counterrevolution could be reduced to two actors, the bourgeoisie and the aristocracy, who had first come to

blows in the closing years of the reign of Louis XIV. The aristocracy lost, of course, and specialists of the nineteenth century could move on to the next round, the struggle between the bourgeoisie and the working class.

This argument is also utterly untenable. In the first place, it assumes rather than demonstrates the aristocracy's progressive monopoly of high posts. It assumes, too, that the society of the seventeenth century was more open than its successor but relies on incomplete evidence and a limited range of contemporary complaints. The duc de Saint Simon's famous observation that Louis XIV raised up the 'vile bourgeoisie' turns out to be untrue in the case of the episcopate, partially true but grossly misleading in that of the ministry and unknown in the case of the officer corps of the army. More refined methodologies have turned up some odd anomalies. All the intendants (the immensely powerful representatives of the king in the provinces) of Louis XV and Louis XVI were nobles, but the trend in appointments, such as it was, was increasingly to prefer nobles of more recent creation. Closer examination of some of the major signs of noble exclusivism shows that restrictions were often aimed at excluding the rich parvenu nobles, not a rising bourgeoisie. The famous Ségur ordinance of 1781, for instance, limited the recruitment of army officers to men with four quarterings of nobility, that is, four ascendant blood relatives had to have been noble. Oddly enough, the intention was to help professionalize the army by excluding nobles who had recently amassed a fortune in commerce or finance. These types were thought to value cupidity and self-interest, not the genuinely military values of self-sacrifice and discipline that were supposed to be the preserve of staid, landed families. Even the few *parlements* which took similar four quarterings decrees had much the same object in mind. The Parlement of Rennes, for instance, most of whose magistrates could trace their noble lineages back two centuries, adopted a four quarterings decree in 1732 and managed to maintain its caste-like character against all comers, noble and roturier, until the very end. The Parlement of Paris, whose jurisdiction covered one third of the country, never bothered to restrict its entry and remained conspicuously open to the rich men of banking, high finance and government service, most of whom were nobles already. To be sure, exclusivist tendencies were worrying to many bourgeois, even though they were not affected directly, because they feared an even greater tightening in the future.

It was always possible for many to acquire noble status. The Crown did grant nobility directly, and after 1760 or so broadened the basis of selection significantly. The annual number of direct grants more than tripled to nearly a dozen per year and, while outstanding service in the military and judiciary continued to be rewarded as before, so now also were contributions in government service, commerce, industry, culture

and science. The Old Regime monarchy, in fact, rewarded a broader range of talents than did Napoleon.

By far the most important device for creating new nobles was venal office. There were roughly 70,000 offices in the royal bureaucracy and outside it that could be bought, sold and inherited just like any other piece of property. These included most offices in the judiciary, all army officers, financial services, many municipal posts and even humble occupations like market-porter and barber-wigmaker. Office was attractive because it guaranteed exemptions from some taxes or provided a monopoly of a certain service. Restricting entry thus sustained the owner's income. The more expensive the office, the more exemptions and privileges. And they were getting more expensive. From the closing years of the reign of Louis XV to the Revolution, the value of offices doubled and even trebled, a far greater increase than rents on farms and domains. Right up to the end, they remained a safe and lucrative investment.

Roughly 3750 venal offices in the civil, criminal and financial courts and some municipalities conferred hereditary nobility on the owner or his family, mostly after one or two generations. The very expensive office of *secrétaire du roi* brought hereditary nobility after twenty years' service. There were 800 of these and their owners did nothing more onerous than seal legal documents. No one is certain how many families were ennobled by the process of venal office during the reigns of Louis XV and Louis XVI, but one estimate suggests 10,000. By 1789, most noble families were descended not from the military nobility, but from office-holders. The Old Regime aristocracy was thus comparatively young and was in a constant process of renewal.

The doors of the Second Estate were always ready to swing open to men of talent, but above all to men of money. Society was therefore capable of absorbing the most thrusting, entrepreneurial and ambitious men of the plutocracy.

An ennobling office was far from cheap. In 1791, they were commonly priced well above 50,000 *livres*, enough to support two hundred families of rural weavers for a year. The owner of an ennobling office was therefore a very wealthy man indeed. The classic origin of these nobles is usually thought to have been an aspiring merchant family that gradually withdrew from trade over a generation or two, and bought land, offices and a title instead. Such families were certainly very numerous and the temptation to follow this route may well have increased for many merchant families along the Atlantic coast because the successes of British privateering made investment in overseas trade much more risky. But this was not the only pattern. Many other families rose to the top through tax-farming or the fiscal system generally. Another route was to make a fortune in the sugar islands of the Caribbean and begin the

ascent that way. The most famous example was the writer Chateaubriand's father who returned to France enormously rich, 'reclaimed' his status as a Breton noble and settled into a brooding life at his newly acquired château at Combourg. The fast route could lead to some dizzying ascents with rises from the artisanate or even the peasantry in one or two generations. Still other families had been primarily landowners and rentiers for some time, content to build up the family's status monotonously through the patient acquisition of ever more prestigious offices until it slid almost imperceptibly into the Second Estate.

There were few qualitative economic differences between the aristocracy and the bourgeoisie. Approximately 80 per cent of the private wealth of the country was in land, urban real estate, bonds and so on, and both groups invested heavily in them. Although the proportions varied greatly from place to place, the nobility and the bourgeoisie together were everywhere important landowners. In some of the rich agricultural areas of the country, like maritime Flanders, around Versailles, parts of Burgundy, the river valleys of Provence and so on, they owned land out of all proportion to their numbers. Nobles were also heavily involved in industrial activities closely related to land and its resources like forest products, mining and metallurgy, not to mention the marketing of grain and wine. Although there remained a strong prejudice against direct participation in trade, nobles were major investors in colonial trading companies, land-clearing and speculation companies, and in banking, industrial and tax-collection enterprises of all sorts. The prominent contributions of nobles to capitalist ventures and the strong presence of bourgeois on the land show that from the point of view of economic function, the two groups were a single class. At the very least, the bourgeois-noble split of 1789 did not have economic origins.

The effect of the revisionist critique of the classical interpretation has been to reassert the importance of the cultural and political origins of the Revolution. If the nobility had always been a dominant class, if whatever trends there were towards exclusivism are problematic to interpret, if opportunities for advancement were far greater than has ever been suspected, and if nobles and bourgeois shared similar economic functions and interests, then the notion that the Revolution originated in a struggle between two distinct classes has to be abandoned. Politics and culture remain. Both groups could agree to unite to overthrow absolutism in favour of a liberal constitution but, according to which revisionist historian one follows, they fell out either over means, or because of a failure of political leadership or the form the political crisis took, or even over something as amorphous as 'style'.

Some of the cultural interpretations are, to be sure, a stretch. Explanations based upon psychology are always hard to prove. The claim that the decline in the role of fathers in eighteenth century novels was related to the decline in the myth of kings as fathers of their peoples and therefore is related to the execution of Louis XVI is hardly convincing. Similarly, claims that the politicization of pornography in the Old Regime had a bearing on the origins of the Revolution can also be carried too far. After all, randy nuns, lascivious prelates and debauched lords are very old stock characters in European literature. No one thinks of dirty books as coded manifestos of the future or imagines how they could be linked to the Declaration of the Rights of Man.

Other investigations of the cultural dimension of the Revolution illustrate that a small part of the literate class was increasingly critical of the status quo. Lawyers' briefs, for example, were not censored and could be printed in large numbers. Advocates who borrowed from tropes in popular theatre cast heroes and enemies in stark contrast, and were able to portray prominent cases in terms of dastardly aristocrats cheating their roturier partners, taking advantage of their connections to exploit ordinary people, and otherwise failing to live up to even their code of honour. But this mode of pleading was fairly rare even among jurists in Paris. It was even more rare among barristers and other legal professionals who would be elected to the Estates-General. Other writings broke new ground. Some of these were histories of France in which the monarchy's role in the national history was marginalized or even delegitimized.

The century also witnessed an unprecedented explosion of print literature, in the form of national and provincial newspapers, pamphlets, books, and so on. Academies and reading societies along with salons and masonic lodges were established in most of the large provincial centres. Thus was created what the German Marxist Habermas called 'the bourgeois public sphere', a nexus in the realm outside the control of government where men and women aroused by the passions and fads of the day, could debate and discuss. There was, of course, nothing bourgeois about these institutions, nor were they somehow outside normal society, nor were they harbingers of Revolution. Most of the academies were dominated by aristocrats and, in the cities that had parlements, by the leading magistrates. Many devoted themselves to public policy and intellectual questions and so downplayed status distinctions among their members. The significance of this social mixing can be exaggerated. In 1789 at the early meetings of the Estates-General, noble deputies spoke of the bourgeois deputies as if they had never seen a barrister close up in their lives. And the astonishment was mutual.

Moreover, a great deal of print culture was completely apolitical. Printers in the provinces, for example, contracted only for government announcements, posters and almanacs. The *Affiches de Rennes*, a weekly in one of the most politically robust provinces in the country, was an utterly tedious compendium of real estate ads and grain prices. The admirers of the work of Augustin Cochin on the literary societies of Brittany, thought to be among the most important institutions for spreading the radical Enlightenment, stifle the genuine quirkiness in Cochin's work. He was convinced that the literary societies were front organizations of an ultra-secret 'Machine', and the very absence of a shred of evidence of the Machine's existence was proof of how successful a conspiracy it really was. Cochin's own evidence shows that the crisis of 1788–9 politicized the literary societies; they did not politicize the crisis, so much as respond to it.

But if there was no straight line between Old Regime cultural institutions and beliefs on the one hand, and the Revolution on the other, some cultural phenomena certainly did contribute to a profound disaffection for the status quo. One of these was Jansenism. This was a doctrine of salvation and the means of grace that several popes condemned, most notably in 1713 in the bull *Unigenitus*. After decades of persecution from ecclesiastical and royal authority, Jansenism became a movement hostile to bishops, to papal sovereignty and to the wrongful exercise of royal authority. It found a home in a small but energetic faction among the Parisian *parlementaires* and to an extent in the streets of the capital. The Parlement took up the cause of the liberties of the French or Gallican Church against the Crown and the papacy, and in the 1750s, it defended Jansenist clerics against attempts to deny them extreme unction on their deathbeds.

