

Review by Joseph F. Byrnes, Oklahoma State University.

How does one position the Constitutional Church on a historical continuum? Was it simply the French Roman Catholic Church, as it claimed to be? Or was it as a Catholic schism that had cultural and political importance from 1790 to 1801? How does one explain the existence of this form of Christianity? Was it the culmination of the Jansenist, Richerist, and above all Gallican controversies of the preceding centuries? Or was it the creative development of a Catholicism, reformed though orthodox, that privileged the church order of early Christianity, thus beating the Roman authorities at their own game? None of this can be settled easily, even as we make our way across the available literature on the topic. Certainly, we need to peruse thoroughly the two magisterial studies of the inner workings of the Constitutional Church administration by Rodney J. Dean, an English *docteur-en-Sorbonne* writing in French.

The full story begins with the Ecclesiastical Committee appointed by the Constituant Assembly in 1789. Inasmuch as Dean concentrates in *L’abbé Grégoire et l’Église constitutionnelle après la Terreur, 1794-1797* on the reassembling of the Constitutional Church with usable parts left over after the Terror, he must provide the early, foundational part of the story, 1790-1794, in introductions and occasional reprises. After so assiduously searching out the available archival data, he presents information for his privileged period, 1794-1797, which constitutes an opening up of a passage—both the highways and the byways— to the post-Terror Constitutional Church. This post-Terror church was a broader and less formal version of that reform of Catholicism of 1789-1790 that had caused a falling out with the pope.

Dean was wise to secure the hard-hitting introduction by Jean Dubray, Professor at the École supérieure de théologie catholique (successor to the former Parisian archdiocesan seminary at Issy-les-Moulineaux), parish priest of St.-Sulpice, and author of two recent studies of the abbé Grégoire.[1] Dubray goes straight to the problem of the Catholic legitimacy of the Constitutional Church reform:

“En effet, le véritable enjeu de cette âpre lutte qui opposa, à l’époque révolutionnaire, les réformateurs constitutionnels et le pontificat romain, ne fut-il pas, d’abord et avant tout, d’ordre institutionnel ou juridictionnel et fort peu—pour ainsi dire pas du tout--d’ordre dogmatique?” (p. vii). The problem came to a head, of course, when all pastors and priests in public function were required to take an oath of loyalty that implied acceptance of the Civil Constitution of the Clergy, a reform of Catholic polity that had been thrashed out by the Ecclesiastical Committee of politically radical priests and lawyers specialized in church law. Dubray presses on to say that the oath was more an oath of loyalty to the king, the law, and the nation than an oath of radical submission to the Civil Constitution of the Clergy.
as such. It was very little different from the oaths taken by bishops of the old regime or, for that matter, little different from the oaths taken by other types of civil functionaries in the revolutionary era. He praises and promotes Dean’s text for its complete and precise lay-out of all the details of the story.

With *L’abbé Grégoire et l’Église constitutionnelle* we are *in medias res*. The bishops and the most engaged priests of the revolutionary church attempted to reconstitute the official French Catholic Church as it was set up in 1790-1791. The original structure, in fact, no longer existed as a legal entity. With the coming of dechristianization, its existence was a legal fiction, and after the Terror, legislation caught up with reality in a law of separation of church and state. Leading bishops from the old official Constitutional Church worked to reconstruct a French Catholic church with the same relationship to the papacy as the church of 1790-1794 and a similar relationship to the government: looking no longer for partnership but rather for compatibility. This was the setting for the reunion of some of the leading constitutional bishops consecrated after 1790, with Grégoire at the center of the proceedings. These so-called “United Bishops” (*Évêques réunis*) issued two encyclical letters in 1795: the first was an exercise in damage control for the restoration of discipline, a presentation of the fundamentals of Gallicanism, a set of procedures for reconciling priests who had slipped away from or renounced their official functions, and a plan for reorganizing the dioceses of France. Dean has remarkably searched out a set of background documents, conserved at the Bibliothèque de l’Arsenal (where Grégoire eventually served as curator) and the Bibliothèque de Port-Royal. In the Bibliothèque de l’Arsenal documents we catch the lively influence of Charles Saillant, a medical doctor who would be ordained a year later and Augustin-Charles Clément, later bishop of Versailles. Their dedication to the old constitutional cause was reinforced by their traditional Jansenism, but their operative loyalty was to the prerogatives of the Gallican Catholic church. In fact, it took a little bit of self-reinterpretation for the bishops to set themselves up as the appropriate leaders of the French church. Dean underlines the power of Grégoire’s pastoral letter, written for the faithful of his diocese; it well served to solidify his reputation among his fellow “neo-constitutionalists” (this is my word, not Dean’s, and I will only use it this once).

