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On Absolutism: Arbitrary Taxation and Overcoming the Limits on French Royal Power

by

David Charles Baker

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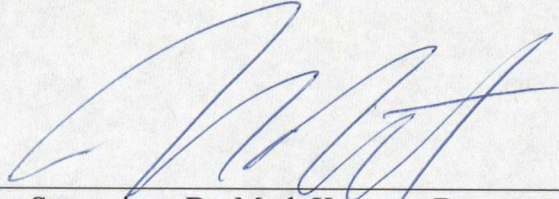
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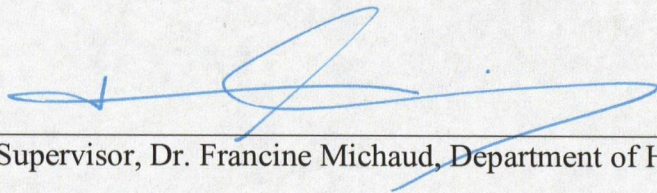
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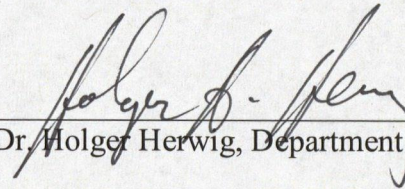
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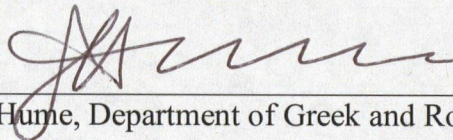
Supervisor, Dr. Mark Konnert, Department of History



Co-Supervisor, Dr. Francine Michaud, Department of History



Dr. Holger Herwig, Department of History



James Hume, Department of Greek and Roman Studies

17/05/2010

Date

Abstract

On Absolutism: Arbitrary Taxation and Overcoming the Limits on French Royal Power engages with the debate on the limits of French absolutism and the meaning of ‘absolutism’ itself. It examines how arbitrary taxation empowered French kings and analyses the war-driven evolution of taxation and its entrenchment under Charles VII. It addresses the perceived inefficiencies of the arbitrary tax system in its relation to royal power and the insurmountable costs of war. It shows through the use of four case studies taken from the fifteenth, sixteenth, and seventeenth centuries how these inefficiencies could be overcome by clever tactics. It shows how, despite its inefficiencies, the tax system allowed French kings to act in a fashion which should be classified as absolutist. The thesis then attempts to redefine ‘absolutism’ more accurately than it has been in the past in order to rehabilitate it as an analytically rigorous historical term.

Preface

This thesis enters upon the long-standing debate over French absolutism between English-speaking early modernists with the aim of showing how kings of the Late Middle Ages and the *ancien régime* gained and wielded absolute power and why it was not as 'limited' as some scholarship would suggest. For the past thirty years early modern historians in the English-speaking world have dwelt upon the vast multitude of inefficiencies, flaws, logistical and financial constraints, and political rivalries that cramped and fettered the exercise of royal authority. This thesis redresses an imbalance. The revisionists have gone too far, dwelling too much on royal weakness and even denying the existence of absolutism itself. Although these studies have expanded our knowledge of early modern France immensely, the inescapable fact remains that after the 'entrenchment' of arbitrary taxation by Charles VII (r. 1422-1461) in a large portion of France, there was no sufficient check, formal or informal, capable of forcing the ruler to address the grievances of his people if he chose not to do so. In revisionist works much play has been made of local elites, the *parlements*, and the various provincial estates in the defence of privileges from royal encroachment, but these bodies were divided – and not infrequently they were conquered. Due to isolation and conflicting interests, they rarely coordinated as anything remotely resembling a unified whole. Even if they did make common cause they lacked that essential apparatus: right of consent over the bulk of taxation. Without that, formal and peaceful protest lost all effectiveness and reliability. Violence formed the untrustworthy alternative. The role of the 'absolutist tax powers' of the king is an idea familiar to scholarship. How precisely it gave the French crown its power in spite of all 'limitations' such as small armies and bureaucracies, and a jumbled tax system is decidedly less familiar. It is described in these pages.