Jansenism, therefore, popularized the idea of obedience to legal rather than arbitrary authority. Jansenist factions also claimed the *parlements* somehow were the guardians of the kingdom's fundamental laws and that the magistrates represented the Nation and spoke for it. In other words, France had a Constitution that kings were bound to respect. Many *parlementaires* and attorneys of the Paris bar were convinced they had a special role in evaluating the extent to which royal activities intruded upon ancient rights and privileges. While many of these men were sympathetic to Jansenist ideas, they were also upholding a centuries old tradition of French public law they had learned at university or studied in their legal textbooks. Moreover, in defending these concepts, they were also defending their interests as a corporation. Unlike the *philosophes*, for instance, they were largely indifferent to reform of the criminal law and they were more or less loyal to the Parlement of Paris in its battles with the Crown.

After they engineered the dissolution of their archenemies, the Jesuits, in 1763, the Jansenist movement scattered in different directions, denouncing the Enlightenment as impious, but advocating religious toleration for Protestants and Jews, and endorsing anti-slavery. These ideas had a great future but in the immediate term, individual Jansenists got more directly involved in politics. One of the most interesting examples was the journalist and publicist Pidansat de Mairobert. In the 1760s he had been deeply involved in a Jansenist salon hosted by Mme Doublet, and later made his living collecting and publishing news, scuttlebutt, rumours and gossip. The Maupeou coup of 1770–1 (see below) crushed his spirit, however, and in 1779, he slit his wrists, overwhelmed with debt and with despair for his country. He was convinced that the absence of any real resistance to the coup not only proved the monarchy to have been a despotism but that the French themselves had been too corrupted with centuries of oppression to regenerate themselves. His moralizing, his manicheism, and his emphasis on a regenerative, morally based politics was an eerie foreshadowing of a major revolutionary discourse on how to effect regeneration after centuries of corruption of the human personality. Mairobert was a pessimistic Robespierre.

Mairobert was also a venomous critic of the court and he was tossed into the Bastille for writing a scurrilous biography of Madame du Barry, Louis XV's mistress, that highlighted her base origins as a cook and one-time prostitute. Indeed criticism of the court and its nefarious role in setting public policy grew throughout the century. From army officers in dusty provincial garrisons complaining about the conferring of the best commissions on well connected courtiers, to the intense humiliations at court of provincial squires like the comte d'Antraigues who consequently loathed Marie-Antoinette greatly, and who became one of the best publicists for Rousseau, the court loomed over polite society. It was resented almost everywhere.

One of those resentments was how much the court cost. No matter that most of its expenditures were entirely routine: meagre sums conferred on widows of military officers and on the relatives of other modest former state servants. No matter that the court budget was so small relative to overall expenditures: no one knew this at the time. There were too many spectacular examples of the Crown underwriting the debts of favourites; too many examples of far too much extravagant spending for the acquisition or construction of new châteaux, like St Cloud and the Bagatelle for the public to forgive the lush expenditures. After all, the Parlement of Paris itself told the public, in documents that could not be censored, that the source of public debt was extravagant government spending.

The unpopularity of the court related directly to the unpopularity of the King's mistresses, or in the case of Louis XVI, of his wife. Mme de Pompadour, the stunningly beautiful and charming mistress of Louis XV, eventually came to be loathed both by courtiers and by pamphleteers because of her sexual power. Commentators and gossips interpreted her improvised plays before the King at Versailles as humiliations of various courtiers. From the beginning, she had been described as 'the whore'. As time went on, she seemed to have an unnatural power over the King; indeed to have taken such advantage of him as to emasculate him. Her low birth only made the scandal worse, and the Jesuits at court were quite beside themselves when she acted in her own plays before the queen and uttered taunting lines. Her successor, Mme du Barry was seen as so grasping and so domineering that she was blamed for a grain shortage in Paris in 1770, a shortage that was allegedly designed to allow Louis XV to rake in mega profits to buy her fantastic jewellery and magnificent coaches.

But the most hated consort was Marie-Antoinette. Louis XVI was not respected. Courtiers commented on his awkwardness, his lumping gait, his absence of majesty, his irresolution, his lack of self confidence, even his impotence until that was fixed. But most of that mean spiritedness was kept within bounds. Not so with Marie-Antoinette. Rhetorical devices of sexual excess and irresistible seduction that had been applied to Mme de Pompadour were next applied to her. As a Hapsburg princess, she was a victim of the unpopularity of the alliance of 1756 with Austria but her *gaucherie* and her spite exacerbated her disastrous reputation. From the moment she stepped onto French soil until the day of her execution, many suspected her loyalties were anti-French, and that she was a Hapsburg spy in the highest quarters. Rumours about her libidinous sex life began early: she had had lesbian affairs with courtiers, it was said; she committed incest with her brother-in-law, the comte d'Artois who taught her new positions, it was said; she was 'soiled with crime and debauchery', said another pamphlet. The police commissioner of Paris actually bribed some people to cheer her when she visited but to little avail. Passers-by correctly suspected police involvement.

The Diamond Necklace Affair of 1785 gave such rumours an enormous fillip. This was a confidence scheme in which a gang of tricksters persuaded the ageing Cardinal de Rohan to purchase a hugely expensive diamond necklace as a gift for Marie-Antoinette to gain her favour. The thieves stole both the necklace and the money and made off to London. When the scam was discovered, Louis XVI concluded that Rohan could not possibly have been so stupid and that he must have been an accomplice. The King invested a great deal of energy into getting Rohan convicted but when the Paris *parlement* narrowly exonerated him, it



showed that few feared Louis's wrath. Worst of all, anonymous pamphlets assaulted the Queen, accusing her of catching venereal disease from the Cardinal and spreading it to the court. Needless to say, courtiers outside her charmed circle with the Polignac family often funded these attacks.

The consequence of these attacks on mistresses and queens was not to discredit the idea of monarchy as an institution, far from it. In both the case of Louis XV and Louis XVI, the discourse represented the king as a passive victim of sexually powerful, not to say, domineering women. One solution was to reduce the malign role of the court, to reduce its political influence over public affairs to nothing and to choke off its finances. For some others, the prominence of corrupt women in politics and the fame of certain salons that were dominated by celebrated women, showed the utter impurity of public life. Thus another avenue opened up that led to the same conclusion Mairobert had reached: France itself had been debauched. An entire generation grew up dreaming of doing great things. Some school boys at Louis-le-Grand in Paris that several future revolutionaries attended (Robespierre, Desmoulins, Fréron) smuggled books about Roman heroism to their beds to read them under the covers. This led others to dream of restoring a masculine identity, to revive a male altruistic virtue. Art historians have argued convincingly that David's *The Oath of the Horatii*, first exhibited at the salon of 1785, exemplifies this. The sons take the oath from their father to sacrifice themselves for their country while the women sit limp off in a corner.

### *Where Are We Now in the Argument?*

The great historian of the Revolution in the nineteenth century, Alexis de Tocqueville, said that the Revolution was made in men's minds before it became a reality. As with anything Tocqueville said, the statement forces us to think, but it is certainly wrong. Those who embrace the interpretation of the Revolution based upon language and culture believe Tocqueville, though. Indeed, the late François Furet went even further than Tocqueville and asserted that the utopian language of the Enlightenment dominated the scene once the Old Regime collapsed and that since it was impossible to decree virtue, the Terror, the obsession to compel people to be good, was a logical and inevitable result. Furet also insisted on the importance of the influence of a particular reading of Rousseau, that his thought set up the conceptual framework of Jacobinism. This erected popular sovereignty into an absolute so that there was no limit on public power. If after a long and sincere debate, Rousseau says, someone persists in resisting the General Will, that is, they resist an unambiguous moral

truth, they can be killed. Thus there is but a short step, or perhaps no step at all, to the conformity of sentiments in the Terror.

Others have asserted that certain discourses of the Old Regime, particularly those that emphasized a political theory in which the ideal polity was based upon justice, as opposed to liberty or the rule of law, 'opened the way for the Terror'. Still others have argued for a decline in the respect kingship evoked, or even that the monarchy was desacralized. Thus when the pathetic law clerk/servant Damiens plunged a pocketknife into Louis XV's fur coat in January 1756, the would-be assassin set off a chain of events, so it is said, that led to the de-legitimization of the monarchy.

If only things had been so simple. Police reports at the time certainly showed the public understood the hypocrisy of maintaining Louis XV's public image as the *Bien aimé* (the 'well beloved') and his scandalous private life, as well as his persecution of those much admired spiritual Olympians, the Jansenists. But the most some hotheads could imagine was a replacement of the Bourbons with another dynasty. Indeed, few revolutionaries at the beginning could imagine France without monarchy. Even after Louis XVI's many betrayals once the Revolution began, even after the overthrow of the monarchy in August 1792, most Jacobin clubs assumed monarchy in one form or another would continue. Monarchy as an institution in people's minds could be eradicated only after the immense provocations that occurred after 1789, not before.

The importance of the linguistic-cultural interpretation is that it is an outgrowth of the anti-Marxist critique of the origins of the Revolution. Their adepts assume that since the class struggle interpretation is untenable, a social interpretation in any form is untenable too. The defining event of the period thus becomes the assault on the monarchy. The research agenda in turn becomes a search for anti-monarchical statements in the Old Regime. But the dislike of individual kings, or the utterly disgusting attacks on their reputations, ought not to be confounded with hostility to the institution of kingship. Unfortunately for those who believe in the desacralization of the monarchy thesis, the French Revolution occurred under Louis XVI, not under the reign of his grandfather.

Perhaps it is time to revisit the social context in which the Old Regime collapsed. But before doing so, we need to realize that even on the eve of the Revolution, the Revolution had not yet occurred in people's minds. The political experience of the thinking classes before 1789 was that the monarchy was too despotic, and that the court was quite beyond redemption. The solution was more liberty, a liberty that was quite compatible with monarchy, but almost until the eve of the final crisis in 1788, no one, literally no one, imagined that aristocratic, clerical, and other privileges would have to disappear too. In other words, a great deal of

what made the Revolution revolutionary did not occur until circumstances compelled the revolutionaries to do what they did.

