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Julian Swann, *Provincial Power and Absolute Monarchy: the Estates General of Burgundy, 1661-1790*. Cambridge and New York: Cambridge University Press, 2003. xvi + 460 pp. Map, figures, appendices, bibliography, and index. \$85 U.S. (hb). ISBN 0-521-82767-1.

Review by William Beik, Emory University.

This welcome study gives us the first deeply researched analysis of one of the most important provincial bodies of old régime France, the Estates-General of Burgundy. Filled with a wealth of information on the relations between the king and provincial authorities, it can serve as a companion to earlier studies by James Collins on Brittany and by myself on Languedoc.[1] In addition, it carries the story through the little-known years from 1680 to 1715 and forward to the Revolution of 1789.

Deprived of any real ability to consent to taxes by Louis XIV and lacking legislative initiative, the provincial estates have rarely been taken seriously by historians. Tocqueville called them “*vaines apparences*.”[2] Swann proposes to restore their reputation which, until now, has depended for information on the venerable study by Armand Rébillon and on one recent monograph by Marie-Laure Legay.[3] The meetings of the Estates were triennial. The three orders, the clergy, the nobility, and the towns, met in separate chambers, each of which had restrictive membership rules favoring local elites. The chamber of the clergy, presided over by the bishop of Autun, contained some seventy clerics, including four bishops, eighteen abbots of religious houses, and assorted deans, cathedral canons, and priors. An average of thirty to fifty of these attended annually. The chamber of the nobility was made up of some 247 eligible nobles, of whom only forty nine to one hundred sixty attended. After 1679, entrance was limited to nobles possessing a fief in the province, a rule which excluded certain old families as well as newcomers. The third estate had a stable membership made up of the mayors of twenty-five leading towns. After 1692, when the Estates bought up the venal offices of mayor, the posts of mayor were filled by the *élu* of the third estate in conjunction with the governor. Nine other towns enjoyed a cycle of occasional membership. Voting was by chamber, with the two privileged orders enjoying the majority vote. Thus the Estates of Burgundy consisted of an assemblage of powerful dignitaries from each major institution, with the exception of the Parlement, whose judges were formally excluded. The parish clergy, almost the whole city population, and the entire rural population were effectively excluded from representation.

Burgundy differed from Brittany and Languedoc in two significant ways. One was the dominance of the provincial governor. From the moment when the Grand Condé returned triumphantly in 1661 after being pardoned for his escapades during the Fronde, the province was closely controlled by the current head of the Condé family through ties with most of the local nobility and the high robe families.[4] He virtually chose the intendant, stage-managed the triennial sessions of the Estates, and monitored provincial affairs closely from his headquarters at Chantilly. No other province was as well connected and protected. But this relationship was possible precisely because the Condés had become prime collaborators of the crown.

The other significant difference was the existence of the “chamber of *élus*,” a permanent committee that managed the province between triennial sessions. These seven men constituted an inner circle, a sort of cream of the cream of Burgundian society. Not to be confused with the financial officers of the *élections* in other provinces, they exercised a degree of day-to-day management that would have been the envy of the Estates of Languedoc. This activity is important because Swann rejects the traditional view that the *élus* were incompetent figureheads. The seven consisted of one member selected by each chamber, an “*élu* of the king,” two representatives from the *Chambre des Comptes* of Dijon, and the viscount-mayor of Dijon. They served for three years, between sessions of the Estates. The post of royal *élu* had been owned for over a century by a single Burgundian family. Votes in the chamber of *élus* were allocated as follows: one for the clergy, one for the nobility, one jointly exercised by the *élu* of the third and the viscount-major of Dijon, one for the king’s *élu*, and one for the *Chambre des Comptes*. This vote favored the privileged orders, just like the vote by chamber in the Estates.

The *élus* were assisted by the Estates' permanent officers, a treasurer-general, two secretaries, two procurer-syndics, three lawyers, and in the eighteenth century, a provincial engineer-in-chief. Until 1742 the posts were filled by the Estates and held in virtually hereditary fashion by local families. Thereafter they were named by the king. The officers managed the collection of the *taille* and oversaw the legal affairs of the province. An additional feature was the naming at each session of seven *alcades*, whose job it was to monitor the provincial administration and report back to the assembly on abuses.