There is also a pressing need to define ‘absolutism’ so it may be of use as an analytical term rather than a source of consternation. Absolutism is an anachronistic term devised in the nineteenth-century to describe the *ancien régime*. It was never given any strict parameters. A great deal of the confusion in this debate, and, in fact, the debate itself, owes its existence to the extreme vagueness of the term. Early modernists of the Anglo-Saxon tradition have denied the existence of absolutism without fully knowing what it means. Most fumble with a hazy idea that absolutism has something to do with quasi-totalitarian power or some sort of tyranny. This is not the case. It is worth noting at the outset in this paper that ‘absolutism’ will not be used pejoratively, will not be associated at all with despotism, and will be treated solely as a system of government wielded by the king and used for both good and ill, just as any political actor may do with any system of government.

The lack of the parameters of the term also grants a benefit. It is a blank canvas on which anything may be painted, on which we may design an analytical term which actually describes the rulership of the period in question so that it may be of better use to historians. We may yet forge an accurate definition. That is, at any rate, what this work attempts to do.

I do not expect everybody to agree with what I say, still less that what I write will be popular. The argument put forth in this paper goes against the verdict of several decades of scholarship. Not only does this thesis argue in favour of a potent absolutism, it also goes the extra and perhaps controversial step of dating its origins very far back indeed. Countless objections may be poured upon this work as a result. Anyone who takes up a radically adversarial stance against an existing theory must hope to convince, but be prepared to antagonise, everyone. Nor are such stances unwelcome since they make a healthy alternative to raking over and disputing trivial aspects of a dominant theory. Surely it is sometimes better to

point out the flaws in that theory by opposing it openly than splitting hairs out of instinctual and reverent respect for established scholarship. It is about time the pendulum swung back in the other direction. By balancing the ideas of power and limitation we may arrive at a more accurate understanding of French absolutism: its origins, its powers, and even, and this should not be surprising, its weaknesses – where they truly existed.

It is an undeniable historical fact that the resources afforded by the arbitrary taxation system sustained the king during the political storms that often resulted from royal violation of the privileges of a societal order. This is not just a coincidence. One cannot assert with any confidence that if it became necessary, a *parlement*, provincial assembly, or an informal alliance of local elites were powerful enough to hold the king ultimately responsible for his actions. It was not a ‘despotic regime’ any more than it was a ‘limited monarchy’. Instead one is confronted with a French crown possessed of enough tax power and political acumen to evade checks on its prerogative, and yet one which constantly had to bear in mind the precedents set by age-old traditions, upon which the monarchy’s authority was founded. However, that assuredly did not mean the king bowed to tradition when it got in his way and circumstances suited his interests to act otherwise.

This work is divided into three chapters: the first chapter is a study of the historiography, the second is an examination of late medieval taxation and Charles VII’s ‘entrenchment’ of the *tailles* in certain regions of France, and the third chapter uses four case studies, three French, one English, taken from the fifteenth, sixteenth, and seventeenth centuries to demonstrate precisely how the French ‘absolutist tax system’ managed to operate in spite of internal flaws and external obstructions. The first case study, of Louis XI, shows how the king took advantage of the non-consensual nature of arbitrary taxation to inflate its burden to three times what Charles VII

levied, and how his subjects were either unable or unwilling to check this action, institutionally and even through violence, until after his death. Many revisionists cite the *parlements* as an adequate check on royal powers. Accordingly, the second case study, set in the reign of Francis I, tests whether another institution such as the *parlement* possessed anything the king needed as badly as tax revenue to force him to address their grievances, or whether the king held anything the *parlement* needed which allowed him to turn the tables and bring the *parlement* to heel instead. The third case study is of how Louis XIII was able to cut the cost of the largest expense on the treasury, warfare, by simply avoiding it in order to afford domestic expenses and crush severe political dissent at home. This is meant to show how warfare as a vast expense on the treasury could be overcome and how, even though the treasury was often depleted by war, the revenue from the 'inefficient' arbitrary tax system was more than enough to allow a French absolutist king supremacy at home. The fourth case study of Charles I of England is used briefly to contrast the French system to one where arbitrary taxation did not exist in large amounts. Through this process, it is hoped that a true and transparent definition of absolutism will gradually appear before the eyes of the reader.

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Chapter One: Historiography

This section addresses the lengthy and somewhat convoluted historiography of the absolutism debate. It contains merely the barest of outlines since the debate involves so many publications, innumerable methods of analysis, and covers so many reigns and periods, that it is impossible to account for everything in detail. Nevertheless a unifying theme of most works can be identified. Almost all the publications on absolutism confirm or deny a 'limitation' of some sort upon royal power. But the debate is not confined to the two camps of 'limited' and 'absolute'. That is why it is necessary to review the historiography to understand the wide range of arguments and sometimes almost imperceptibly subtle distinctions. The multitude of works on absolutism can partially be explained by the equal number of definitions attached to the very word 'absolutism'.