Circumstances mattered largely because the good will of moderate leaders of both sides was not able to overcome fundamental differences over the nature of the liberal constitution to be imposed on the monarchy. This in turn arose because of critical differences in the social position of the two groups, that is over the related questions of wealth and privilege. Nobles were the wealthiest single group and were among the most privileged. Although many nobles were willing to surrender all or most of their privileges and maintain their leading social position simply through their massive ownership of property, the majority of the elected representatives of the Second Estate was not. Pure selfishness apart, they retained an older view that privilege was a useful defence against unbridled absolutism. All that was needed was a constitution to supplement these privileges. In the event, many bourgeois agreed on the necessity to reinforce privilege. It was the role of the liberal leadership, both noble and bourgeois, to convince their constituencies that group privileges were no longer adequate. They failed, and since privilege was removed by violence and chicanery in August 1789, they created one of the strands of the counterrevolution.

### *Aristocrats and Bourgeois*

It is hard to imagine how wealthy the eighteenth-century aristocracy was. Of course, there were many poor nobles. To cite only one example, Sub-lieutenant Bonaparte earned only 1000 *livres* per year in the artillery, which was less, far less, than the court aristocrats, the La Tremoilles, spent on their boxes at the *Comédie Française* and the *Théâtre Italien*, let alone the 44,000 *livres* a year they spent on dinner parties. Other court families like the Orléans, with their revenues of two million a year, or the Contis with their 3.7 million, were among the wealthiest people in the country. There were similarly breathtaking bourgeois fortunes. The Luynes family, merchants at Nantes, had a fortune of over four million *livres* in 1788. On the whole, however, the nobility's fortunes were greater than those of most others. Even in Lyon, the largest industrial city in the country, the average noble fortune, much of it in the hands of office-holders, was three times that of the silk wholesalers, the wealthiest single group in the bourgeoisie. In Troyes, another manufacturing city, noble fortunes were more than double those of the wholesale merchants. Of the sixteen wealthiest people in the little port of Vannes, twelve were nobles. Of the marriage contracts signed at the administrative centre of Dijon in 1748, all those of the nobility but not one of those of the

bourgeoisie were worth more than 50,000 *livres*. Finally, in the administrative centre of Toulouse, nobles held over 60 per cent of the private wealth in the city and two thirds of that noble wealth belonged to the magistrates in the *parlement*. Despite the overlappings these figures reveal, the overwhelming tendency was for the aristocracy to be wealthier than anyone else.

Wealth, status and professional ties also made nobles a fairly closed group. Although much work remains to be done on the question of marriage alliances, what evidence there is suggests a high degree of endogamy. Among the magistrates of the Parlement of Provence, 90 per cent of the marriages were with other nobles, mostly other robe families, but there was a significant set of alliances with sword, or military, nobles too. A little over one in ten marriages was with non-noble families but alliances with the merchant and wholesaling bourgeoisie were very rare despite the proximity of Aix-en-Provence and Marseille and despite the fabulous fortunes of the Marseille shipping clans. Elsewhere, eight out of ten marriages of the magistrates of the Parlement of Brittany took place within the circle of fully-fledged aristocrats. Marriages with merchants and financiers were very rare for the magistrates of the Parlement of Paris, who had close family relationships among themselves and with some of the most illustrious names at court. Among the nobles of the Paris region in general, there was almost no intermarriage with the Third Estate, indeed almost no marriage across the various sub-classes of noble. Among courtier families, the intermarriage among cousins in the same family was increasing because they were increasingly concerned to keep the blood lines pure. It also helps explain why opinion considered courtiers almost a race apart – they almost were.

The revolutionaries defined nobles with some justification as a wealthy group. They also claimed they were excessively privileged. Although this allegation is harder to assess, there was considerable truth to it. One of the difficulties is that there were few privileges common to the aristocracy throughout the realm and many varied in their impact. Their honorific rights defined in heraldic and sumptuary legislation marked them out without harming anyone else materially. Others could have real but intangible consequences: exemption from the jurisdiction of the bankruptcy courts, exemption from hanging or flogging except in cases unworthy of their station like treason or perjury, the privilege of *committimus* by which some nobles (and some clerics, among others) could demand a trial in civil cases before a higher jurisdiction, and so on. Still others could have a direct material benefit for individuals or their families. Nobles alone could own seigneuries or fiefs outright. Roturier owners had to pay a tax known as *franc-fief*. In regions of customary law, nobles enjoyed a different testamentary code that could permit primo-

geniture, thus preserving their estates from the disintegration that threatened those of roturiers every generation.

Above all nobles benefited from tax exemptions. Contrary to a common belief, nobles did pay taxes in the Old Regime. In 1695, Louis XIV subjected them to the *capitation*, a tax on overall revenues, and in 1749 his successor imposed the *vingtième*, a 5 per cent tax on net landed revenues. But nobles were exempt from compulsory billeting, militia service, the *corvée* or compulsory roadwork, and the *gabelle*, or salt tax. They were exempt too from the *taille personnelle* which covered three quarters of the country. In practice, this meant they could cultivate a home farm directly and pay no tax. Turgot, who as finance minister and a former intendant was in a position to know, estimated that this exemption was worth up to 2000 *livres*, and the reduced taxes on the farms of tenants allowed the noble landlords to demand higher rents.

They also paid less than they ought to have done on the taxes they owed. The richest noble families around Toulouse paid an average rate of less than 15 per cent while a typical peasant family paid considerably more. The princes of the blood ought to have paid 2.4 million *livres* in *vingtième* but actually paid only 188,000 *livres*, while one of them, the duc d'Orléans, bragged that he paid whatever he pleased. In Brittany the noble-dominated provincial estates collected taxes on behalf of the Crown on separate rolls for the nobility. They assessed themselves at half the per capita *capitation* of roturiers. The result was that the Marquis de Piré who had a gross fortune of 2.5 million *livres* paid only 27 *livres* in taxes, less than a prosperous baker paid. Privilege then was worth having. So too was ennobling office despite the low formal return on investment.

Many non-nobles thought privilege was worth having too. In fact, the most privileged corporation in the kingdom was the Church, which paid no taxes at all and instead negotiated a *don gratuit* or 'free gift' with the Crown every five years. In return, it received a monopoly of public worship, education and public charity. Many *roturiers* were privileged as well. No Bretons paid the *taille* or *gabelle* with the result that their tax load was less than one fifth that of their counterparts in the Ile-de-France. Indeed, as Necker, the Director-General of Finances, revealed in 1781, the regional disparities in the incidence of taxation were immense. Within the provinces too, various towns had bought or acquired exemption from the *taille*, as had various individuals, office-holders and occupations. Given the primitive fiscal machinery of the time, it is likely too that towns in general paid less than the countryside, although the system tried to compensate for this by elaborate indirect taxes on articles of consumption such as alcohol, soap, legal documents and playing cards.

In other words, nobles and bourgeois may have been functionally a class of property holders but there were still significant differences among them. Nobles were richer, and relatively more privileged. These differences affected the politics of the two groups in 1789.

### *The Crisis of the Old Regime*

Aside from obvious self-interest, one of the reasons Frenchmen of whatever rank clung to privilege so much was that it protected them from a fiscal system that was both a mystery and accountable to no one. Indeed, the government itself had no idea what its resources or expenditures were. Although there were substantial efforts to adopt a more responsible system of internal accounting under the reign of Louis XVI, the Old Regime monarchy never thought of opening the books to outside scrutiny, or even to a centralized internal audit, let alone of justifying its fiscal policies to the public. Yet the monarchy did expect its subjects to pay and its officials were flabbergasted when other bodies questioned them.

The first great crisis of this sort occurred in the wake of the Seven Years War (1756–63). To raise money for this disastrous war, the government doubled the *vingtième* in 1756, and tripled it in 1760. Some exemptions from the *taille* were suspended, those remaining exempt had their *capitation* doubled, indirect taxes were raised and surtaxes were created. No one questioned that everyone had to make sacrifices in wartime but these measures were so drastic that they raised the question of the government's right to tax as it saw fit. Since the government proposed to continue these measures into the peace for reasons that were clear to no one, the question quickly arose of the limits of the monarchy's fiscal powers and of the proper relation between the Crown and its subjects.

The men best placed to pose these questions were the magistrates in the *parlements*, not only because the fiscal expedients of the war directly affected their pocket books but because venality of office offered them a measure of protection against reprisals. But they also spoke for everyone else who was affected, privileged or not, or for all those haunted by the nightmare of unchecked fiscality devouring the wealth of the nation.

Although the *parlements* lost in the struggle against the monarchy, they did habituate the politically conscious public to the idea that the solution to royal voracity was the rule of law. During the Jansenist crisis, the Parlement of Paris had already claimed to represent the nation. In 1763–4, it applied this principle to taxation. The magistrates argued that the King held his throne and legitimacy from the fundamental laws of the realm, which were immutable. The *parlement* had the right to determine whether ordinary legislation conformed to the principles of the ancient

constitution. In fiscal matters, the magistrates claimed, 'the infraction of the sacred right of verification simultaneously violates the rights of the Nation and the rights of legislation; it follows that the collection of a tax which has not been verified is a crime against the Constitution . . .'. The purpose of government was to maintain the citizens in the enjoyment of rights which the laws assured them, those rights being liberty and honour. Provincial *parlements* went even further with strikes, collective resignations and orders to arrest local governors for enforcing the edicts. The most agonizing and dramatic conflict came with the Parlement of Brittany. This struggle lasted until 1770 with arrests, counter arrests, suspension of the *parlement*, resignations and arrest of magistrates. When the Parlement of Paris refused orders to cease its intervention, the Chancellor Maupeou in effect abolished it in February 1771. Subsequent protests from provincial parlements led to their 'remodelling'.

