

**Introduction to “Colbert, Venality, and Parisian Judicial Elites during the Long  
Seventeenth Century: A Reappraisal by Robert Descimon”**

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Robert Descimon, directeur d'études emeritus at the École des Hautes Études en Sciences Sociales (Paris), is well known to historians of early modern France for a broad range of studies rooted in the socio-political history of Paris, grounding broad interpretive conclusions in extensive and detailed archival research. His work over a long career has addressed a significant number of crucial topics in the history of Paris and French society, including but not limited to the structures of municipal governance in sixteenth-century Paris;<sup>1</sup> the ways that political ambitions, social strategies, and adherence to the Catholic League overlapped in the capital;<sup>2</sup> the role that royal office holding and accretion of seigneuries played in family strategies over the

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<sup>1</sup> Robert Descimon, “Les assemblées de l’hôtel de ville de Paris (mi-XVI<sup>e</sup>-mi-XVII<sup>e</sup> siècles),” *Paris et Île-de-France* 38, n. 1 (1987): 39-54; idem, “L’échevinage parisien sous Henri IV (1594-1609),” in *La ville, la bourgeoisie et la genèse de l’état moderne (XII<sup>e</sup>-XVIII<sup>e</sup> siècles)*, ed. Neithard Bulst and J.-Ph. Genet (Paris: Éditions du CNRS, 1988), 113-50; idem, “La vénalité des offices politiques de la ville de Paris (1500-1681),” *Bulletin de la Société d’Histoire Moderne et Contemporaine* (1994), nos. 3-4: 16-27; idem, “Le corps de ville et les élections échevinales à Paris aux XVI<sup>e</sup> et XVII<sup>e</sup> siècles. Codification coutumière et pratiques sociales,” *Histoire, économie, société* 13 (1994): 507-30; idem, “Les scrutateurs des élections échevinales à Paris (mi-XVI<sup>e</sup>/mi-XVII<sup>e</sup>). Des médiateurs de fidélité,” in *Paris et ses compagnes sous l’ancien régime. Mélanges offerts à Jean Jacquart*, ed. Michel Balard, Jean-Claude Hervé, and Nicole Lemaître (Paris: Université de Panthéon-Sorbonne, 1994), 195-209; idem, “Les élections échevinales à Paris (mi-XVI<sup>e</sup> siècle-1679). Analyse des procédures formelles et informelles,” in *Élections et pouvoirs politiques du VII<sup>e</sup> au XVII<sup>e</sup> siècle*, ed. Corinne Péneau (Paris: Bière, 2009), 239-77.

<sup>2</sup> Robert Descimon, *Qui étaient les Seize? Étude sociale de deux cent vingt-cinq cadres laïcs de la Ligue radicale parisienne (1585-1594)*. Mémoires de la Fédération des sociétés historiques et archéologiques de Paris et de l’Île-de-France (Paris: Kincksieck, 1983); idem, “La Ligue à Paris (1585-1594) : Une révision,” *Annales, E.S.C.* 37 (1982): 72-111; idem, “Prise de Parti, Appartenance Sociale et Relations Familiales dans la Ligue Parisienne (1585-1594),” in *Les réformes, enracinement socio-culturel*, ed. Bernard Chevalier and Robert Sauzet (Paris: Éditions de la Maisnie, 1985), 123-36; idem, “The ‘Bourgeoisie Seconde’: Social Differentiation in the Parisian Municipal Oligarchy in the Sixteenth Century, 1500–1610,” *French History* 17, no. 4 (December 2003): 388-424.

course of the early modern period;<sup>3</sup> the ways that the concept of absolutism functioned in the Ancien Régime;<sup>4</sup> and the methodology of never taking composed genealogies at face value, but always juxtaposing them with an extensive study of notarial documents and a detailed understanding of the laws of inheritance.<sup>5</sup> Robert has not only been a scholar of note but also an important mentor for many foreign historians of early modern France. He has generously offered his time and expertise to students and younger colleagues and has invited scholars at all levels to participate in the seminar on “Société et pouvoir à l’époque moderne” (its most recent title) that he has led with other colleagues, most recently Fanny Cosandey and Élie Haddad, at the EHESS. I myself owe a special debt of gratitude to him, both for his support over the years and for the model of scholarship he has demonstrated.