I. Absolutism 'Defined'

One can tell a lot about the position of any author in the absolutism debate by how he defines the term itself. For instance, James Russell Major defines it as:

No theoretical limitations on the king's authority other than those imposed by divine, natural, and a few fundamental laws, and in which the king controlled the vertical ties necessary to hold society together and had an obedient army and bureaucracy of sufficient size to enable him to impose his will.¹

This definition is used in a work which denies the existence of absolutism in the Renaissance. Nicholas Henshall, who denies the existence of absolutism altogether, defines it as 'a system that encroaches on the privileges of subjects, overcoming all checks and balances, no consultation, a crown working independent from corporate

¹ James Russell Major, *From Renaissance Monarchy to Absolute Monarchy: French Kings, Nobles, and Estates*, (Baltimore: Johns Hopkins University Press, 1994), xxi.

bodies.’² This monarchy sounds most formidable. It also did not exist in any country or time period anyone might care to mention. Both of these authors set up ‘straw men’ and they attribute a definition to absolutism for which no regime in any century could possibly qualify. If absolutism is confined to these extravagant definitions then it must be discarded as a historical term, as has been advocated in the past.³ Admittedly, however, this would not be of much use to anyone.

Fiscal historian Richard Bonney once addressed himself to the question in an article entitled ‘Absolutism: What’s in a Name?’⁴ The definition Bonney gives is concise, precise, and worth noting: ‘freedom of the monarch in practice *from institutional checks on his power*, in short, a regime where the ruler is not limited by institutions outside kingship itself.’⁵ One ought to bear in mind ‘institutional checks’ entails a check by peaceful means. It does not include the threat or use of violence, assassination, or execution as fell upon many French kings, most notably Henry III, Henry IV, and of course Louis XVI. No amount of institutional power can stop a bullet or dull a blade. What Bonney puts forward is the simplest and fairest definition. It shall be embraced as a starting point for the definition this paper will formulate.

Not all historians apply such a definition, especially in the surprising number of studies where a definition is not articulated clearly. This is the greatest flaw of the debate and a chronic source of confusion. This is quite possibly the reason why the debate has

² Nicholas Henshall, *The Myth of Absolutism: Change and Continuity in Early Modern European Monarchy*, (London: Longman, 1992), 1-2.

³ See Henshall, 210-212.

⁴ Richard Bonney, ‘Absolutism: What’s in a Name?’ *French History* 1 (1987) 93-117; Bonney is also the author of a great many works in fiscal history: *Economic Systems and State Finance*, (Oxford: Clarendon Press, 1995); *The Rise of the Fiscal State in Europe*, (Oxford: Oxford University Press, 1999); ed. *Crises, Revolutions and Self-Sustained Growth*, (Oxford: Alden Group, 1999); *The King’s Debts: Finance and Politics in France 1589-1661*, (Oxford: Clarendon Press, 1981). The last of these is most pertinent to absolutism and will be dealt with in its proper place.

⁵ Bonney, ‘Absolutism’ p.94. My Italics.

carried on for so long. The worst disagreements arise when both sides are equally in the right as in the wrong. It is an author's folly to traverse all the evidence, come to firm conclusions about the 'limits' of absolutism, to compile an effective revisionist paper, when all along the definition remains mired in confusion. There are several major assumptive definitions of absolutism in widespread use. These in turn have splintered into a vast mass of revised definitions which may well differ from scholar to scholar. These are too numerous to catalogue here completely. The word is meaningless and takes several dozen conflicting definitions to express its meaninglessness. The criteria one sets for absolutism more or less determines where one will go in the debate. Since scholars cannot even agree what absolutism *is*, it is no surprise opinions vary greatly over which ruler was absolute and which was not.