Yet once the government had its way, the Controller-General, Terray, did nothing to reform the government's finances. Force had shown that the monarchy could push its critics aside and stumble from one expedient to another, as it always had. Thus when Louis XVI, who ascended the throne in 1774, immediately restored the *parlements* in an attempt to win popularity and govern by consensus, men drew a number of conclusions from Maupeou's 'revolution', as it was called at the time. The *parlements* issued a number of declarations that showed they were unrepentant. They strongly protested Turgot's attempt in 1776 to transform the *corvée* into a money tax. In practice, however, the judges showed an extreme reluctance to risk provoking the monarchy again. Other commentators were simply dismayed. The timid Paris bookseller Hardy accused Maupeou of destroying the ancient constitution of the French government but could think of nothing better than to look to the princes of the blood 'on whose protests depends perhaps the salvation of the French and the conservation of the true rights of the nation'. Others were more imaginative. The Maupeou affair confirmed what some had been thinking for a long time: that France had become a despotism, no different from that of the dreaded Turks or any other oriental despotism. French kings no longer ruled according to the laws of God. They had succumbed to their base appetites.

But there were other possible lessons that could be taken from the Maupeou affair. Malesherbes, the magistrate of the *cour des aides* who later defended Louis XVI at his trial, remonstrated on behalf of his colleagues that the courts 'supplemented' the role of Estates in consenting to taxes and, in 1775, demanded the King hear 'the nation assembled . . . The unanimous wish of the nation is to obtain the Estates-General or at least, provincial estates'.

Some of the provincial *parlements* like Grenoble, Bordeaux and Besançon demanded provincial estates as well, bodies which would give their provinces a bargaining power over taxes and a lever against the intendants such as the Bretons had and which they alone could not provide. In fact, the *parlements* had a strong sense of their own fragility, which was only reinforced by the docility of the Paris *parlement*. It registered a double *vingtième* in 1780, a triple *vingtième* in 1782 and loans of 125 million *livres* in 1784 and 80 million *livres* in 1785, with only perfunctory demands for further economies in the royal household and finances. The long-term effect of Maupeou's revelation of the *parlements'* weakness and their subsequent docility was thus to discredit the *parlements* as a defence against despotism. Rabaut-Saint-Etienne, the Protestant minister and deputy to the Constituent Assembly, wrote that part of the nation regarded the *parlements* as a 'barrier to despotism of which everyone was weary'. The general public may well have thought so, but others explained the absence of heroics from this generation of magistrates as obsequiousness, ambition or corruption. The abbé Morellet, a minor writer, accused the *parlement* of 'letting us be overwhelmed [with taxes] for over a century, [of permitting the government] all its waste and its loans which it knew all about . . .'

Many Frenchmen of the 1780s had concluded that the risks of the monarchy degenerating into a despotism were very real and that the solution was not to reinforce the powers of the *parlements* but to revive the provincial estates or the Estates-General. So far as one can tell, few yet thought about the question of privileges. Indeed, the *parlementaires* who demanded the revival of representative institutions clearly thought of them as augmenting their constitutional powers and consequently protecting their privileges, not supplanting or suppressing them.

The government's freedom of maneuver in this general crisis of confidence in existing institutions was consequently limited. Nor had the two important finance ministers of the period, Necker and Calonne, raised the level of confidence. When a powerful coalition of tax-farmers, resentful courtiers and spiteful ministers pushed him out of office in 1781, Necker claimed in his famous *Compte rendu au roi* that there was a surplus on hand of 10 million *livres*. Whether this was misleading, as his detractors later suggested, is less important than the fact that, as the first public declaration of royal finances, it created a sensation and established Necker's reputation as a miracle worker. The triple *vingtième* and the huge loans after his fall only reinforced this impression. Calonne underlined it by heaping huge pensions on avid courtiers and by authorizing the Crown's acquisition of the lovely châteaux of Saint-Cloud and Rambouillet. By contrast, Necker had tried to impose greater internal accountability, closer surveillance of the tax-farmers and economies on



the royal household: the very programme the *parlements* over a generation had educated the public to believe was the solution to the Crown's financial woes.

Calonne's strategy was to increase government credit and to stimulate the economy which in turn would increase government revenues. But the huge spending touched off a stock market boom, particularly in shares that were known to have government backing or ministerial protection. In addition, the boom fed, and was fed by, a mammoth speculation in urban real estate in which the court was directly involved. The duc d'Orléans, for example, developed his properties around the Palais Royal, the comte de Provence financed a great deal of building in the Vaugirard quarter of Paris, and the comte d'Artois ran up debts of 28 million, a victim of his own speculative appetites and speculation in his own household. A mountain of paper and credit surrounded the houses of the great and the ministry. By 1787, the government found itself subsidizing inflated shares in the New India Company, the Paris Water Company (which delivered no water), and in fire and life insurance companies (which ensured no lives). Yet the financiers and tax-farmers the government supported were in serious trouble by late 1786. Wine prices had been low since 1783 and the country was entering a manufacturing depression. The financiers' revenues from taxation were consequently declining and so, indirectly, were those of the government. With share prices in the India Company, the Water Company and Discount Bank falling in the wake of the speculative boom, many financiers were hard pressed. Calonne had also reached the limit of his ability to support them. In the first half of 1787, five went bankrupt, further shaking the government's credit, amid charges of fraud and embezzlement. At the very least, all this demonstrated the financial incompetence of the old monarchy.

Calonne proposed to deal with this gathering crisis once and for all, not by revamping the system of collection, but by tapping into the nation's resources in a new way. In August 1786, he announced to Louis XVI that the Crown no longer had any money. The third *vingtième* was due to expire the next year, the government had borrowed 1.25 billion since 1776, debt service alone would cost 50 million a year by 1790 and short-term loans were already too high at 280 million. Further taxes were politically impossible, would not yield enough anyway, and further economies would be insufficient. The only solution was a revamping of the entire fiscal and administrative structure of the state and a reform of its relationship to the economy. Whether any of this was true, of course, still has to be shown. The document was also entirely political, designed to back a dithering monarch into a corner and convince him that no other course of action was possible.

At the heart of Calonne's proposals was the replacement of the *vingt-îèmes* with a territorial subvention, a tax collected in kind on the basis of the landed income of all proprietors irrespective of their privileged status. Local assemblies representing all proprietors, again irrespective of their privileged status, would apportion the new tax. Other fiscal measures included reforms in the royal domain, extension of the stamp tax, rescheduling the national debt, commuting the royal *corvée* into a money tax, and reducing the salt tax. There were a number of proposals designed to stimulate the economy as well. Uniform tariffs, abolition of internal customs and freedom of the grain trade would all liberate the economy from administrative tutelage.

Whatever the merits of Calonne's plan, he had a long history of antagonism with the *parlements* – he had written the famous *séance de flagellation* speech of 1766 in which Louis XV expressly denied the *parlements* had any independent judicial authority. Further the Parlement had recently shown signs of life during the Diamond Necklace Affair and in questioning some of Calonne's fiscal machinations. He needed a ringing statement of confidence from outside the government that would shore up the monarchy's credit. This device was the Assembly of Notables, which had last met in 1626. By tradition, this body was composed of the princes of the blood, prelates, great nobles, magistrates and representatives of the *pays d'états* and some cities. Calonne hoped to pack the assembly with enough sympathizers to get the reform package through. Then flush with the support of the great names of the country, he could overawe the Parlement, but if this scheme did not work, he was prepared to force the reforms on them by a *lit de justice*, a perfectly legal constitutional device that required a *parlement* to accept a government law or decree. He also needed the full support of Louis XVI. In the end, none of these assumptions worked out. Of the princes who owed him so much, only the comte d'Artois was loyal. Provence and Orléans were in open opposition while the others remained quiet; the clergy was outraged by the attack on its privileges; the *parlements* were encouraged to believe once again that they represented public opinion; and Louis XVI, stung by the extent of the opposition and timid as always, allowed the situation to drift. Most importantly, the defiance of the Notables aroused public opinion.

### *The Collapse of Absolutism*

The Assembly of Notables is a kind of interlude in the story. It defied the Crown, and passed the crisis off to the Paris *parlement*, but it was significant for two reasons: in demanding more economies in government expenditure, it convinced the public that the government was right: ever

since the 1740s at least, the government had been maintaining that the source of the financial problem on the revenue side was tax privilege. The public endorsed this partial analysis, and the financial policy of the patriots ever after was to endorse this line. The public in turn was led to believe that eliminating tax privilege would lower the tax liability of the non-privileged. When this turned out not to be so, the disillusion was great. The second reason the Assembly of Notables was important was that it showed the Old Regime constitution worked the way the philosopher Montesquieu said it worked. In defending their own privileges, the Notables defended the nation against a rampant fiscality.

The Assembly of Notables met at Versailles from 22 February to May 1787. Opposition to the reform package itself was vociferous from the start. Much of it came from the clergy and the representatives of the *pays d'états* who were afraid of losing their privileges. But not all of the criticism was completely self-interested. The territorial subvention was an immensely stupid idea. The proposal to collect it in kind would not only attack the privileged but also it would be immensely expensive to collect and remove what little external control on revenue and expenditure remained. The provincial assemblies that would decide its distribution would work in such a way as to co-opt local élites to the royal despotism since these assemblies would have no independent rights. As it turned out, they were much like the departments the revolutionaries established and that still exist, with very little independent power either then or now. Nor could the representatives of the privileged provinces agree to the abolition of their rights to import freely certain colonial products, the extension of the state's tobacco monopoly and the generalizing of the salt tax even at a reduced rate.

Calonne's high-handed refusal to lay the royal accounts before the notables and his self-serving attacks on the ever popular Necker undermined his position. Once opposition began to grow, he published a pamphlet assaulting the notables' unwillingness to make sacrifices and presented himself as the defender of the non-privileged. This was a demagogic and fraudulent appeal to the Third Estate, since the government was yet again insisting that the problem was privilege, nothing else. Louis XVI had had enough and promptly sacked Calonne. He had to flee to England, the first émigré.