The documentation in *L’abbé Grégoire et l’Église constitutionnelle après la Terreur* is so full that it really requires a standard chronological arrangement of chapters and sections; all the chapter headings post the appropriate year and months. After the first chapter on the March 1795 encyclical, there follows “Problems of the Constitutional Church April-December 1795,” which included the founding and first publications of the monthly review of the constitutionalists, *Annales de la Religion*, a combination of views, news, official and semi-official documents. This publication was, and remains, a veritable *omnium gatherum* of the “life and times” of the Constitutional Church. On its pages appeared the essays and speeches of the most intellectually powerful and historically informed of the constitutional bishops, Claude Le Coz of the Ille-et-Vilaine in particular. To describe their trials and tribulations, the editors of the *Annales* selected from a repertoire of insulting attitudes and abusive actions that had been reported by constitutionalists in all areas of France. Reorganization and its procedures, especially for handling marriage and divorce—*in effect* the agenda of the first encyclical—led to the publication of a second encyclical in December 1795, dealing with Church and State theology, Roman and Gallican church polities, and especially the values and importance of national councils. At that point the constitutional bishops were planning a national council, some with high hopes for an invigorated French church. Some of the bishops feared that the time was not ripe.

The next chapters document April to December of 1795 in Paris, but in the pastoral trenches. A counterpoint to the national organizing efforts of the United Bishops was the committee of Paris curés that constituted the Presbytery. Past tragedies and new tensions animated the leadership of a second tier of personalities, beginning with the curés of Saint-Paul, Saint-André-des-Arts and Saint-Séverin. In the church of St. Médard, at the base of rue Monge and the rue Mouffetard (still the fifth arrondissement), the temporarily displaced bishop of Ain, later bishop of Paris in fact, Jean-Baptiste Royer, served generously, though slightly in tension with, the *bona fide* Parisian priests. A low level of tension was omnipresent across the city because it was the capital and the priests there believed they
had to face up to the overall national problems of the resigned refractory priests. The curés issued their own pastoral letter for the diocese of Paris, even as they dealt with a movement to reestablish and strengthen a diocese at Versailles. Here Dean provides a wide-ranging look at the principal parishes in Paris and the principal negotiators for the establishment of the Versailles diocese. Dealings with Royer did not end simply at St. Médard; some thought he would be an appropriate bishop of Paris, the great see vacant since the abdication of Jean-Baptiste Gobel, the only previous bishop of the capital city. Those antagonistic to Grégoire or fearful of the central figures of the United Bishops thought that Royer might make a good compromise candidate. Dean emphasizes that the minutes of the Presbytery meetings provide clear enough evidence that the curé members had no profound antagonism to Royer (even though he was not elected bishop of Paris until 1797).

The important side show was the reestablishment of the diocese of Versailles, recounted here in a chapter also covering the years 1795-1796. With its episcopal seat vacant since the death of the first constitutional bishop, the diocese was so close to Paris and had such a notable seat that there was high motivation to regulate the parish structures in tandem with the curés of the city and the diocese, the Seine-et-Oise. The intense and quasi-irascible old organizer from that diocese, Augustin-Charles Clément, was a dominating personality. But the Synod of Versailles over which he presided was more a symbolic or virtual synod than a representative meeting. Dean balances his account of the jurisdictional arguments of the Versailles curés outside the synodal meetings with an account of the frustrations of some government legislators in the face of this ecclesiastical squabbling.