Under Louis XIV the Estates' relations with the government followed a trajectory similar to that of Brittany and Languedoc: early resistance to tax demands, followed in 1674 and subsequent years by the acceptance of the *don gratuit* without discussion, after which the king would issue the province a gracious rebate. This routine of "prompt provincial grant then rebate" continued until 1789. Swann argues that resistance from the Estates did not wither away in the eighteenth century, however it moved to private petitions and behind-the-scenes lobbying. Given the mood of collaboration that prevailed, the major concessions on taxes and troops forced down the throats of the assembly, and the deluge of special fiscal demands which the province had to tolerate, this argument that the Estates continued to be "tenacious defenders of provincial privilege" seems rather weak (p. 163). On the other hand, Swann's figures show that the privileged were strongly advantaged by the structure of tax levies and by the distribution of the proceeds. His calculation that 51-55 percent of the money went to the king and much of the rest was channeled to regional notables confirms what I found in Languedoc (41-50 percent left the province, 62-63 percent to the king, 32-35 percent to provincial notables).[5] Much of this revenue went to the province's creditors for interest on money borrowed for the crown. Thus the *taillables* were taxed to pay the interest on the loans that supported the fortunes of the elite creditors who ran the province.

Swann demonstrates convincingly that the *élus* were active Burgundian notables who accomplished a great deal of work effectively and loyally. "Fiercely proud of the Estates and conscious of their responsibility to protect their privileges and those of the province as a whole," (p. 124) they formulated the remonstrances of the Estates and accompanied the delegation to Paris, where they laid the groundwork for an audience with the king by engaging in a month-long cycle of visits to win over the king's ministers to their position and to lobby influential dignitaries for support. They oversaw the collection of the *taille*, and in return had a certain influence over the way it was assessed. They also undertook to borrow funds for the king and, like Brittany and Languedoc, could provide better rates because of their ability to manage the debt.

As a permanent "board of directors" the *élus* were vulnerable when the king made emergency demands in between sessions. They could hardly refuse, but they could negotiate terms and persuade the king to underwrite loans by granting the province the revenue flows from certain indirect taxes (the *crues* on salt and *octrois*). Then the next Estates would have to ratify the *fait accompli*. This process became the norm in the late reign of Louis XIV, as Burgundy was subjected to a deluge of special contributions and levies which had to be "bought out" through new borrowing. By 1715 the *crues* and *octrois* had been committed up until 1732 and 1748, respectively. Yet despite this borrowing, the province maintained an impressive solvency and paid secure returns of 5 percent to a circle of elite investors, mostly Burgundians, who resisted liquidating the debt because the rate of return guaranteed by the Estates was higher than they could get elsewhere.

In the 1740s, during an interregnum in the succession of the House of Condé, it looked as if the monarchy might take over the province. The crown began appointing the *élus*, a *règlement* was imposed on them, and their pronouncements were censored. This might have been the end of provincial autonomy, but when the next prince of Condé came of age, the pendulum swung back towards collaboration between crown and Estates. But while the province continued to maintain some independence of action, the deputies did not welcome real reform. In 1775, when a progressive *abbé* persuaded the *élus* to launch a movement aimed at equalizing the tax base, eliminating corruption among the tax receivers, and cutting spending to reduce the burden of taxes, the members of the privileged orders blocked the reform by failing to hold assemblies to reapportion the *vingtième* tax and by declining to file the necessary papers. Fortunately for them, the fall of Turgot led to an abrupt turnaround in policy and the king quashed the reform.

By the last years of the old régime the *élus* were undertaking a growing number of improvement projects, including canals and roads, a stud farm, nurseries, and agricultural improvements. Most of these were initiated by the crown, but by the 1770s the Estates were also taking some initiative. As Swann put it, "to persuade the Estates to act on, for

example, the roads...the king had to cede authority and jurisdiction. Once this had been acquired, much could be achieved because the *élus* controlled the fiscal system and had a far more developed tradition of administrative independence than their equivalents in either Artois or Brittany”(p. 363). The success of most of these projects was very modest, and the motivation of the deputies was self-interested and not very enlightened. But the province had a growing bureaucracy of agents and a network of local information channels which paralleled the king’s and in fact was probably more effective.