Meanwhile, the King called in one of his bitterest critics, the Archbishop of Toulouse, Loménie de Brienne. Brienne made a number of important, if futile, concessions. The territorial subvention would no longer be collected in kind, would have a fixed term and would be limited to government needs. The stamp tax was revised, economies promised, government accounts opened and the distinctions of the privileged in the provincial assemblies were to be recognized. But Brienne fared no better

with the notables than Calonne. They had no desire to compromise themselves with an aroused public opinion and refused to vote any taxes, which they claimed they had no mandate to do. Brienne had no choice but to dismiss the notables and take his proposals to the Parlement of Paris which was now thoroughly aroused.

The government had calculated that the prestige of the notables would overawe the *parlements*. Yet articulate opinion that had first seen the notables as mere tools of the ministry was delighted at their show of independence. This reaction only encouraged the magistrates to believe that they represented the entire nation's distrust of royal fiscality. No doubt much of the *parlement's* action in the ensuing crisis was motivated by self-interest. Fiscal reform would certainly hurt them as landowners. But the *parlement* operated under other pressures as well. The magistrates' defiance was popular. As in the previous reign, the public saw the *parlements* as a defence against ravenous fiscality. As Rabaut Saint-Etienne recognized, in demanding the convocation of the Estates-General, the Parlement of Paris gave in to public opinion: 'No one knew it better because it studied it incessantly in order to rest upon it'. Pasquier, then a young magistrate, said the same thing and recalled that from 'the moment our interest was clearly at stake, we saw nothing more beautiful than to sacrifice it to what we considered the public good. Generous sentiments overwhelmed us and there was no way of holding us back'. Such idealism centred around the young councillors in the *parlement*, Adrien Dupont and Hérault de Sechelles, who were working towards a constitution that would make ministers truly accountable. Although it was hardly apparent at the time, other magistrates were more conservative. Duval d'Eprémesnil and Saint-Vincent, for example, saw the great enemy as ministerial despotism and tried to exploit the crisis to enhance the prerogatives of the *parlements* and protect the corporate structure of French society of which the aristocracy was, of course, a vital part.

The *parlement* accepted some of the government's proposals but they rejected the stamp tax and the territorial subvention because only an Estates-General could consent to new taxes. Most of the peers and magistrates in the Parlement were aware that this was a revolutionary claim. Some recalled that the American Revolution had begun with resistance to taxes. Others feared that an Estates-General would amount to a revolution, although many were probably consoled with the idea that it was the traditional Estates that were being demanded, not a National Assembly. The recourse to a very old French parliamentary tradition was also a result of rumours that began to circulate from the summer of 1787 onwards that the *parlements* would be emasculated or abolished as punishment for their resistance, as in 1771. The Estates-General would protect the *parlements* who knew from experience that

the government had the means, and, if sufficiently provoked, the will, to repeat the Maupeou experience.

Initially, therefore, the demand for the Estates-General was not revolutionary: those who demanded it did so because they expected it would reinforce existing institutions. How much esteem the government had lost, and how much support the *parlements* had, was shown in the reaction to the attempt to enforce registration of the fiscal edicts. On 6 August 1787, a *lit de justice* registered them and when a defiant *parlement* declared this null and opened an enquiry into Calonne's conduct for abuse of authority, the government struck. On 15 August, the magistrates were exiled to Troyes, but this only raised an unprecedented clamour throughout the country. Dozens of lower courts protested, some echoing the *parlement's* call for an Estates-General. Opinion at large followed, especially in Paris where crowds of young law clerks and porters roamed the streets stoning officials' houses and shouting anti-government threats in the markets. Neither Brienne nor the magistrates desired such an outright confrontation, however, and by mid-September a compromise had been worked out whereby the government withdrew the controversial land and stamp taxes in return for a continuation of the *vingtièmes*.

At first sight, the compromise appears to have favoured the *parlement*, but by withdrawing the new taxes Brienne undercut the magistrates' rationale for demanding the Estates-General. The crowds who welcomed the return of the judges to Paris did not understand this, but some acute observers did. Clearly, some hoped that the crisis would go much further and produce a reconfiguration of the constitution. The abbé Morellet, for example, wrote, 'On whom would you have the nation rely today? The *parlements*, which defended it so badly, have again deserted it... We need some bar to the repetition of abuses: we need the Estates-General or the equivalent. That is what people everywhere are saying.' The bookseller Hardy who heard much of the gossip emanating from the law courts, reported that 'all the young jurists... exploded in anger at the *parlement's* moderation, which they regarded as sheer cowardice'. For those who wanted to keep the crisis going, who hoped that it could be transformed into a struggle for representative institutions, the compromise was a sharp disappointment.

Their instincts were correct because Brienne had decided to abandon fiscal reform in favour of an ambitious programme of retrenchment, rescheduling debts and pruning the military. Recovery was planned for 1792. An Estates-General that met in 1792 would only be in a position to applaud the government's success. But the bridging loans this strategy required did not convince the peers who sat in the Parlement. When the King's cousin, the duc d'Orléans protested that enforcing the loans was

illegal, Louis XVI countered: 'That is of no importance to me. . . . You're indeed the minister. . . . Yes, of course . . . it is legal because I will it.'

Eventually, the government decided to have done with the *parlements*. Clearly, the government thought it was in a very strong position. On 8 May 1788, Lamoignon, the Keeper of the Seals, forced the registration of Six Edicts that emasculated the *parlements*. Registration of new edicts was transferred to a new Plenary Court, composed of princes of the blood and royal officials.

Lamoignon's coup was a classic case of over-reach. It initiated the final crisis that brought about the collapse of the old monarchy and it did so by exhausting the government's capacity to borrow. This was difficult to foresee. Investors quickly took up the advantageous loans in the November edicts, and government stocks, buoyed along by a promising *compte rendu* published in April 1788, climbed in the immediate aftermath of the coup. But the aristocratic revolt which followed helped to sap investor confidence. While Paris remained calm, there were violent riots in Rennes, Grenoble and Pau. The intendant of Brittany, Bertrand de Molleville, had to flee the province in July, while in Grenoble troops were showered with roof tiles by the outraged citizenry; four people were killed and scores injured in the subsequent repression. The Assembly of the Clergy, dominated by aristocratic prelates, gave the government a miserable 1.8 million *livres* in *don gratuit* instead of the requested 8 million and published a strident denunciation of Lamoignon's 'revolutions', as they called it. Elsewhere provincial *parlements* and *présidiaux* protested, lawyers promised to boycott the superior bailiwicks and in Brittany aristocrats formed 'correspondence committees' among the towns to stir up public opinion – presumably a deliberate borrowing of a term from the English and American revolutions. The government might have mastered this unprecedented wave of discontent because, in the end, the army, for all the discontent among some junior officers, remained loyal. In any case, the opposition was far from united. The new provincial assemblies were on the whole cooperative, not all the *parlements* protested, and some presidial magistrates and some towns were delighted to have their status raised or to become the site of a new court.

But a divide and rule tactic was no longer possible in the summer of 1788 because the political crisis finally ruined government credit. By early August, Brienne found the treasury empty. A sure sign of trouble had come earlier in July when, in an attempt to bolster confidence, he moved forward the meeting of the Estates-General to May 1789. Thus the confident assumption that the 1792 assembly would simply congratulate the government for restoring public finances had already evaporated, and the Crown for the first time admitted it could not govern without a

representative assembly of some sort. The final blow came on 8 August when the government suspended treasury payments, which many panicked investors interpreted as a partial bankruptcy. Defeated by a credit crisis and the aristocratic revolt, Brienne could only resign. With great reluctance but with no alternative, Louis XVI turned to Necker as the only man who could salvage the situation. Finally the *parlements* were restored and the May edicts withdrawn. Absolutism had collapsed.

### *The Men of Liberty*

What would replace it became the central point of the struggle for the next nine months. The Parlement of Paris saw itself as the great victor in this triumph over despotism and declared on 25 September that the Estates-General would meet according to the form of the last one in 1614. This is usually taken as the moment when the aristocracy threw off its mask, determined to preserve its privileges at any price since adherence to the forms of 1614 required each estate to vote separately and each would have a veto over the actions of the other two. Thus the aristocracy would be able to control the pace of reform. This was undoubtedly a revelation for many, as the scores of municipal deliberations and outraged pamphlets testify. But the situation was less clear. The magistrates could not have thought through the implications of their action, since adherence to the 'forms of 1614' would have put them in the Third Estate. Clumsy as it was, the *parlement's* attempt to anticipate the structure of the Estates-General sparked a new campaign among those whose support for the aristocratic revolution had always been tactical or tepid. But even future revolutionary leaders were far from adopting a common outlook during the crisis. All of them were feeling their way and improvising. Whatever their attitude in the crisis following Lamoignon's coup, the ultimate aim was a National Assembly, presumably modelled on something like the English parliament or some American state legislatures, an aim that was quite at variance with the forms of 1614. For them, the *parlements* were a weak reed against despotism, as the compromise of September 1787 had shown. The magistrates had also opposed enlightened reformers like Turgot in 1776 or had long before ruined their reputation with the Protestant community. For men like these, support for the *parlements* or enlightened ministers had always been contingent upon reform. With the meeting of the Estates-General now certain, their agenda switched towards securing a National Assembly which offered a better hope than any other institution.

They called themselves 'patriots' which at the time meant a lover of liberty. Who were they? In fact, the composition of the group is not well

known at least in part because the patriots constantly represented themselves as the entire nation. Since they won the propaganda battle of 1788–9 so decisively, it is tempting to read the history of the period as that of the nation against despotism. From what little is known about them, however, they were certainly not the nation, nor were their followers entirely bourgeois. In fact, the Paris leadership was hardly bourgeois at all. The most influential body that took upon itself the task of educating the nation in its rights was the Society of Thirty, a hastily formed club drawn from the various salons of the capital. Of the fifty-five identifiable members, fifty were nobles, split roughly evenly between courtiers and the younger magistrates. Almost all of them came from families that had been ennobled for generations, and among the courtiers, all but one had been ennobled before 1500, making them among the most ancient and illustrious families in the entire aristocracy. Paradoxically, many had been alienated because of Louis XVI's policy of professionalizing his councillors, intendants and army officers by recruiting them from the provincial squirearchy – in other words, they resented being deprived of their entitlements. All of them despised Marie-Antoinette for spitefully freezing their families out of lucrative court honours and sinecures. A few, like Lafayette, were veterans of the war in America where they had picked up notions of individual rights, contract theories of government and the rhetoric of popular sovereignty. None expected these notions would shake their own position in society. As Lafayette put it, the purpose of a reform in France would be 'to establish the executive power of the monarchy, the predominance of the nobles, and the rights of property [on the basis] of a free constitution that would permit all citizens to participate in the advantages which nature had accorded to all men . . .'. Finally, some were connected with Turgot and fell from court favour when he fell from the ministry. That great disappointment must have prepared many to look outside the existing order for a genuine reform.