In “Constitutional Church 1796,” Dean turns to the relationships of the reconstituted Constitutional Church with the Directory government, to the refractory priests, and to central papal authority. The new minister of police, Merlin de Douai, although he was mainly out to control refractories, surveyed constitutional activity very closely. And it was clear that government legislators were adamant in their support of the revolutionary calendar with its ten-day week and a whole system of festivals to replace, or at least distract from, the Catholic church year. They also wanted to make this festival system an integral part of the restructuring of national education. Authorities were concerned, too, lest the projected nation-wide church council get out of hand. Within the church organization, Le Coz in particular was working to contain the retractions of former constitutionals, and it was a paradoxical effort. On the one hand, he recognized that the oath was no longer legally binding, but on the other, he believed that it was symbolic of a church commitment and as such should not be retracted. At this time, the new minister of police, Charles Cochon de Lapparent, and a leading legislator, Jean-Étienne-Marie Portalis, promoted policies of rational surveillance, and steady, balanced support of the constitutional enterprise. The problem was that some forms of religious tolerance and liberalism could favor the refractories over the constitutionals. More of a challenge for the constitutional church was Rome. An outline of what was to be a papal brief, *Pastoralis Sollicitudo*, permitting submission, and even the swearing of submission, to the republic came to light. Although the document represented a genuine discussion and a draft was produced by the pope’s entourage, legislators suspected it, refractories rejected it, and constitutionals found it puzzling. In this chapter in particular, Dean has had to pull together a disparate variety of printed primary and secondary sources.

Moving back to the Paris-Versailles continuum for 1796, Dean teases out all the day-to-day issues. Some of them, such as the bell-ringing controversy, attracted nation-wide attention. Others, such as the complications of selling parish houses or appropriate clerical dress or ensuring fair burial practices, were strictly church affairs. But the revived teams of bishops and priests gave no-nonsense apostolic attention to the eternal problem of the poor and a revival of spirituality that prompted the Lenten pastoral letter of the United Bishops. They successfully established the Société libre et littéraire de philosophie chrétienne with its bi-weekly journal *Annales de la religion*. Plans were made for the publication of traditional historical-theological collections, such as *Gallia Christiana* and new refutations of anti-Christian texts, such as the *Origines de tous les cultes* by the ex-priest Charles Dupuis. Although the *Annales* has been a favorite source for contemporary historians of religion during the Revolution, the
Société is perhaps less well understood. Dean's work with the Société's correspondance at the Bibliothèque de l'Arsenal once again gives his work special importance. Useful on its own is his summation of the first years of Annales. During the first period, 31 October 1795 to 8 March 1796, most essays dealt with works that defended or attacked constitutional theology and polity, whereas after that period more general works on theology and history were published. Dean believes that this reflects a new confidence on the part of the journal writers. Constitutional bishops who had been holding back—the major scholar and writer, Antoine-Hubert Wandelaincourt is perhaps the best example—now came forward, providing greater depth and solidity to the episcopal community. In Versailles there was the continuing saga of Augustin Clément, always the curmudgeon, always of vital importance. Getting him elected had its challenges and he had to submit to a traditional examination by the ever-useful and overworked bishop of nearby Meaux, Pierre Thuin. Once this was accomplished the constitutional bishops marshaled all their forces for a major consecration ceremony that put to shame (one assumes the bishops wanted it so) the rapid and summary consecrations of the first years, when Constitutional Church bishops were turned out every few weeks, sometimes every few days. The anxiety of the civil authorities over public religious expression and the rejection of Clément by some elements within the Constitutional Church itself were still problems. It was left to poor Bishop Thuin to work on the major problem: the limited number of available priests.

Although the first National Council of the Constitutional Church began in August, the month before had its own high development which receives chapter-long coverage in L'abbé Grégoire et l'Église constitutionnelle. The political backdrop was the success of Napoléon in Italy, so the constitutionals had to decide what to make of him: celebration of his victories would provide the proper excuse for ringing bells and overturning that strange legislation! The Annales de la religion offered a high level of debate on essential issues. Wandelaincourt argued that all reference to the Civil Constitution of the Clergy should be dropped and that clear reviews of church-state studies should be continued. Constitutional disappointment over resignations was more than compensated by the listings of active bishoprics and diocesan presbyteries. Clément at Versailles and the presbytery in Paris worked separately and together to bring about the long-delayed election of the bishop of Paris and the opening of the National Council. Although the election would be delayed well beyond the sessions of the 1797 Council (September 1798), clear decisions were essential; bishops and presbyteries risked an impasse as they continued to defend their own partis pris and prerogatives. Here Dean sorts out and arranges the correspondence, the minutes, and the work of the Paris presbytery in particular. Even the most reticent members of the presbytery admitted that a council would be necessary to repair the enormous damage that resulted from revolutionary confusion and violence. Readers will find here a full lay-out of the discussions and the issues, with footnote precisions and extensions that all together provide a virtual day-to-day presentation of all the written documents conserved from this period.

