

H-France Forum
 Volume 17 (2022), Issue 2, #1

Laurie Wood, *Archipelago of Justice: Law in France's Early Modern Empire*. New Haven: Yale University Press, 2020. 288 pp. Figures, maps, tables, notes, bibliography, and index. \$65.00 U.S. (cl). ISBN 9780300244007.

Review Essay by Danna Agmon, Virginia Tech University

In Laurie Wood's *Archipelago of Justice*, a book filled to the brim with juicy stories of legal squabbles, the battle that began in 1767 between Jean Daniel Dumas and Jean André de Ribes stands out for being simultaneously petty in origin and epic in scope. Dumas was the royally appointed governor of Île de France, the French colony in the Indian Ocean, and Ribes was a member of the local elite and the *procureur général* for the island's *conseil supérieur*, its governing administrative and legal body. At the heart of their conflict was Dumas's desire for pomp and recognition as the King's representative: he wanted to be accompanied by the members of the island's *conseil*, in a ceremonial procession that concluded with the singing of Te Deum, the hymn of divine praise, at the parish church. But on the occasion of the procession, Dumas found himself, embarrassingly, marching all alone, since none of the *conseil* members had shown up to accompany him.

Governor Dumas's response to this slight was to attack the members of the conseils, Ribes among them, of having snubbed and slighted the King by absenting themselves from what had been an existing custom. Ribes, however, refused to accept Dumas's order as sufficient authority for acquiescing to this demand, and wrote to officials in Paris, on multiple occasions, asking for an official act or decree to be sent to Île de France, regulating *conseil* members' participation in the procession and the singing of Te Deum. Ribes's instance on receiving a law from the King rather than following the established custom and accepting Dumas's order proved too much to bear for the governor, and he responded with a somewhat extraordinary measure: he banished Ribes to an unnamed deserted island. The subsequent years saw the production of an ever-increasing body of correspondence, as Ribes petitioned, first in writing and then in person once he made his way back to France, for compensation for Dumas's actions and reinstatement to his position of power on the island—a goal he ultimately achieved, at least in partial measure.

The Dumas-Ribes conflict not only displays the local-level conflicts that undergirded early modern French imperial ambitions, but also provides evidence for many of the arguments that Wood makes in this deeply researched and subtly argued book. The careers and strategies of both men show the deep networks that connected French colonies in the Mascarenes in the Indian Ocean with those in the Antilles in the Atlantic. The contours of the conflict between Dumas and Ribes was made possible and enacted through their belonging to what Wood identifies as a global themistocracy, or cadre of elite legal experts. Through their movement between the sites of empire—whether in person or through their letters—these actors created, she argues, a shared legal culture across France's empire in the long eighteenth century.

The central site of analysis, and one that allows Wood to point to the existence of a shared legal culture, is the *conseils supérieurs*, legal and administrative bodies that were created across France's colonies and its provinces beginning in the late seventeenth century. In the conseils, a shared legal language, common organization of legal personnel, such as magistrates, attorneys general, scribes, and secretaries, meant that legal cohesion—or at least the appearance of it—were a defining characteristic.

While charting both particular conflicts and individuals who made their way in and out of the *conseils'* jurisdiction, Wood's book makes major contributions to the study of French empire and law. Most crucially, both conceptually and archivally, is her conjoined study of the French colonies in the Antilles and the Mascarenes. Wood's approach is not merely comparative, but integrative. Her focus on the *conseils*, and their persistence both in a diversity of sites and over the period that saw the transition from the authority of the Compagnie des Indes orientales, the French trading company, to direct royal rule, she notes, "give us sites in which to observe various colonial movers from a single vantage point" (p. 171).

Wood's focus is on the work of the conseils in Île de France and Martinique, which she identifies as legal hubs with oversized influence beyond their shores (Louisiana, Canada, and India, and to a lesser extent Guadeloupe and Île Bourbon, play a more minor role in the analysis). The similarities between these two sites, both with important geographic locations on well-traveled trading routes, and by the mid-eighteenth century, similar plantation economies dependent on the violent extraction of labor from enslaved people, makes the focus on these two locales especially illuminating.

The integration of the Antilles and the Mascarenes in a single frame of analysis is what enables Wood to make several fascinating observations about the ways French colonial actors, especially those in elite positions but not only them, conceived of French empire in the eighteenth century as a mutually legible legal and political entity. There are two central mechanisms by which this shared understanding of French imperial legality came to exist. The first is what could be termed an epistolary legal empire, and the second is a familial legal empire. The importance of written correspondence, especially sent from legal entrepôts in the colonies to the Parisian metropole and back, but also among sites in the colonial and French provincial world, is paramount in Wood's account. The materiality of letters is beautifully highlighted. The letters themselves become a central character in many of the dramas described in the book. Will a letter make it safely across the sea, unharmed by bad weather, shipwrecks, or prying eyes? Will the legal formulations used in the letter be understood and accepted by its powerful recipients? Will the letter make it to its destination in time, and obtain the desired outcomes for its writer, before it is too late? All these questions were at play, for instance, in the case of the banished *procureur général* Ribes, who wrote an impassioned plea to the minister of the Marine to plead his case, even as he was held aboard a ship still anchored in Île de France, about to set sail and deposit him on a deserted island. Here and elsewhere Wood shows how inter-judicial correspondence was a high-stakes, high-reward endeavor.