The connection with Turgot was a direct connection with the Enlightenment for it was men like the members of the Society of Thirty whom the *philosophes* influenced most. The *philosophes* did not have a particularly wide impact. Professional, religious and historical themes dominated provincial reading culture and the bestseller of the century was not one of the enlightened classics but a justly forgotten, but endlessly reprinted, book of devotions called *The Guiding Angel*. Although literacy rates were climbing dramatically, particularly for women and for southerners, popular reading tastes scarcely changed at all. These remained mired in a culture of the marvellous, the supernatural and the fantastic.

As for the deputies to the Estates-General, an obvious group to test for the relationship between ideas and action, the overall assessment is untidy



but fairly clear. There were genuine men of ideas, men who had intellectual lustre in their own right like the Marquis de Condorcet, or there were men professionally associated with famous men of letters. But many of them had a hard time getting elected. One example would be the abbé Sieyès who failed to get elected in the First Estate and came twentieth out of twenty in the Paris delegation for the Third. Few of the deputies were members of local academies and although more were members of the masonic societies and some even held high position in the lodges, such men were still a serious minority. Many of the future deputies were authors in their own right, but few showed much response to traditional Enlightenment themes. Many of the books were technical or professional legal treatises. Fewer still appealed to Enlightened principles once the revolution of 1789 was under way. On religious issues, deputies to the Third Estate were rarely fervent, but this mattered little in the run-up to the Revolution; it would matter when it came to the implementation of the reforms they would impose on the Church.

The relation of nobles to the Enlightenment was very different. In so far as it is possible to attach ideas to a class, enlightened culture was practically the culture of the cultivated nobility. It was they who patronized writers, corresponded with them, and publicized them through the salons of the capital. In the provinces, the parliamentary magistrates encouraged the spread of reason and light through the provincial academies they dominated. Nobles were also prominent among the buyers of the greatest enlightened work of the century, Diderot's huge, expensive and enormously popular *Encyclopédie*, to which many nobles including d'Alembert and Jaucourt contributed.

The advanced ideas of the century were not even necessarily political. Much enlightened thought dealt with themes like man's place in the universe, original sin and the nature of sense impressions that had little to do with the issues of the 1780s. There was also an extensive and well-argued Catholic counter polemic that meant that the *philosophes* did not carry all before them. Indeed, some of the future deputies contributed to it.

Nonetheless, in a general sense, the Enlightenment was indeed very influential even if it is nearly impossible to pin down the impact of specific writers or individual books. As a cast of mind, it taught its followers to judge institutions by reason and utility, not by their antiquity or sacredness. This provided the justification of the reforms of 1789–90. In particular, its desacralization of life required religious toleration and the suppression of many privileges of the Church. So it may well be that Enlightened writings did little to subvert the monarchy or the society of privilege but made it easier in a general way to justify what happened to the Church. For those associated with Turgot, it also meant a society dominated by landowners, not privileged persons, a more rational fiscal

system, freedom of the grain trade, the end of immunities in taxation, the suppression of monopolies like guilds, and the creation of representative assemblies. Again 'economical' ideas had little to do with the origins of the Revolution itself, but they did provide a huge archive of ideas about what to do once the Old Regime collapsed. In short, the Enlightenment was enormously influential on a small group of men who were themselves enormously influential in the winter of 1788–9 and in the Estates-General. Ordinary deputies may have had only a passing knowledge of these ideas before the Revolution; once it came to liquidating the Old Regime in late 1789–91, there were plenty of experts available to educate them.

It is difficult to be more precise about the impact of the propaganda of the Society of Thirty on the provinces. As wealthy men, its members were able to flood the country with pamphlets and broadsides attacking privilege and suggesting the form the Estates-General ought to take. Their immediate demand was for vote by head, that is, a single chamber; and double representation for the Third Estate. Both devices would counterbalance the defences of the orders of the clergy and the nobility. As an appeal to the relatively non-privileged, this was enormously successful but the provinces had their own reasons, aside from this propaganda or the Enlightenment, for responding as massively as they did. People feared there was no limit to the government's ability to tax the nation and the Estates-General would stop that. People also accepted the government's analysis that the deficits existed because of the exemptions of the privileged classes. There was little or no discussion of the similar privileges of the Third Estate, partly because of self-interest but partly because neither Calonne nor Brienne had laid much emphasis on them as causes of the state's financial problems.

On the whole, the patriots in the provinces were the relatively non-privileged but this was not an invariable rule, nor were the patriots exclusively bourgeois. In Dauphiné in the summer of 1788, nobles and clerics associated themselves with a movement led by the lawyers Barnave and Mounier to have the provincial estates organized on the basis of the doubling of the Third, vote by head and elected representatives, not *ex-officio* ones. This culminated in a meeting of all three orders on 21 July 1788 at Vizille that promulgated these demands and that agreed to have all taxes assessed on the basis of fiscal equality.

In Brittany, similar events took a more violent course because the *parlement* and the noble-dominated provincial estates had a long history of resistance to reform. As early as 1768, the issue of noble tax privileges had arisen in the Estates and continued for every session thereafter. It provoked the young law professor Lanjuinais to advocate a wider and more effective voice for the Third Estate. When the final crisis broke, the

*parlement* encouraged violent demonstrations against Lamoignon's Edicts, and the comte de Botherel, the procurator of the Estates, toured the province's law courts in the summer of 1788 claiming new taxes violated the terms of union between Brittany and the Crown. The Paris *parlement's* demand for the forms of 1614 would have nullified the Third's hope for tax relief, however, since ancient usage would have permitted the local estates to choose the deputies to the Estates-General. The reform of the Estates itself thus became an urgent priority. The patriots created the impression of an overwhelming wave in favour of reform. Perhaps because Brittany had a more active political life in the Old Regime, they were much more successful, even though they too appealed to specific groups. In Rennes, the legal professions, merchants and wholesalers and master-craftsmen (particularly in the building and clothing trades) adhered to the patriot movement far out of proportion to their numbers in the population, while the journeymen, labourers and domestic servants were considerably under represented. As early as December 1788, the revolutionary coalition that was to dominate the political life of the city for the next six years, and indeed the nation, had emerged. Contrary to their rhetoric that represented them as deprived, the patriots were well off. The poor were singularly under represented. The average patriot paid four times the city average while the really wealthy who formed one third of the patriots paid 80 per cent of the group's taxes.

Not all the wealthy, not every lawyer and not all the trades were as enthusiastic as others and why this should be so is not clear. In faraway Toulouse, it was impossible to distinguish patriot from non-patriot barristers on the basis of age or wealth. One clue comes from the little Breton port of Vannes where the patriot municipal councillors tended to be those who were more zealous participants in local affairs than non-patriots. Their political education had been primed by trying to cope with the obstruction of the privileged in town affairs for a half-century. For them, eliminating privilege at the local level could only come with undermining it in the provincial constitution. But for others the choices were less clear. Clientage, family relations, professional interests and fear of disorder kept them with the privileged. In Rennes, the barristers as an order, as opposed to enthusiastic individuals, tried to mediate the pretensions of both groups. Their leader, Le Chapelier, who had just inherited noble status from his father, stayed aloof from the demagogues of the dominant aristocratic faction and the inflammatory law students. The barristers were provoked into siding with the Third Estate. On 26 January 1789, aristocratic thugs, domestics and sedan-chair carriers in the pay of the great houses, assailed the law students. The *parlement* refused to investigate and the barristers took this as support for the assault. Thus for reasons that had

everything to do with law and order, the barristers as a group joined the patriot side. The old order's deception and hypocrisy explains much of the Breton delegation's moral indignation and intransigence in the Estates-General.

### *Elections and Issues*

Throughout the gathering agitation in the provinces, the government remained cautious to a fault. Financial considerations and the looming crisis in the economy distracted Necker. Ever since September, the pamphleteers had been demanding the doubling of the number of deputies of the Third Estate. Neither a second Assembly of Notables nor a Parlement of Paris totally stung by the pamphleteers took a stand on the issue of doubling. Necker thus took the plunge and in December 1788, ordered that the number of deputies to the Third Estate be doubled. But without vote by head, this was nearly meaningless. It did encourage the patriots, however, to pursue their pamphlet war in favour of vote by head.

The mode of elections to the Third Estate contributed to a latent unity among the deputies. In the countryside, the inhabitants met in March and early April to choose delegates. These men in turn met at the seat of the bailiwick to choose deputies to the Estates-General. In the towns, the guilds, corporations and town councils chose deputies to the bailiwick assembly in a two-, three- or even four-stage process. At each stage the assemblies drafted *cahiers de doléances*, or statements of grievances, which the general bailiwick assembly consolidated into a general *cahier*. At the same time, it chose deputies to the Estates-General.

The elections were among the freest of the entire revolutionary period and deputies were chosen on a wide franchise. Turnout in many places was higher in the countryside than the towns but even so, the turnout was poor. In Paris, for example, the turnout of 25–30 percent would be the highest for the decade. In any case, the system of indirect elections favoured men of substance, particularly the legal professions, at every step of the way. This was because lawyers were used to public speaking anyway and because the deputies to the bailiwick assemblies and to the Estates-General were generally expected to pay their own expenses.

