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Vincent J. Pitts. *Embezzlement and High Treason in Louis XIV's France: The Trial of Nicolas Fouquet*. Baltimore, MD: The Johns Hopkins University Press, 2015. 224 pp. Illustrations, bibliography and index. \$45.95 U.S. (cl.) ISBN: 1-4214-1824-7.

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Books about the life and trial of the *superintendant de finance* Nicolas Fouquet appear frequently in France, as they have done since writers of *mémoires* of his day accorded him a prominent place in their works. This is not surprising. Fouquet's story—with his rise to power, his central role in the Fronde, the plotting by his ambitious rival “the serpent” Jean-Baptiste Colbert, the young king Louis XIV's decision to have him arrested by the lieutenant of his royal musketeers Charles D'Artagnan, his trial for treason and corruption, and his imprisonment for life, where the mysterious prisoner known as the man in the iron mask may have served as his valet—is so rich in intrigue and human interest that it seems tailor-made to stoke the imagination of Alexandre Dumas and others with a Romantic temperament. Those who hope to analyze changes in the French monarchy also find in Fouquet's career, and the sources that illuminate it, a convenient point of entry into many central questions in French history.

Vincent Pitts's *Embezzlement and High Treason in Louis XIV's France: The Trial of Nicolas Fouquet* is neither a full biography, nor a simple narrative of his trial.[1] He neither aims to prosecute Fouquet, like Adolphe Chéruel, nor to defend him, like Jules Lair, though he is sympathetic to the defense's case.[2] He explicitly notes that he does not intend to redo research into finances by scholars such as Julian Dent, Richard Bonney, Françoise Bayard, James Collins, Claude Dulong, and above all Daniel Dessert. Dessert has long been at the center of studies of Fouquet, according the finance minister a vital chapter in his magisterial *Argent, pouvoir et société au Grand Siècle*, and depicting Fouquet in biography as having a politics that combined deep commitments to the *dévo*t interest and a sense of obligation to the financiers as supporting the monarchy through their credit.[3] Juridical rigor would not just undermine the crown's credit, but also would unjustly punish the real service which financiers rendered. Marc Fumaroli, in his *Le Poète et le Roi*, argued that Fouquet's trial marked the end of an alternative to absolutist politics that had been Richelieu's and would be that of Louis XIV.[4]

Pitts takes another approach to Fouquet's politics, and the politics of the early years of the reign of Louis XIV. He focuses on the arguments made at the trial and the judges' reactions to them, arguing that Fouquet successfully turned the trial into a debate about Mazarin's financial practices and style of governance. The trial of Fouquet, in Pitts's telling, was an occasion when many robe officials remembered their loyalties and arguments during the Fronde. Many of these judges experienced a similar tension between conflicting loyalties and political beliefs to that described by Joël Cornette in his *La mélancolie du pouvoir: Omer Talon et le procès de la raison d'État* [5].

Pitts' first three chapters proceed rapidly, using existing scholarship to set the stage for the closer analysis. He sketches Fouquet's father's career in the Parlement of Paris service to Richelieu, notably on the hand-picked court which found Henri de Talleyrand-Périgord, count of Chalais, guilty in the

Chevreuse conspiracy. Nicolas benefitted from patrons who secured him quick promotion, until he became intendant of the *généralité* of Paris just as the Fronde began, placing him in a crucial position. His loyalty to royal administration allowed him to become *procureur-général* of the Parlement of Paris in late 1650. Upon the death of the superintendent of finance 1653, he evoked his unshakable loyalty to Mazarin in lobbying for the post, to which he was named along with Abel Servien. Pitts notes that Fouquet took pains to protect a consortium of financiers on whom the crown's, and his own, revenue and credit depended; these pains often included fictitious accounts. Finally, Pitts discusses Colbert's attempts to undermine Fouquet by using financial records to convince Louis XIV not only that he was embezzling royal funds, but also that he was plotting against the crown.