The daily discussions of the bishops and priests in attendance at the first National Council of the reconstituted French church, contained in a volume of minutes preserved in the Bibliothèque de Port-Royal, are at the center of Dean's exposition. Claude Le Coz, perhaps the leading constitutional personality after Henri Grégoire, presided. Decrees of the council dealing with marriage, education, and the liturgy were ultimately issued, but the bishops and priests had to set the tone of their report on the council to the pope. They also tried to deal with that continuing question of whether the the Civil Constitution of the Clergy was a real foundation for their church organization or simply one passing moment in its life. The perennial Gallican solution would seem to be the most solid, but it brought with it more difficulties about the ongoing role of the old constitutional bishops and their relationship with their priests. One of the great commentators on the religious issues and spiritual forces, giving special attention to the role of priests as over against bishops, was the abbé François de Torcy. Among the most epistolary of the council members, De Torcy is a primary reference for the council's inside story and receives full coverage here. On September 4, the wider national political world grossly intruded into the religious discussions with the coup of 18 fructidor, mounted to prevent the validly elected legislators of the political right taking office. This meant that the constitutionals had to face a no-nonsense
revolutionary republican authority once again, one that eschewed Terror but not close surveillance and control of religion. The years after 1797 were by no means easy ones for the church of France.

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Rodney Dean’s earlier book, *L’Église constitutionnelle, Napoléon et le Concordat de 1801* provides both the setting for and the continuation of *L’abbé Grégoire et l’Église constitutionnelle après la Terreur*: a prequel and sequel! The theological ancestry of the Constitutional Church goes back to controversies opened and closed by royal-ecclesiastical concordats of the fifteenth and sixteenth centuries and two disputed ecumenical councils, but the Civil Constitution of the Clergy, as a dynamic statement and symbol, can not be reduced to the sum of its political and theological ingredients. In fact, the oath of 1791 has been a source of confusion both for French priests of the era and for contemporary historians of France. Dean puts the controversy up front: “Pour les constitutionnels le serment qu’ils prêtèrent était un serment pour maintenir la Constitution de l’État; il semble que pour les réfractaires et pour bien des historiens après, le serment en question fût un serment pour maintenir la Constitution civile du Clergé” (p. 19). It was more a referendum on the ecclesiastical reform and the Revolution, clearly promoted as such by Grégoire in particular. Of course, *L’Église constitutionnelle, Napoléon et le Concordat de 1801* is not principally about these topics. It is a study of the negotiations between Napoléon’s government and the Holy See that led up to the Concordat and the dramas that surrounded its promulgation, and the years immediately following. If the years from the end of the Terror through the meetings of the first National Council were years of ascent, the years afterwards, up through the second National Council in 1801 were years of leveling off. It was a grave disappointment for the constitutionals, when Napoleon’s negotiations with the pope issued in full acceptance of old Rome-loyal refractories, whose bishops and priests would inevitably achieve domination in the concordatory church. Napoleon’s major counselors, Talleyrand and Fouché had to use all their influence to secure a place for the constitutionals, but, only one tenth of the former constitutional bishops were appointed, or to put it more positively, one-fifth of those who were alive and in the ministry when the Concordat was proclaimed.

Before this, at the beginning of 1800, the Constitutional Church was at least as disorganized as it was reorganized, to the satisfaction of political opponents and the chagrin of political friends. Royer, the Bishop of Paris, antagonized Clément, Thuin, and other United Bishops by his hesitancy and apparent unwillingness to choose bishops for the region over which he was Metropolitan bishop and prepare for a second National Council. An article in *Annales de la religion*, however, was a model of theological consistency, contrasting the principles and conduct of the constitutional clergy with the conduct and principals of the refractory clergy—caustically called *bons prêtres* in the article. Constitutionals held that republican governments were in greater conformity with the gospels because they represented the God-given authority of the people; constitutionals distinguished the spiritual and temporal powers, and so decline to interfere with the legitimate exercise of government; constitutionals recognized the authority of the pope but also the prerogatives of local churches; constitutionals recognized the authority of the bishops insofar as they treat their priests as brothers and counselors.