In 2019, Robert published another one of his remarkable studies, “Colbert, la dette publique et la haute robe parisienne,” in the *Bulletin de la Société d’Histoire de France*.<sup>6</sup> Like so much of his other work, this sixty-five-page essay provides a forceful interpretation—indeed, a reinterpretation—of the relationship between the crown and ruling elites—in this case, royal office holders in the Parlement and Chambre des Comptes of Paris and the *maîtres des requêtes* during the reign of Louis XIV—and grounds it in impressive analytical series of the prices of these offices, correlated with dowry levels in the same families, from the reign of Henri IV through the Regency of Philippe d’Orléans. Equating the practices of venality of office with a means for the monarchy to accrue debt via the financial payments of office holders, Robert argues that a significant problem for crown finances had emerged by 1665, given that the market for offices was determined by investors and subject to continual inflation and thus beyond the control of the royal administration.<sup>7</sup> In response, Jean-Baptiste Colbert inaugurated a system

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<sup>3</sup> Robert Descimon, “Les de Thou au miroir des archives notariales du XVI<sup>e</sup> siècle. Les chemins de la haute robe,” in *Jacques Auguste de Thou. Écritures et condition robine, Cahiers V. L. Saulnier 24* (Paris: Presses de l’Université de Paris-Sorbonne, 2007), 13-35; idem, “The Birth of the Nobility of the Robe: Dignity versus Privilege in the Parlement of Paris, 1500-1700,” in *Changing Identities in Early Modern France*, ed. Michael Wolfe (Durham and London: Duke University Press, 1997), 95-123; idem, “Conclusion. Nobles de lignage et noblesse de service. Sociogenèse comparée de l’épée et de la robe (XV<sup>e</sup>-XVIII<sup>e</sup> siècle),” in *Épreuves de noblesse. Les expériences nobiliaires de la haute robe parisienne (XVI<sup>e</sup>-XVIII<sup>e</sup> siècle)*, ed. Robert Descimon and Élie Haddad (Paris: Les Belles Lettres, 2010), 277-302.

<sup>4</sup> Fanny Cosandey and Robert Descimon, *L’absolutisme en France. Histoire et historiographie* (Paris: Éditions du Seuil, 2002).

<sup>5</sup> Robert Descimon, “Élites parisiennes entre XV<sup>e</sup> et XVII<sup>e</sup> siècle. Du bon usage du Cabinet des titres,” *Bibliothèque de l’École des chartes* 155, n. 2 (July-December 1997): 607-44.

<sup>6</sup> Robert Descimon, “Colbert, la dette publique et la haute robe parisienne,” *Bulletin de la Société d’Histoire de France* (2015): 3-68. Although the article was officially published in the 2015 issue, it actually appeared in 2019.

<sup>7</sup> For more on this understanding of venality as public debt, see Robert Descimon, “La vénalité des offices comme dette publique sous l’ancien régime français. Le bien commun au pays des intérêts privés,” in *La dette publique dans l’histoire*, ed. Jean Andreau, Gérard Béaur, and Jean-Yves Grenier (Paris: Comité pour l’histoire économique et financière de la France, 2006), 175-

through which maximum prices for offices were set. Further, when office holders and potential buyers sought to get around these ceilings by arranging additional payments on the side, additional measures required that potential buyers turn over their purchase price to the *parties casuelles*, with the actual exchange of office being managed by the royal administration. The result was drastically to reduce the price of the royal offices subject to these new regulations, so that office holders not only were unable to sell their offices for the prices they originally paid, but also often found them worth less than the maximum set by statute. These measures, damaging to the wealth of important robe families, went hand-in-hand with other attempts on the part of Colbert to limit the political power of the Parlement of Paris, whose judges did little to contribute to his attempts to promote commercial prosperity and who labored under the cloud of their disobedience during the Fronde. The results, however, were more far-ranging than Colbert could have predicted or desired. Not only did the decline in the value of venal offices inaugurate an important shift in power relations within families between husbands and their relatively wealthier wives, but it also encouraged a change in judicial culture and a greater resistance among judges to cooperate with the monarchy by the eighteenth century. Further, not only did these changes wreak havoc on the finances of many families and lead to a greater resemblance between the robe nobility and other noble elites, but it also vitally weakened the French economy by undermining the credit on which the king could draw. The result was a fundamental shift in the balance of power within the French monarchy from the sphere of ordinary finances and administration overseen by the judiciary, in favor of the realm of extraordinary finances and taxation administered by commissioners and partisans.