Rather than a small trial, Colbert convinced the king to try Fouquet before a large *chambre de justice*, to facilitate the reorganization of finances, at the peril of disobeying Mazarin's advice that financial inquiries would alienate many important families. Although Colbert did attempt to select judges who would not favor Fouquet, Pitts does an excellent job documenting that Fouquet nevertheless had ties to many of the justices. Pitts argues that Fouquet mustered an effective defense, both insisting on matters of process such as access to documents, and arguing that while the management of the state's finances had been corrupt, this corruption had been directed by Mazarin, who had also chiefly profited from it. I particularly liked how Pitts brought out the importance of women as intermediaries and advocates, with Fouquet's wife and mother playing particularly valuable roles in gathering support, petitioning royal officials for permissions to print works in Fouquet's defence, and publically imploring mercy from the king. The *procureur du roi* Denis Talon, presented as clear evidence of treason a plan written in by Fouquet in his own hand, detailing how he could defend himself by retreating to fortresses, and holding them against the king's armies with the help of his kith and kin. Fouquet argued that the plan was a sort of fantasy produced under the stress of working for such a capricious boss as Mazarin.

While documenting the strategies and approach of Fouquet and his allies, Pitts focuses on the judges' actions and legal thinking. He emphasizes that the first president of the Parlement de Paris, Guillaume de Lamoignon, played a crucial role in the trial by insisting that proper procedures and standards of evidence be respected. Perhaps the strongest single chapter of the book, called "The Honor and Conscience of Judges," centers upon a close reading of the rapporteur Olivier d'Ormesson. Pitts notes how carefully Ormesson weighed the quality of the evidence, insisted on knowing the context in which Fouquet's financial irregularities had taken place, and drew upon precedent to recommend a relatively lenient sentence. Chancellor Pierre Séguier's affirmation of Fouquet's guilt probably cut both ways, for as Chancellor he had signed many of the financial documents that he was now accepting as evidence of speculation. In any case, a majority voted for Fouquet's banishment--not death--refusing to accept the charges of treason, and particularly those most familiar with the crown's finances seemed to agree with Ormesson's insistence on context and issues of the irregular evidence.

Louis XIV famously insisted on life imprisonment, rather than banishment. The Fouquet trial would leave an ambiguous legacy. Ormesson never regained royal favor, and within a decade had retired from public life. Pitts argues that the issues raised at the court surfaced again in debates about procedure and judicial discretion in the preparation of the civil and criminal code. While readers looking to find new information about French finances during the Fronde may be disappointed, that is not the main theme of the book. Rather Pitts suggests how, with the Fronde lost, Fouquet's trial allowed French jurists to bridle, at least in some measure, an arrogant new regime by swaying public opinion and having the courage to insist on juridical independence.

NOTES

[1] Jean-Christian Petitfils, *Fouquet*. (Paris: Perrin, 1998) is the most recent full biography; Simone Bertière, *Le Procès Fouquet* (Paris: Éditions de Fallois, 2013), the most recent narrative of the trial.

[2] Adolphe Chéruel, *Mémoires sur la vie publique et privée de Fouquet, surintendant des Finances, d'après ses lettres et des pièces inédites*. (Paris : Charpentier, 1862), and Jules Lair, *Nicolas Fouquet, procureur général, surintendant des Finances, ministre d'État de Louis XIV*. (Paris:1890).

[3] Daniel Dessert, *Argent, pouvoir et société au Grand Siècle*. (Paris : Fayard, 1984), and Fouquet. (Paris: Fayard, 1987).

[4] Marc Fumaroli, *Le poète et le roi: Jean de la Fontaine en son siècle*. (Paris: Editions de Fallois, 1997), translated by Jane Marie Todd as *The Poet and the King: Jean de la Fontaine and His Century*. (South Bend, Ind.: Notre Dame University Press, 2002).

[5] Joël Cornette, *La mélancolie du pouvoir: Omer Talon et le procès de la raison d'État*. (Paris: Fayard, 1998).

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