The conditions of election produced a remarkably homogeneous group. Counts vary but on the whole the legal professions were overwhelmingly represented among the deputies to the Third Estate. Nearly two thirds had legal training. Over 200 were qualified advocates who were at the peak of their careers and who were to be very active speakers and committee men, while 127 were bailiwick magistrates who tended to

be spectators. Over 40 per cent of the deputies were venal officeholders while businessmen and landowners totalled only about one fifth of the delegations. Most significantly, Third Estate deputies were far less wealthy than the noble deputies. Marriage contracts for nobles noted assets that were fifteen times those of the Third Estate. Far more Third Estate deputies had a formal education, and many of them had advanced training, mostly in the law. Many of them too had political experience before the Revolution. While the soldiers trained in barracks or went to America, the lawyers and magistrates were on town councils or other bodies and they had become caught up in the political mobilization of 1788. Nearly three quarters of the deputies came from towns with a population greater than 2000 at a time when 80 per cent of Frenchmen lived in smaller centres. No less than one quarter of the deputies came from the larger towns and cities which were inhabited by only 10 per cent of the population. The strong urban representation was particularly significant because the general *cabiers* of urban regions were more critical of noble privileges and seigneurial rights, and more demanding of representative institutions, than the *cabiers* of parish and guild assemblies. Northern deputies also outnumbered southern by over two to one and since northern France tended to be more heavily urban, there was a strong contingent of deputies who were highly critical of existing institutions. The system of indirect elections then produced an embryonic political élite with remarkably similar ideas.

The elections to the privileged orders also produced some unpredictable results. The government allowed the parish clergy a direct role in choosing delegates to the First Estate, and in the diocesan assemblies they took advantage of it. The upper clergy – about a hundred deputies – was certainly well represented, which shows that respect for them had not gone into eclipse as much as contemporaries thought. On the other hand, nearly two hundred parish priests were elected. These were highly professional men, often highly qualified with university degrees and disproportionately recruited from urban bourgeois families and highly dedicated to pastoral work. The liberal *curés* also had a more extensive education than their conservative counterparts. Most had grievances. They were critical of the opulence of the upper clergy, worried that the Church was losing its sense of vocation, and anxious about the increasing secularization of the country represented by the spread of impious, philosophic writings. Some had experience demanding rights for the pastoral clergy against bishops whom they depicted as indifferent oppressors, more interested in billiards than in pastoral work. Most were unhappy at the granting of partial civil status to Protestants and resentful at being excluded from high office and the deliberative bodies of the Church. The solution for many was greater control of the Church from

below and greater clerical influence over national life. Although there was a significant party of patriots led by the abbé Gregoire, most never envisaged the Church losing its corporate identity. On secular matters the clerical *cabiers* were in broad agreement with those of the general bailiwicks. They too saw regular constitutional government and the abolition of fiscal privileges, including those of the Church, as the route to national regeneration.

The elections to the Second Estate, the nobility, also produced some surprises. For all their visions of themselves as defenders of the nation against despotism, the *parlementaires* fared badly. Only twenty-two were ever elected, revenge no doubt for the disdain in which *parlementaires* had long held country gentlemen, and a reflection too of the nobility's determination to defend their interests themselves. The court and Parisian aristocracy did better than might have been expected considering the provincials' dislike of high living in the capital. Indeed, the great names of the kingdom did very well in the elections. Thus, the noble deputies did not much resemble the nobility as a whole. Eight out of ten of their families had been ennobled before 1600, while the aristocracy as a whole was much younger. They were also enormously wealthy, far wealthier than the deputies to the Third Estate and even wealthier than their fellow nobles. Most lived in towns, few were country squires, none fitted the legendary stereotype of a penniless bumpkin. Above all, they were soldiers. Eight out of ten were officers in the army or navy, again in contrast to the bulk of the order who were office-holding civilians. This made a difference in the politics of 1789. Many of them had obtained a dismal education and they were not articulate men. Many resented their inability to hold their own in debate against the lawyers of the Third Estate, but many lawyer-deputies became enormously bitter at the noble deputies' disdain and snobbery.

Contrary to what was once thought, political divisions did not align court liberals against provincial reactionaries. Such a split scarcely existed. Instead, the 90 (out of 282 noble deputies) liberals were younger. One half were under forty in 1789 whereas three quarters of the conservatives were over forty. Liberals were also more likely to have an urban background. Nearly 90 per cent of them lived in a town of more than 2000 inhabitants while less than three quarters of the conservatives did. Liberals too were more likely to have travelled to England or even America, and more likely to belong to a local academy or learned society and therefore to have participated in the vibrant cultural life of the century. In other words, the liberal nobles, whose influence in the design of the constitution was to be disproportionate, had much in common with the activists in the Third Estate: youth, an urban background and hostility to privilege.

In short, beneath the traditional division of the élite into orders, there lay a fundamental social and cultural split, not between classes in the now discarded Marxist sense, but between certain kinds of social experiences. Above all, there were huge differences of background, wealth and life experience between noble and the Third Estate deputies. This translated itself into programmatic issues and it meant that only some extraordinary leadership and persuasion could have produced an accommodation between the two groups. On the other hand, much of the patriot grouping did transcend these differences and they had much in common. Patriots were younger, well educated, well travelled, and above all immersed in an urban setting. They had few doubts of their intellectual and cultural gifts and they were determined to bring their insights to the nation as a whole. For those provincials who were less gifted, or as the patriots were so quick to stigmatize, more ignorant and boorish, these attitudes were insufferably arrogant and contemptuous. But it would be a while before this gulf of misunderstanding revealed itself.

There was a broad consensus on constitutional questions. The aristocracy believed that absolutism had to be checked and that concessions had to be made on the fiscal issue. In its 5 December, 1788 declaration, the Parlement of Paris envisaged an Estates-General that would meet regularly, that would consent to taxation and to which ministers would be responsible. Individual liberty, the rule of law and freedom of the press were also essential features of a regenerated nation. The *parlement*, the second Assembly of Notables and the famous Memoir of the Princes submitted to the King on 12 December 1788 all claimed that nobles were willing to sacrifice their pecuniary privileges. An impressive 89 per cent of the noble *cahiers* also favoured the surrender of fiscal immunities. Thus the dispute between the nobles and the Third Estate was not over fiscal privilege. Most nobles were willing to surrender this.

Nobles were less certain than the larger cities on some other constitutional issues. Just half of the nobles' grievances demanded a constitution while three quarters of the cities did, and 60 per cent of the noble *cahiers* demanded individual liberties while over 80 per cent of the cities did. While neither foresaw the complete overthrow of traditional institutions as yet, the nobility was much more likely to want to limit the role of the Estates-General to the defence of those institutions, whereas the cities were more likely to want to fix the relationship between individuals and state institutions.

These differences on constitutional questions derived from the differences between the nobility as a wealthy privileged ruling class and the relatively non-privileged bourgeoisie. The nobles trusted the institutions they controlled to curb the arbitrariness of the monarch; whereas scepticism was greater among the Third.

The social differences produced even more marked differences of opinion on issues of civil equality. Where a mere 5 per cent of noble *cabiers* demanded equality of opportunity regardless of birth, 73 per cent of the cities did. Where less than one fifth of the noble *cabiers* demanded the abolition of the *franc-fief*, the tax roturiers paid to own seigneuries or fiefs, nearly two thirds of the cities did. Where less than one third of the noble *cabiers* demanded abolition of venality in office, 82 per cent of the cities did – an indication incidentally of how little influence office-holders had in drafting general urban *cabiers*. The nobility and the bourgeoisie did share similar economic functions and interests but differences of power, wealth and privilege produced conflicting outlooks on the nature of the constitution, on how open the *élite* was to be and on the role of birth, property and talent in the composition of that *élite*.

This is why the issue of vote by head was so important in the Estates-General. The nobility was almost evenly divided on the issue. About 40 per cent of their *cabiers* demanded vote by order. Roughly another 40 per cent vote by head, and the rest would have permitted vote by head depending upon the issue. Some nobles clung to vote by order so tenaciously because it was a way of defending what d'Épremesnil called the just prerogatives of the nobility and the clergy, by which he meant the monopolies in the army, education, the Church, state and judiciary. The Memoir of the Princes (signed by all but the liberals, Provence and Orléans) threatened a noble boycott of the Estates-General if vote by head were conceded. On the other hand, a substantial minority of nobles, and a majority on fiscal issues, was willing to take the risk that vote by head would not undermine their eminent social position or their property.

The bulk of Third Estate opinion did not aim at a total subversion of the existing order either. It was mainly in the larger cities that there were clearly articulated demands for change, numerous grievances and a strong sense of the importance of individual rights as a device for regulating the relationships between the state and the citizen. This was important since the larger cities were over represented in the Estates-General but their radicalism did not go so far as to undermine urban privileges and provincial rights. Indeed the universal demand for provincial estates, the absence of any thorough anticlericalism or hostility to the nobility as an institution, the respect for the authority of the king, and the very infrequent references to national or popular sovereignty all suggest that opinion even within the upper Third Estate was still poised between the defence or revival of traditional institutions and the newer doctrines. Needless to say, opinion in the smaller towns, guilds and village assemblies was even more conservative. Nothing could be more misleading,



therefore, than to take the abbé Sieyès's famous pamphlet *What is the Third Estate?* as typical of opinion in the nation. He argued that the two privileged orders were parasites on the nation, their privileges usurpations to be severed, not generously surrendered. It would be some time before this view acquired much popularity.

Thus there was a considerable scope for political leadership. One can imagine a situation whereby the very real differences among the estates could have been fudged and compromised. Indeed, many deputies of the Third Estate had no idea what their *cahier* even contained and therefore what they were theoretically obliged to demand. Instead, they were suffused with a vague well-meaning goodwill towards the problems of the country. Men like this could certainly have been led. That a grand compromise within the aristocratic and bourgeois élites proved impossible has to do with circumstances that unfolded in the summer of 1789 and also because the patriot political leadership, composed of both progressive nobles and bourgeois lawyers, never wanted any such compromise. As it turned out, this was a perfectly defensible calculation in 1789. But when the provinces began to understand the consequences of this calculation later and how it affected them, the patriot élites lost control of the situation they had created.