In this book, considerably lengthier than the more recent tome, Dean holds in tension the complex, variable religious policy of the government and the inner divisions of the Constitutional Church. He follows every step in the preparation of the Concordat. Pope Pius VII knew that the Catholic church would be saved from its low estate if Napoleon could reintegrate it into French national life, and accordingly sent Cardinals Spina and Caselli to Paris from Rome in September of 1800. They were given instructions to deal directly with the government and not with the constitutionals at all. In the series of formal “projects” and responses that were put together over the following months by the representatives of Paris and Rome an agreement was slowly fashioned, a combination of written formulations and interpretative maneuvers around the formulations. Representing Napoleon was the arriviste Bishop Étienne Bernier. The central documents were labeled the *Projets de convention*, in that
they were to represent the “compact” or “convention” of two substantial powers. The principal printed source for this history is the documentation collected by Alfred Boulay de la Meurthe.[2]

With the First Project, bargaining began on the resignation of the episcopacy, with Bishop Bernier recalling the Concordat of Leo X and François I as a model of exchange between the French and papal governments—in total contrast to the oft-expressed viewpoint of the constitutionals. In response to the First Project, Talleyrand, who had joined Bernier in the negotiations, insisted that Catholicism could not be the state religion or the “dominant religion.” By the Third Project, Catholicism was called the religion of the majority of French citizens and of the government (but not of the state), and the reconciliation of the constitutionals and married priests was to be left to a delegate. But Talleyrand held out until formal provisions were made for the constitutional clergy. Napoleon himself was aware that national surveys of religion in late 1800 and early 1801 indicated the popularity of constitutional parishes and clergy in some areas. In May of 1801, Napoleon intensified his demands for the confirmation of the constitutional bishops, acceptance of priests’ marriage, silence about the revolution-era takeover of church properties, and the calling of a national council of the French church.

After twenty-one different drafts and eight months of discussions, the text was signed 15 July 1801, ratified in Rome on 15 August, and in Paris on 8 September. Then, just as the constitutionals’ second national church council was in full swing (it had begun on 29 June and would continue through to the middle of August), the constitutional bishops were shown a draft of the text. Henri Grégoire and another constitutional bishop, Jean-François Périer, were taken to meet Napoleon, who authorized the continuation of the council and attended an official dinner at the Tuileries to mark its closing. After this, Napoleon indicated that he did not want retractions extracted from the Constitutionals but did want a minimum of twelve constitutional bishops named for the concordatory hierarchy of ten archbishoprics and sixty bishoprics.

The concordatory church as it was finally set up would be governed by bishops chosen by the First Consul and invested with church authority by the pope. The new lay-out of dioceses would be the same as the revolutionary division of France into departments. Napoleon expected all of the bishops to resign and await the decision of the pope as to their role in the concordatory church. He expected the pope to admit the validity of the ministry of the Constitutional Church and disinherit the old-regime bishops and other refractories. This, of course, attributed to the pope a tightened rule over French clergy that he never had before, and surrendered the old jealously guarded rights of the Gallican church to organize ministry and make all hierarchical appointments on its own without interference from Rome.

Between August 1801 and April 1802, rules and procedures for the Constitutionals’ submission and retractions of errors were at the center of continuing negotiations—and subterfuge. Napoleon knew that many former Jacobins, and in fact many of his generals, remained quite hostile to the Concordat and to the refractories especially. Cardinal Caprara, the chief negotiator, headed for Paris on 5 September, even as the French bishops, the constitutionals, were deliberating the mode of their resignations and incorporation into the concordatory church. Their reactions to several papal communications and the letters of Archbishop Spina were somewhere between reserved and negative. To elevate the discussions to a higher political register, Napoleon decided to appoint Jean-Étienne-Marie Portalis as the minister of state responsible for church affairs, an office coordinated with the ministry of the Interior, headed by Jean-Antoine-Claude Chaptal. This facilitated the agreement on a formula for the resignation of the constitutional bishops, but it did not ensure consistent interpretation and submission on the part of the bishops themselves. Grégoire (along with constitutional bishop François-Xavier Moïse) addressed a letter to Portalis attempting to radically modify the document, and then issued a pastoral letter on their own.