Many scholars will immediately see a connection between these arguments and the controversial thesis put forward by the late John Hurt in his 2002 book, *Louis XIV and the Parlements: The Assertion of Royal Authority*.<sup>8</sup> In this work, Hurt forcefully argued that “revisionist” interpretations downplaying the absolutist tendencies of the reign of Louis XIV were misguided. Instead, he offered a narrative of the actions taken by the king and his ministers to limit the political authority of parliamentary judges throughout France and to undermine their social position through financial expedients, such as requiring *augmentations de gages*, creating new offices, and fixing maximum prices for the sale of offices. His work raised considerable debate, with most reviewers praising his research but nevertheless continuing to uphold the “revisionist” interpretation of Louis XIV’s interactions with French elites, including the parlements. Roger Mettam and Julian Swann pointed to the ways that Hurt was overly selective in his focus, thus overemphasizing the conflictual nature of the king’s relations with his judicial officials, and reminded readers that the “revisionist” interpretation acknowledged the king’s authoritarian policies in many areas, including against Jansenists and Huguenots.<sup>9</sup> The late William Beik, the scholar most consistently identified with the “revisionist” or “Anglo-Saxon” view of the reign of

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240; David Bien, “Les offices, les corps, et le crédit d’État: l’utilisation des privilèges sous l’Ancien Régime,” *Annales, E.S.C.* 43, n. 2 (1988): 379-404.

<sup>8</sup> John J. Hurt, *Louis XIV and the Parlements: The Assertion of Royal Authority* (Manchester, UK and New York: Manchester University Press, 2002).

<sup>9</sup> Roger Mettam, Review of Hurt, *Louis XIV and the Parlements*, *The English Historical Review*, 118, no. 478 (Sept. 2003): 1004-5; Juliann Swann, Review of Hurt, *Louis XIV and the Parlements*, *French History*, 16, no. 4 (2002): 476-77.

Louis XIV, also responded to Hurt's thesis by reminding readers that offices meant more to their holders than political influence over royal policies or the financial benefits of venality, but also conferred other kinds of authority and precedence on a daily basis. He also suggested that it was still unclear how the crown's attempts to wrest funds from parlementaires actually influenced their overall wealth and social position, and that Hurt's analysis failed to consider the relationship between the interdependence of venality and borrowing on behalf of the crown.<sup>10</sup> These last questions are notably among those that Robert addresses in his article, although not as a direct response to Hurt or Beik. In his own review of *Louis XIV and the Parlements*, it should be noted, Robert pronounced favorably on the parts of the work demonstrating the crown's deliberate restrictions on the abilities of the parlements to remonstrate against royal directives these bodies did not support, but he was less convinced by the notion that Louis XIV and his ministers were deliberately seeking to undermine the parlementaires' financial well-being. In particular, he pointed out that since the *augmentations de gages* demanded by the crown conferred a better interest rate than virtually any other kind of investment, these loans may have been forced, but they were not necessarily economically punitive.<sup>11</sup> This is an observation he develops further in the present article.