Another much more complex definition of 'absolutism' must be addressed. The longest standing and most generously endowed branch of the absolutist question is the 'collaboration debate'. Instead of considering the limitations on absolutism to be independent institutions, corporate bodies, or local elites, scholars have argued to various degrees that these groups all had a vested interest in allowing power to be centralised in royal hands. Thus even though absolutism could have been limited by these people, it was frequently not in their interests to do so. One of the first scholars to lay this theory out in full was Perry Anderson in *Lineages of the Absolutist State* (1974).⁶ The book dealt not only with absolutism in France but with the entire Eurasian super-continent. The

⁶ The seminal work on the collaboration debate: Perry Anderson, *Lineages of the Absolutist State*, (London: NLB, 1974), was accompanied by other works in the seventies devised upon similar lines. See Julian Dent, 'The Role of Clienteles in the Financial Elite under Cardinal Mazarin' in *French Government and Society, 1500-1850*, ed. Bosher, (London: Athlone Press, 1973), 41-69 and Albert Hamscher, *The Parlement of Paris after the Fronde, 1653-1673*, (Pittsburgh: University of Pittsburgh Press, 1976). For another highly influential Marxist interpretation see the Soviet historian, Alexandra Dimitrievna Lubinskaya, *French Absolutism: The Crucial Phase, 1620-1629*, trans. Pearce, (Cambridge: Cambridge University Press, 1968).

theme of the work is that absolutism was designed as an alliance between feudal landlords and the central governing authority to continue the 'extra-economic' exploitation of the peasantry, even though they were no longer tied to the land. The nobility depended on the king to perpetuate the resources and legitimacy of their continued social dominance and control over the means of production.⁷ With a few modifications and a great many arguments over method and scale, this more or less continued to be at the heart of the collaboration debate to this very day.

Anderson's theory was in the next decade revived by a study composed by William Beik.⁸ His masterly work, *Absolutism and Society in Seventeenth-Century France* (1985) possessed an abundance of empirical evidence gathered from Languedoc. The author insisted that a class-conflict paradigm in the Marxist tradition was the best framework in which to study French absolutism.⁹ This was because state financiers collaborated with the royal government, collecting taxation for it, and skimming a bit off the top as their cut. In exchange the monarchy got the taxation it needed to fund its projects and enforce its control. This reciprocal relationship allowed both the monarchy and nobility to retain their socially dominant position in a post-feudal society.

Beik's work by and large revived the collaboration theory, which in subsequent years turned into a full-fledged debate, engaged by Marxist and non-Marxist scholars alike. For Beik, absolutism could not be studied merely as a central authority unfettered by *parlements* or provincial assemblies, it had to be considered in terms of a class

⁷ Anderson, 401.

⁸ William Beik, *Absolutism and Society in Seventeenth-Century France: State Power and Provincial Aristocracy in Languedoc*, (Cambridge: Cambridge University Press, 1985). A work by Robert Brenner preceded it, 'The Agrarian Roots of Capitalism' *Past and Present* 97 (1982), 80, but did not deal with the absolutism debate directly, making reference to it as a replacement form of 'surplus extraction.'

⁹ Beik, *Absolutism and Society*, 9.

conspiracy that came at the expense of the mass of peasantry who paid the bulk of taxation. Beik defined 'absolutism' accordingly:

The political manifestation of a system of domination protecting the interests of a privileged class of officers and landed lords. Strong bonds linked the provincial nobility, the episcopacy, the various corps of royal officers, and the town oligarchies to the Crown and to each other. These bonds were more important than the many conflicts which divided corps from corps or king from province. *The "society of orders" did not exist as a system, but only as one aspect of a distinctive early modern form of a society of classes.*¹⁰

Beik concludes that earlier French historiography, preoccupied with the narrative of centralisation, got it wrong. Although absolutism possessed centralising tendencies it was not a modern phenomenon. Beik argues that it must be considered in the context of traditionalism and a framework of medieval privileges, orders, and classes. It was, says the author, 'the final, highest phase of feudal society, one in transition from feudalism to capitalism.'¹¹ Many similar histories on 'collaboration' were to follow.¹²

The later historiography of absolutism has preoccupied itself with the reign of Louis XIV. The debate is notable for two authors William Beik and John Hurt. Since 1985, Beik has considerably toned down his Marxist views. It has been reduced to the point that anyone reading his most recent works without familiarity with the old would

¹⁰ Beik, *Absolutism and Society*, 335. My Italics.

¹¹ Beik, *Absolutism and Society*, 339.