### *The Revolution of the Lawyers*

When the Estates-General opened at Versailles on 5 May 1789, all observers agreed that the government wasted an opportunity to give a lead on the major questions of the day. Government spokesmen proposed letting the Estates-General itself resolve the problem of vote by head. The Third countered by raising the issue of the verification of election returns. This was to dominate the political scene for the next seven weeks. In itself the issue was trivial but if a committee composed of delegates of all three orders verified the returns, a precedent would be set for vote by head. From this a single-chamber legislature would follow. The Third Estate, whose doubled representation aided by the liberal nobles and clerics, in turn would dominate this single chamber. It could shape a regenerated France according to its own wishes. Separate verification of powers, on the other hand, would ultimately allow the nobility to retain its privileges. The Third Estate, therefore, refused to verify its powers or declare itself constituted which, since it was not a formal body, led to the anomalous result that curious sightseers from Versailles and Paris were allowed to wander among the deputies on the floor of the *Salle des Menus Plaisirs* where they met, shouting encouragement to their favourites.

The leaders of the Third began an appeal to the lower clergy to begin verification in common and the bishops barely held them back. Meanwhile, votes in the Second Estate, the nobility, showed how insignificant the liberal nobles were. There were only 46 (out of 231) votes against the decision to declare the order constituted on 11 May, and only 16 votes (out of 218) against the declaration on 28 May that vote by order and mutual veto were fundamental to the monarchical constitution. As the Marquis de Ferrières explained, 'It's not right to let ourselves be led by the nose by all these advocates.'

The increasing polarization between the Second and Third Estates dismayed moderates on both sides but drew both to the militants in each order. The comte d'Artois and the appalling Polignacs kept an open table for the provincial nobles while d'Eprenesnil and Cazales took the most combative defense of noble interests in the Assembly. Among the Third Estate the Breton delegation, under the informal leadership of Le Chapelier, gained greater ascendancy. Finally, the abbé Sieyès persuaded the Third that the way out of the impasse was to 'cut the cable'. On 10 June, on Sieyès's motion, the Third by a vote of 246 to 51 announced it would begin the verification of powers of all deputies to the Estates-General with or without the cooperation of the other two orders. A very similar motion by Le Chapelier had failed a month earlier, which shows that exasperation among the uncommitted deputies of the Third now drew them towards more adventurous solutions. On the 17th, again on a motion by Sieyès, the Third took the title National Assembly by a vote of 491 to 90. On a motion by Le Chapelier and Target, they guaranteed existing taxes for the existing session only and invited a tax strike should the Assembly be dissolved by force. The deputies were under no illusion: ever since the deadlock among the orders had manifested itself in mid-May, there had been rumours that the Estates would be dismissed and the financial crisis resolved by new loans. The assumption of national sovereignty and constituent power implied in the decrees of 10 and 17 June gave a new fillip to these rumours and Le Chapelier's motion represented an invitation to open rebellion as a defence. The lawyers in the Third Estate had become revolutionaries.

Meanwhile, the clergy was still torn by the problem of common verification of powers. They had voted against it on 6 May but after the failure of Necker's attempts at compromise, an increasing number became anxious to take an initiative on their own. Already twenty had responded to the Third's roll call after 10 June and on the 19th, by a narrow majority of about a dozen, they voted to verify powers in common. In the minds of many, this was not meant to prejudice the question of vote by order or the clergy's separate status, but, whether they knew it or not, the clergy had in effect voted to join the National Assembly.

With the situation disintegrating all around him, Necker finally persuaded Louis XVI to try to take the matter in hand by holding a royal session of all three orders. Yet the King, with only his good will to guide him, was irresolute. Numbed for a time by the death of his son on 4 June, he was pressured by the Queen, Artois and the leaders of the noble deputies to take a strong stand. The ministry too was divided with Necker, Montmorin and Saint-Priest urging conciliation, while Barentin, the Keeper of the Seals, demanded firmness. The resulting royal programme reflected these conflicts, offering at once a broad programme of reforms that did not satisfy the liberal deputies on the main issues. The royal programme was nonetheless important because it represented the transformation of absolute to constitutional monarchy, which Louis later said was his last free act. It was, however, shortly forgotten. The King departed from it significantly in the letter he left behind when he tried to flee the country in 1791. His brother, the Pretender who later became Louis XVIII, committed himself to an out and out restoration of the Old Regime for most of the period. He agreed to accept a constitution only in his Declaration of Saint-Ouen in 1814 and the Restoration Charter was a very different document than the programme of the *séance royale*.

The bungling of the preparations for the royal session only reinforced the National Assembly's resolution to stand firm. The *Salle des Menus Plaisirs* where the Third Estate met was closed to prepare for the session, but no one officially informed Bailly, the president of the Third. When the deputies arrived on the morning of the 20th to find placards closing the assembly hall and two hundred soldiers standing guard, many immediately concluded that a formal dissolution was imminent. Angered at the contempt for their rights and fearful of conspiracy, they went to a nearby enclosed tennis court and there took an oath not to separate from the National Assembly, and to reassemble wherever necessary if it was dissolved, until they had established a constitution for the kingdom. The Tennis Court Oath was one of the great days of the Revolution. The painter David immortalized it in his celebrated painting. The oath was a symbol of national unity (only one deputy formally refused and two others timidly absented themselves) and it reaffirmed the assumption of sovereignty the National Assembly took on the 10th and the 17th.

Equally important, the oath undermined the King's solution even before it was offered. The *séance royale* of 23 June was hardly designed to satisfy men who had shown such hard resolution. Louis promised a regular Estates-General that would have a wide measure of financial control over government operations including the sanctioning of taxes. He also promised to establish provincial estates in every province that

would have considerable local autonomy. He also invited proposals on the abolition of *lettres de cachet* consistent with state security and on press freedom consistent with morals and religion. He also proposed a reform of the civil and criminal administration, of indirect taxes, of militia service and the abolition of internal customs, of the *corvée* and of the *taille*. The *parlements* and the provincial estates had been demanding much the same for a year, however. In other words, the King offered nothing which would flaunt the desires of the privileged. On the major issues, he aligned himself completely with the privileged orders. He said he would sanction fiscal equality only if the privileged orders first agreed, that all property, including the seigneurial system and the tithe, would be respected and that privileged exemptions from such things as compulsory billeting and militia service would remain unless the Estates-General commuted them into a money tax. Vote by head in the Estates-General would be permitted on issues of common utility but specifically excluded from this rubric were affairs concerning 'the ancient and constitutional rights of the three orders... feudal and seigneurial property and the useful rights and honorific prerogatives of the first two orders.' The Third Estate had already rejected similar proposals. If the Third persisted, Louis continued, 'if you abandon me in such a worthy enterprise, I alone will achieve the welfare of my people.'

The nobles were exultant and many even welcomed the threat to dissolve the Estates. The nobility and many clerics fled out of the hall but the Third refused, reaffirmed the Tennis Court Oath and carried on as before. Within hours, the royal initiative had collapsed.

There was nothing left now except a military solution. On or about 25 June, the decision was taken to resign the state to bankruptcy and dissolve the Estates-General by force. Orders went out to the commanders of the garrisons on the northern and eastern frontiers to march to Paris and Versailles. The troop movements were disguised on the pretext of keeping order. Partly as a ruse and partly to protect them from daily mob attack for remaining separate, Louis ordered the remaining nobles and clerics to join the National Assembly on the 27th.

The revolution of the lawyers appeared doomed. The people saved it.

### *So Why did a Revolution in France Occur?*

One can think of a lot of reasons why it did not occur, not because of a class struggle between a rising bourgeoisie and a declining nobility; not because the monarchy as an institution lost respect; and not because the

effect of the cultural transformations of the eighteenth century was to create the Revolution in men's minds before it occurred. The best example of this would be the abbé Sieyès. He wrote an utterly banal pamphlet about the financial and political crisis in the late autumn of 1788 and then he wrote the inflammatory *What is the Third Estate?* the following spring. What happened between the two pamphlets? One must postulate either that Sieyès held back his true opinions in the first pamphlet – but there is no evidence for this – or that the rapidly evolving situation radicalized him. Even so, events quickly bypassed him as well. He had a huge influence in June 1789; by July, no one paid any attention to his impenetrable drafts of a declaration of rights.

If we assume that what was revolutionary about the Revolution was the Declaration of the Rights of Man and the Citizen, then it is obvious that very few Frenchmen were revolutionaries before 1789. No doubt there were some who carried Anglo-American ideas like the Virginia Declaration of Rights back with them when the American War ended. Lafayette was the best example, and he continued to look for ideas and inspiration from Thomas Jefferson. But there is a counter-example, a man who is equally interesting: the Marquis de la Rouerie, a Breton nobleman, and a lifelong admirer of Washington, who also fought in America. But he believed American ideas were fine for Americans. France was another matter and he went to the Bastille in 1788 defending Breton liberties (meaning the marriage contract of Anne of Brittany and Louis XI of 1531). He eventually organized an anti-revolutionary conspiracy that, had it been successful, would have returned the old duchy to the pristine state it had been in the sixteenth century, before the Bourbons violated the marriage contract.

So even the American example, much as the patriots admired it, does not always work in explaining the Revolution. Thus we have to return to the idea that there was a social basis to politics and that the very real differences in status, wealth, and mental preoccupations between the aristocracy and the bourgeoisie mattered in explaining political commitments. But not entirely. Circumstances mattered too. One can imagine any number of points along the time line when a compromise or a bold measure might have made a difference. If only the Crown had given a lead in May 1789 on the issue of vote by head. If only the Crown had paid more attention to the grievances of the Third for equality of opportunity or fiscal equality. Many deputies to the Third Estate were quite naïve about many of these things and there was a wide scope for action to lead men who were this fuzzy. But naïve as they were, they may well have surprised themselves at their courage in refusing to surrender on the issues of liberty, and, although it was more difficult to define, on equality.

If that meant they had to defy their king, they were, in the end, prepared to do it and to follow the lead of other men who pointed the way. And as events would prove for the next three years, and although they were very reluctant to articulate it, they were always prepared to do so.