The indefatigable Cardinal Caprara continued to negotiate with the constitutionals, who appeared to be satisfied with the reception they had received from him. Such are the ways of diplomacy that the
constitutionals could say they had been treated as bishops, whereas Caprara wrote in his diary that he did no such thing. From October 1802 on, Portalis was preoccupied with the lists of bishops to be appointed, using the results of a survey begun by Chaptal on 21 July, 1801. Unfortunately the discussion was gerrymandered by Portalis’s nephew, the abbé Paul-Thérese-David d’Astros, who worked out an evaluation of the constitutional bishops that did not correspond to the results obtained by Chaptal from his departmental prefects. Each prefect had established a rostrum, or annotated list (état nominatif), evaluating the personal strengths of the bishops and priests of the department.[3] Dean manages to get the essence of this elaborate documentation into two pages, completely consistent with his main purpose, which is to clearly reveal the principal contents of the information base available to the Concordat negotiators.

The high level conversations of government legislators and the politicking of both constitutional bishops and the ultramontanes are preserved in an embarrassment of archival riches. One could wish that all this had been less elaborate, but it was not, and all of it, one suspects, is found here in Dean. The story of the constitutional bishops who resigned, or pretended to resign, or actually did resign should engage all readers. True to form, Augustin Clément of Versailles attracted most attention during the Council, although Grégoire and others were adamantly opposed to any concessions. The 1801 National Council was certainly the constitutionals’ last stand. Grégoire and Le Coz were actually the main personalities, with Le Coz presiding formally, as he had for the Council of 1797. With negotiations between church and state going on right under their nose, the Council fathers did have the same freshness of movement and expression they had in 1797. They continued to take stock of their apostolate in France and the needs of each diocese, always with shortages of priests, sometimes without a bishop. Presbyteries occasionally filled in for a bishop’s absence, but in some regions there was no church administration at all.

At the highest levels, Cardinal Consalvi and Cardinal Caprari, sent from Rome successively to finalize the Concordat and to reconcile constitutionals and abdicators, were continually in operation. It is a long story, and Dean tells it all, to do justice to his extensive sources. The drama continued on through to the coronation of Napoleon at emperor in 1804. Pope Pius VII, having been importuned to preside at the coronation in Notre-Dame cathedral, found that for the most ideologically driven of the constitutional bishops who were to be integrated into the Concordatory church, submission hid a repertoire of intransigence. Caprara, assisted by at principal French episcopal negotiator, was continually challenging and challenged. The old negotiator had met his match in the constitutional hold-outs. And Dean just follows these men out to the very end: Lacombe, Belmas, Saurine. Le Coz, the new archbishop of Besançon, who all across his career had insisted on reverence for the pope— at times to the consternation of his colleagues—"submitted" noting that he had never not submitted. It was a final play worthy of Galileo.

In the end of the story as at the beginning of the story there was Henri Grégoire, the quintessential résistant. There was never any question of integrating him into the concordatory church even though he had been the leading light of the Constitutional Church. He resisted the illegitimate incursions of Napoleon and the pope into the life of a church that was at once Catholic (and therefore not in every case the affair of the government) and French (therefore not in every case the affair of Rome). As I finish this review, I have before me two flyers presenting colloques on Grégoire, whose importance to French religious and cultural history seems to grow continually, in that his accomplishments are increasingly clarified and his churchmanship increasingly defended within Catholic intellectual circles. At the Conservatoire des Arts et Métiers (2 June 2009) Jean Dubray presented "L’Abbé Grégoire défenseur des droits de l’Homme.” And at Musée national de Port Royal (17 June 2009) Rodney Dean presented “Millenarisme et figurisme autour de Grégoire”; Jean Dubray, “Grâce, libre arbitre et prédestination chez Grégoire.” The work continues, such that a definitive history of the constitutional church is not to be written, any more than the definitive history of, let us say, the Counter Reformation is someday to be written (“definitive” has always been a chimera, no?). But I believe it can be
definitely said that Dean’s work is a quasi-complete and necessary presentation of the available data on the middle and last years of constitutional church history. Along with the research of Bernard Plongeron and Timothy Tackett, his books provide a basis and a model for all future work on the Constitutional Church. [4]

NOTES


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