In the late spring of 2021, I read Robert's article and found it thought-provoking and, frankly, a little alarming: I had just finished teaching an undergraduate course on seventeenth-century France, in which I had followed the "revisionist" view, presenting Louis XIV as an inherently conservative king who made the traditional social structures and political relationships of his era work more effectively than any of his predecessors and who specifically upheld the principal interests of the nobility. "How absolute was royal 'absolutism'?" I asked my students, hoping to help them grasp the differences between ideology and representation on the one hand and the practicalities of rule on the other. Robert's article made me reflect that I had been a little too focused on the ways that the French crown and elites in the seventeenth century had cooperated in a mutually supporting relationship and thus, perhaps, had downplayed the very real conflicts of the period. Indeed, this was a view that went beyond the boundaries of the reign of Louis XIV. Early in my own studies, Beik's *Absolutism in Languedoc* was instrumental in demonstrating that early modern monarchy, however its authority was represented, simply could not govern without the cooperation of local power brokers, although of course the nature of this relationship, who those local leaders were, and how well the system functioned certainly varied over time and place. Indeed, in my first book, *Between Crown and Community*, I argued that the relationship between the French crown and Poitiers's *hôtel de ville* was essential to the local governing process, although how different kings, from François I to Henri IV, saw this relationship with urban elites and sought to manage it changed noticeably over the course of the long sixteenth century.<sup>12</sup>

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<sup>10</sup> William Beik, "The Absolutism of Louis XIV as Social Collaboration," *Past & Present* 188 (August 2005): 195-224, especially 219-20.

<sup>11</sup> Robert Descimon, Review of Hurt, *Louis XIV and the Parlements*, *Annales. Histoire, Sciences Sociales* 57, no. 6 (Nov.-Dec. 2002): 1655-58.

<sup>12</sup> Hilary J. Bernstein, *Between Crown and Community: Politics and Civic Culture in Sixteenth-Century Poitiers* (Ithaca, N.Y.: Cornell University Press, 2004).

When I contacted Robert to let him know how stimulating I found his article, he made it clear that he was continuing to work on the issues raised in it and that he would value a means to continue to discuss them with a broad historical community. This issue of *H-France Salon* is the result. In addition to this introduction, the issue includes the recording of a Zoom seminar focused on the article in question, which took place on Friday, 27 May 2022. At that time, four senior scholars, including Professor James Collins, of Georgetown University; Professor Sarah Hanley, emerita, of the University of Iowa; Professor Jacob Soll of the University of Southern California; and Professor Juliann Swann of Birbeck College, University of London, provided their reactions and questions concerning the article in a round-table format, followed by a wide-ranging discussion among the attendees. Second, Robert Descimon has written a response to the observations and questions raised during the seminar and reflected further on his own approach to the issues raised in his article. Third is provided a short bibliography of works on subjects related to Robert's article for those interested in further reading.

During the seminar, both the round-table presenters and other attendees raised many significant questions for consideration and debate.<sup>13</sup> Within the context of questioning the extent to which Robert's evidence undermines the "revisionist" view of the reign of Louis XIV, a query specifically raised by Julian Swann, there was much discussion of whether the findings for Parisian office holders could or should be extended to the provinces. It should be noted that Hurt had deliberately done so, providing evidence that the decline in the value of judicial offices observable in Paris occurred across the board in the Parlements of Rennes, Bordeaux, and Toulouse.<sup>14</sup> The question, first raised by Jim Collins, led others, such as Jotham Parsons, to reflect that the financial impacts of this decline may have been greater for Parisian robe families than provincial ones, especially in the *pays d'états*, since magistrates in these areas could channel their investments into funds set up by the provincial estates, where Parisian families did not have the same possibilities. The more wide-ranging question of the ultimate impact on Parisian robe families was also of interest to the seminar participants. Where Julian Swann noted that it would be difficult to gauge the extent of financial failure and thus turnover of parliamentary families in Paris without a detailed prosopography of the groups concerned—a project that Robert indicates in his response that he is in the middle of conducting, in conjunction with colleagues Élie Haddad and Martine Bennini—Sarah Hanley raised the question of whether the expanding colonial reach of French legal institutions provided an additional option for French families seeking to invest in judicial offices. Hanley further pointed to the importance of Robert's evidence suggesting the increased leverage that wives within robe families gained over their husbands thanks to their large dowries, an observation that coincides well with her studies of the way that early modern French women attempted to obtain their own objectives (a process she labels "counter-culture") within a "Family-State Compact" deliberately favoring male

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<sup>13</sup> There were many people present who do not appear on the seminar recording, since it was set to record only those individuals who spoke. My thanks go to Jennifer Meissner, a doctoral candidate at UCSB, for handling the recording process, so that I could focus on moderating the seminar.