All of this added up to an extremely valuable resource for the crown. The king had at his disposal a regionally-based administration which cost him nothing and which could manage projects in the province better than the ministers in Paris. As an added bonus, any animosity on the part of the population towards innovations such as the *corvée* for road building would be directed at the provincial administration and not the royal government. The crown had in effect formed a powerful alliance of convenience based on privilege with the Condés, their allies, the creditors, and the power structure. The Estates would generate revenues and manage projects and the king would defend their jurisdiction and the interests of their members. This was not the sort of provincial assembly dreamed of by ministerial reformers, however, because it was built upon the traditional social hierarchy, not the new principles of equality. The Estates opposed reforms that reduced their influence, and the crown went along because only they could support the massive public debt and facilitate the new taxes such as the *vingtième* and the *capitation*.

This lineup of forces is further illustrated by the conflict between the Estates and the Parlement of Dijon, to which Swann devotes a chapter. In 1760, the Parlement challenged a ruling made by Jacques de Varennes, secretary of the Estates concerning revised tax assessments. Varennes responded by publishing a memoir ridiculing their claims. The debate was ultimately taken up by the Parlement of Paris and became a national sensation. At stake was jurisdiction over new taxes and more generally the question of who spoke for the public interest. Predictably, the crown took the side of the Estates and quashed all the Parlement’s assertions. The popular *Parlementaires* then burned Varenne’s memoir in a boisterous public ceremony before cheering crowds.

All of these processes seem to call for a broader analysis of the system. Here, Swann’s conclusion is disappointing. Although his introduction provides a good discussion of the historiography of absolutism, his concluding “reflections” are cautious in the extreme, leaving the reader with almost no guidance as to the implications of his study for broader issues. His principal claim is that the Estates were not “broken” or “swept away” by Louis XIV and that they were useful and active in the eighteenth century. This much is amply demonstrated. But his repeated efforts to show that the province preserved “a real degree of autonomy” and that “by the reign of Louis XVI the provincial administration was richer in terms of power and authority than at any time in its history” (p. 409) are less convincing.

As Swann makes clear, not only were the Estates unrepresentative, they had long ago abandoned the defense of traditional liberties in the sense of earlier centuries and had become something different, an agency for the involvement of regional leaders in the royal agenda. If the Estates were indeed a “valuable partner” of the king, it was largely because of the concentrated authority of the chamber of *élus*, which served as a sort of collective intendant. It certainly appears that the Estates and the governor had become agents of the crown, not independent defenders of Burgundian liberties. Marie-Laure Legay arrives at a similar conclusion that her provincial estates had become agencies of the central government. Swann disagrees, but he differs only in stressing the degree of initiative enjoyed by the Burgundians, arguing for a revival of provincial influence more than a co-option of the Estates by the state (p. 409).

It may not be the “whole story” to assert that the Estates were “little more than a mechanism for the defense of privilege and the distribution of its spoils,” but that seems to be the main message here (p. 405). As the Revolution approached, there was widespread demand for a modification in the system of representation in Burgundy and neither the public nor the cahiers showed much concern for the ancient liberties of the province. When the Revolution arrived, no one in Burgundy lifted a finger to defend the Estates. The *élus* and the provincial officers stayed stoically at their posts until 1790 when the National Assembly formally abolished them.

NOTES

[1] James B. Collins, *Classes, Estates, and Order in Early Modern Brittany* (Cambridge: Cambridge University Press, 1994); William Beik, *Absolutism and Society in Seventeenth-Century France: State Power and Provincial Aristocracy in Languedoc* (Cambridge: Cambridge University Press, 1985).

[2] Quoted in Marie-Laure Legay, *Les états provinciaux dans la construction de l'état moderne aux XVIIe et XVIIIe siècles* (Geneva: Librairie Droz, 2001), 4.

[3] Armand Rébillon, *Les états de Bretagne de 1661 à 1789: leur organisation, l'évolution de leurs pouvoirs, leur administration financière* (Paris: A. Picard, 1932); Legay, *Les états provinciaux*.

[4] For the Condés in Burgundy, see Beth Nachison, "Provincial government in the Ancien Régime: the Prince of Condé in Burgandy, 1660-1730," doctoral dissertation, University of Iowa, 1992.

[5] Beik, *Absolutism and Society*, 265.

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