¹² Roger Mettam, *Power and Faction in Louis XIV's France*, (New York: Basil Blackwell, 1988); Sharon Kettering, *Patronage in Sixteenth and Seventeenth Century France*, (Aldershot: Variorum, 2002); James Collins, *Classes, Estates, and Order in Early Modern Brittany*, (Cambridge: Cambridge University Press, 1994), 12; David Parker, *The Making of French Absolutism*, (London: Edward Arnold, 1983) and later *Class and State in Ancien Régime France: The Road to Modernity*, (London: Routledge, 1996), in which he laments how Marxism has been eclipsed by 'Thatcherite ideology' and how Marxist intellectuals have 'forsaken the jargon of the Stalinist era' to water down their theories; in similar vein is Richard Lachmann, *Capitalists in Spite of Themselves: Elite Conflict and Economic Transitions in Early Modern Europe*, (Oxford: Oxford University Press, 2000); Stephen Miller, 'Absolutism and Class at the End of the Old Regime: The Case of Languedoc' *Journal of Social History* 36 No.4 (2003), 872-73; Julian Swann, *Provincial Power and Absolute Monarchy: The Estates-General of Burgundy: 1661-1790*, (Cambridge: Cambridge University Press, 2003); Mark Potter, *Corps and Clienteles: Public Finance and Political Change in France, 1688-1715*, (Aldershot: Ashgate, 2003); Darryl Dee, *Expansion and Crisis in Louis XIV's France*, (Rochester: University of Rochester Press, 2009).

hardly be able to guess what methodology spawned his original thesis. Lately, Beik has focused less on collaboration than on producing broader themes and historical surveys.¹³ Nevertheless, in an article entitled, 'The Absolutism of Louis XIV as Social Collaboration' Beik defends the validity of the collaboration thesis. He does this without much recourse to Marxist theory. One of the primary purposes of the article as stated in the introduction was to refute the claims of John Hurt. Hurt looked at the crisis of 1709 where the 'collaborators' were not paid for their services to the crown, and Louis XIV managed to prevent revolt despite openly flouting the 'unspoken agreement' of the class collaboration. As a sop in 1711 partial payments were made to officeholders but this stopped in 1715 and the crown never made up the shortfall.¹⁴ After a survey of the various works on absolutism of nearly twenty-three pages, Beik confronts Hurt in the space of four. Beik ripostes that the elites had a lot to gain from collaboration, in social position and so forth, even if some were financially ruined by the encroachment of Louis XIV. They remained, however, powerful and wealthy figures and therefore 'must' have been complicit 'somehow' in the absolutist regime.¹⁵

In gauging the powers of the French absolutist kings, the collaboration thesis is hindered by a stalemate over what fraction of the elite were in collaboration with the king, to what extent they had common interests, and to what extent these elites could coerce the king if their interests were flouted and the 'class contract' was broken. Also the collaboration thesis is severely crippled by the paradigm of 'class conflict' in which a

¹³ William Beik, *Urban Protest in Seventeenth Century France*, (Cambridge: Cambridge University Press, 1997); William Beik, *Louis XIV and Absolutism* (Cambridge: Cambridge University Press, 2000). The latter study does not even mention collaboration, although it deals directly with absolutism.

¹⁴ John Hurt, *Louis XIV and the Parlement: The Assertion of Royal Authority*, (Manchester: Manchester University Press, 2002), 144-147.

¹⁵ William Beik, 'The Absolutism of Louis XIV as Social Collaboration' *Past and Present*, No. 188: 195-224 (2003), 218-220.

formerly Marxist theory is watered down to be politically acceptable. The entire thing, however, seems to have the same goal in mind. Instead of abandoning class recriminations altogether, the new 'social' collaboration thesis seems to obscure those definitions, burrowing them ever deeper within a convoluted and verbose theory, nevertheless with the old aim of laying the crimes of history at the feet of, not a few rich people, but as many rich people as it can implicate – king and noble alike. It underrates the many instances where the interests of the king and the elites were diametrically opposed. It therefore cannot shed light on how the absolute monarchy overcame such circumstances.

* * * * *

Nicholas Henshall in *Myth of Absolutism* (1992) denies the existence of absolutism altogether. Henshall claims that because the Valois kings used *parlements*, provincial estates, town councils, and noble and clerical assemblies, they were not absolutist.¹⁶ This misses the point. The king could use them as he pleased and ignore them at his pleasure. It is questionable what any of these corporate bodies could have done to force the king to consult them, especially if it were disadvantageous to himself. Francis I (r.1515-1547) was tough and often overruled 'consultative' institutions but 'never permanently reduced their powers.'¹⁷ Under Henry IV (r.1589-1610) Henshall says there was no systematic attack on representative institutions.¹⁸ Indeed, if no such attack took place in the Renaissance this indicates one of two possibilities. One, there was not a trace of absolutism in the sixteenth century and Renaissance princes were indeed 'limited' and 'consultative'. Or two, no such attack was required because the institutions

¹⁶ Henshall, 10.