<sup>14</sup> Hurt, *Louis XIV and the Parlements*, 82 (Table 3).

authority.<sup>15</sup> Indeed, Michael Breen commented that Robert's research goes far to give Hanley's concept of the "Family-State Compact" a sociological basis, as wives became first creditors of their husbands' property in their offices. Where Hanley's focus on the development of a system of judicial *arrêts* supporting husbands' and fathers' control over their female relatives was chiefly focused on sixteenth- and early-seventeenth-century legislation and codification of customary law, Robert extends this analysis with particular relevance to office holding as lineage property uniquely exercised by men into a later period.<sup>16</sup>

Seminar participants also raised the question of whether and how changes in the value of royal offices influenced judicial culture and the traditions of the Parlement of Paris. Where Oded Rabinovitch queried whether the decline in the specificity of the nobility of the robe posited by Robert led to a fundamental change in judicial practice, Michael Breen pointed out that a shift from a justice-centered to a law-centered legal culture was visible throughout Europe in this period, and Jim Collins placed any discontinuity in judicial culture between the sixteenth and seventeenth centuries rather than later. Peter Campbell particularly objected that extrapolating from a financial policy designed to regularize debt to a fundamental shift in parliamentary culture by the eighteenth century would be unfounded. He further suggested that many policies were the product of ad hoc expedients rather than the results of a coherent plan. The extent of the coherence and intentionality of Colbert's actions formed another theme for discussion during the seminar. In response to Jacob Soll's assertion that Colbert did indeed have a vast design to build a new, commercial polity, Peter Campbell rejected this view of the finance minister as a system-builder, and both Leslie Tuttle and Sara Chapman addressed the question of whether royal policies tended to result from the work of a single minister or were rather the product of a broader conversation. Paul Cohen here helpfully contrasted Robert's approach with that of John Hurt, noting that where Hurt saw these policies as part of a larger, authoritarian program to rein in parliamentary privilege, Robert emphasizes their more limited aims of regularizing debt, followed by the much greater unintended consequences that ultimately resulted.

What Robert's article and the discussion based on it demonstrate is that there are still many questions to be asked about fundamental aspects of Louis XIV's reign and indeed, about the broader relationships between royal policies and governing styles, the ways that wealth circulated in French society, and how different families sought to achieve their own success and arbitrate among gendered interests within these frameworks. Indeed, the answers to these questions are not only crucial for scholars but also inform how we choose to make seventeenth-

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<sup>15</sup> Sarah Hanley, "Engendering the State: Family Formation and State Building in Early Modern France," *French Historical Studies* 16, no. 1 (1989): 4-27; idem, "Social Sites of Political Practice in France: Lawsuits, Civil Rights, and the Separation of Powers in Domestic and State Government, 1500-1800," *American Historical Review* 102, no. 1 (February 1997): 27-52; idem, "The Family, the State, and the Law in Seventeenth- and Eighteenth-Century France: The Political Ideology of Male Right versus and Early Theory of Natural Rights," *Journal of Modern History* 78 (June 2006): 289-332.

<sup>16</sup> Robert Descimon and Simone Geoffroy-Poisson, "La construction juridique d'un système patrimoniale de l'office. Une affaire de patrilinage et de genre," in *Épreuves de noblesse*, ed. Descimon and Haddad, 47-59.

century France relevant for students. Robert's article encourages us to "follow the money" as a means for unpacking what was at stake in early modern French society. Rather than return to the overly worn debate over the appropriateness of the term "absolutism" for describing the long rule of Louis XIV, therefore, it is my hope that this *Salon* issue will help to reinvigorate consideration of these questions in addition to highlighting the important role that Robert Descimon is playing in leading this research.

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