If this global legal culture was mediated by correspondence in the first instance, the connections of family were of nearly similar importance. In both Martinique and Île de France, Wood shows, intergenerational transfer of authority and legal positions was central to the making of legal culture

and, by extension, local power structures. Elite families in Martinique sent their sons to receive legal training in Paris, as a mechanism for ensuring and enhancing their grasp on in the colony. And the names of the same families fill the records of deliberations of *conseils* across the French empire, for decade after decade. Familial entanglement was not only a source of stability for those with access to power, but also enabled mobility, as in Atlantic and Indian ocean colonies alike, “a pattern of familial island-hopping bound family networks together into larger regional groupings” (p. 46). These patterns meant that planters, military officials, and legal and administrative authorities were all bound together in dominant familial networks of local oligarchy of enslaving elites.

In the latter part of the book, Wood also teases out the importance of the environment for the study of law. She demonstrates how conditions created by weather disasters like hurricanes, the strictures of travel imposed by the patterns of winds, and growing conditions of crops and their impact on provisioning the colonies, not only defined life in both the Antilles and the Mascarenes, but generated a tremendous amount of inter-judicial correspondence meant to address these issues. These exchanges in turn shaped legal culture and the attendant relationship between colonial and metropolitan actors in ways deeply impacted by the environment.

Like all innovative studies, this one generates as many new questions and possible avenues for exploration as those it pursues. The book especially gives rise to three important arenas of possible research. First, given the existence of the legal culture charted in this book, to what extent did non-elite participants create opportunities to shape this legal culture, and infuse it with alternative conceptions and practices of legality, different from those brought forth by French colonial elites? The book explicitly focuses on French subjects, and mostly on those who themselves had origins in France. Wood offers some intriguing glimpses of participants of different backgrounds, for example the Malagasy tribal leaders who came as supplicants to the Mascarenes, or Marie Elizabeth Sobobobié-Betty, the daughter of the Malagasy king of Foulpointe, who sought French royal aid via the intervention of the *conseil* in Île de France in the 1770s (pp. 88-89). In these and similar instances, to what extent did Malagasy legal understandings clash or complement with the way these requests were understood and acted upon by the conseil? The same question applies with even greater force to the enslaved people, mostly of African descent but also of South Asian origin, who often appeared before the various French colonial conseils as deponents in both civil and criminal cases. How did their diverse approaches to resolving disputes factor into French imperial legal arenas? In Sophie White’s recent book, *Voices of the Enslaved*, depositions by enslaved people, recorded in criminal cases in French Louisiana, are used to great effect to unveil how enslaved men and women understood their own lives and enslavement.^[1] *Archipelago of Justice* opens up further opportunities to explore how global systems of legality were made in the back-and-forth of the interrogation chamber, as well as through inter-judicial correspondence.

Second, Wood’s analysis focuses on the remarkable cohesion of some aspects of the *conseils’* history, and she demonstrates how guidelines about procedures, staffing, and documentation wove together these institutions across vast geographical distances and differing geopolitical contexts. But what were the instances and procedures at which cohesion became impossible to maintain or even undesirable to uphold? One obvious place where cohesion across the empire was impossible to sustain is in the realm of language and interpretation. The documents produced by the *conseils* across the empire were in French, but this linguistic cohesion did not represent the actual form of

linguistic exchange when litigants and deponents came before the interrogators and magistrates. As Meghan Vaughan has shown in the case of Île de France, court records that included the testimonies Malagasy slaves contain some of the earliest written records of Ile de France Creole, a language made through the extreme linguistic diversity of arrivals, both enslaved and free, from East and West Africa, India, France, and Madagascar.^[2] In the *conseils*' chambers in India, linguistic diversity was very much the norm as well; the *conseil supérieur* in Pondichéry heard litigants deposed in Tamil, the conseil in Chandernagore regularly heard testimony in Bengali, and across criminal and civil proceedings in French colonies in India, the most common language was Portuguese, which remained the lingua franca in French colonies in South Asia until the final decades of the eighteenth century. Legal documents from the Pondichéry *conseil* also indicate that verbal evidence and supporting documentation were submitted in Chinese, English, and Persian. The documentary sources from the ministry of the Marine and personnel files of colonial employees tend to obscure the fact of this linguistic diversity, and in that sense bestow retroactive cohesion on legal encounters which were linguistically, at least, extremely multivalent and unstable.

Finally, *Archipelago of Justice* opens the path for exciting future work on the transition from the administration of the Compagnie des Indes to direct royal governance, which in Île de France did not take place until 1767. This transition brought with it a large-scale reshuffling of legal and administrative priorities and practices, and Wood clearly shows how the aftermath of the Seven Years' War led to a significant reconfiguration of the legal arena as a direct result of this global conflict. This in turn raises the question, to what extent was the legal culture of the Company a distinct one from the legal forms created in the 1760s, the period on which *Archipelago of Justice* is most closely focused? These questions—about the demography, cohesion, and temporality of the legal culture of the French empire in the long eighteenth century—all arise from the fertile ground of this fascinating study.

NOTES

[1] Sophie White, *Voices of the Enslaved: Love, Labor, and Longing in French Louisiana* (Williamsburg, VA: Omohundro Institute; Chapel Hill: University of North Carolina Press, 2019).

[2] Megan Vaughan, *Creating the Creole Island: Slavery in Eighteenth-Century Mauritius* (Durham: Duke University Press, 2005).

Danna Agmon
Virginia Tech University
dagmon@vt.edu

Copyright © 2022 by the Society for French Historical Studies, all rights reserved. The Society for French Historical Studies permits the electronic distribution for nonprofit educational purposes, provided that full and accurate credit is given to the author, the date of publication, and its location on the H-France website. No republication or distribution by print media will be permitted without permission. For any other proposed uses, contact the Editor-in-Chief of H-France.

H-France Forum
Volume 17 (2022), Issue 2, #1