¹⁷ Henshall, 18-19.

¹⁸ Ibid.

did not mount a substantial and constant threat to the executive powers of the crown.

Perhaps this points toward an earlier event which made such attacks unnecessary.

Henshall is obdurate that even Louis XIV was a consultative and limited monarch instead of 'autocratic' and 'despotic'. The *parlements* still vetted his legislation, and he was therefore consultative.¹⁹ This in spite of the fact the *parlements* were cowed and forbidden to issue *remonstrances* for a large part of his reign. One of his most biting condemnations of the term absolutism must be printed here:

Louis XIV's handling of institutions with independent sources of power establishes the status of "absolutism" as a problematic concept... He treated them as agencies of consultation and consent – showing that his regime was not *autocratic*. He treated them as guardians of corporate rights and liberties – showing that it was not *despotic*... It is true that he denied them any right to meddle in affairs of state: policy was made by the royal prerogative alone, with the help of those whom the king chose to advise him... Is that all "absolutism" means? If so, we have another problem. For the King of England did the same.²⁰

Indeed the king of England as well as the king of France had royal prerogative, meaning full control over the government, ministerial appointments, foreign policy, and so on. That is the definition of monarchy. That is not the definition of absolutism. And if the definition of absolutism is such then perhaps it might be well be discarded as useless just as Henshall desires. However, this admittedly would not be of much use to anyone.

The reader should take note of the use of the words 'autocratic' and 'despotic' in the preceding passage. These are two words which cannot be attached to the meaning of absolutism. Despotism and autocracy can occur under any form of government, the question here simply is whether there was any check upon them when they did. His definition overlooks something quite crucial. Absolutism was not an inherently 'despotic'

¹⁹ Henshall, 38.

²⁰ Henshall, 58-59. My italics.

system. Let that be clear. It had its limits and its flaws. Few would say any political system is perfect. Never must one condemn the system itself, but the outcomes it produces and the actions of those within it. If such objectivity is observed, as it should be observed, there is no need to equate absolutism with despotism and thus no clear motivation to think it an undesirable term, when applied to early modern France, and to strive stubbornly to disprove its applicability – as so many scholars, enamoured with the kings of their specialisation, have done on so many occasions.

In regard to arbitrary taxation powers, Henshall points out that the French king was never officially granted the right to tax without consent, but rather the *taille* of the Estates of 1439 was extended.²¹ This is, of course, a superficiality. The king never asked for consent to levy that *taille* again. He did not acquire permission to extend it. He simply did not call the Estates.

Henshall lays the blame for the Revolution at the feet of Louis XV (r. 1715-1774) and Louis XVI (r. 1774-1792) who began to ‘act despotically’. He supplies a short catalogue of their ‘despotic’ transgressions: mistreatment of the *parlement* of Paris in 1753, forcing it to register a law in 1763, dismissing it peremptorily in 1766, and replacing many of the magistrates in 1771.²² Unfortunately, there are actions of this nature no less harsh to be found in the reigns of Francis I or Louis XIV.

The Myth of Absolutism is largely unique in the historiography because it not only focuses upon the limits on the regime in France, but also balances things out by casting aspersions upon the monarchy of Great Britain. Henshall lists the many ‘violations of liberty’ that happened in Britain, contemporary with the *ancien régime* in France.

²¹ Henshall, 67.

²² Henshall, 74.

Henshall says that because it was the English and not the French, who in 1707 ‘dissolved peripheral assemblies’ by unifying the parliaments of Scotland and England, the English were in fact ‘more absolutist’ than the French.²³

The author decries the English Toleration Act of 1689 for not extending political rights to Catholics, Jews, and Dissenters while praising the toleration of Huguenots from 1598-1685, glossing over the years of persecution and slaughter that preceded and followed it, and also the war waged against them in the 1620s. After the revocation of the Edict of Nantes, the French Protestants ‘gradually fought their way back to their previous position’. Examples of this ‘previous position’ are taken from *102 years* subsequent to the revocation.²⁴ The mistake, Henshall says, lies in supposing that only absolutist rulers have ‘unpleasant tendencies’.²⁵ But this is absurd. The whole point of a system of institutional checks is because *all* monarchs have unpleasant tendencies. Indeed *all governments* have unpleasant tendencies. These make checks necessary. All Henshall accomplishes with this highly unbalanced Anglo-French comparison is to establish that an English king could be despotic and that a French king was not despotic all the time.

In summation Henshall concludes:

It is clear that the parliament [in England] was more prominent and powerful than any comparable body in France. It met annually, spoke for the entire realm, *and had a stranglehold on royal finance*. French organs of consultation were more amorphous and untidy than England and were commonly treated more impatiently. They were no less real.²⁶

No one has disputed the corporeal existence of provincial estates and *parlements* in France. They were not phantoms in the night. But even the differences illustrated in this

²³ Henshall, 108.

²⁴ Henshall, 116-117. 1685 and 1777, respectively.

²⁵ Henshall, 90.

²⁶ Henshall, 199. My italics.

passage laid out in soft language demonstrate divergences between the two systems, and these could be deemed decisive. The most significant is the ‘English stranglehold’ on royal finance. The second statement is consequently less accurate, for English kings treated Parliament very impatiently from time to time – particularly for that reason. Henshall then demonstrates his point with the following biological metaphor, ‘The difference is one of degree and not kind: [the English and French monarchies] were clearly the same species. A Chihuahua is a very small dog but to call it a rodent would hinder biological understanding.’²⁷ But a species has been defined since Darwin as a human classification with no clear borders to define it except a large enough degree of difference, since there is variation within every species, variation being the engine of evolution. That England and France were the same species, or monarchies, to abandon this questionable metaphor, *does not rule out significant variations between them*. The existence of such variations teaches us two things, first, absolute monarchy and limited monarchy can exist as separate ‘species’ or ‘subspecies’ and second, biological metaphors are extremely perilous for the reader, because it sounds as though the author is describing an inviolable law of nature – when he most assuredly is not.

Henshall rightly rejects all association of absolutism with despotism, he simply fails to do so within his own work.²⁸ Nevertheless, rejecting that association gives all the more reason to use and refine the term ‘absolutism’ rather than cast it aside. Absolutism was a political system, the stage upon which political figures acted, and was not in itself malevolent. Any regime, based on any ideal, whether democratic or autocratic, is capable of both good government and bad. Such outcomes depend upon the virtue of the actions

²⁷ Henshall, 199.

²⁸ Henshall, 211. He rejects the association with ‘what is colloquially called’ the absolutist French monarchy with despotism, but does not divorce ‘despotism’ from the word ‘absolutism’ itself.

of the government from day to day, the historical circumstances which bring those actions about, and still more upon the political perspective of the examiner of those actions. Absolutism must never be confused with despotism although it often enables it. The term has been crippled by its unconscious association with despotism and unbridled wealth and power. The term may yet be salvaged, but the definition must first be made clear to all.

For a simple definition, devoid of connotations of despotism, which will be assiduously observed in this work, one merely has to consult an old but extremely useful book of terms: 'Absolute, adj. Independent, irresponsible... not many absolute monarchies are left, most of them having been replaced by limited monarchies, where the sovereign's power for evil (*and for good*) is greatly curtailed, and by republics, which are governed by chance.'²⁹ The source is unconventional but of great advantage to the debate. Furthermore, if one takes irresponsible to mean unaccountable, rather than reckless, and if one admits a people's government may not always produce good or even representative government, this definition of absolutism is not without relevance today.

Historians very frequently follow a timeline for absolutism which starts with Henry IV's consolidation of power in 1598 with the Edict of Nantes. Two of the most prominent authors who have employed this timeline are Yves-Marie Bercé and most recently Alan James.³⁰ Both end their surveys of French history in 1661, the year Louis XIV decided to rule without a first minister upon the death of his mentor, Cardinal Mazarin. This timeline is prompted by the development of 'theoretical absolutism' in

²⁹ Ambrose Bierce, *The Devil's Dictionary*, (Oxford: Oxford University Press, 1909), 4. My italics.

³⁰ Yves-Marie Bercé, *Birth of Absolutism: A History of France, 1598-1661*, trans. Rex, (New York: St. Martin's Press, 1996) and Alan James, *The Origins of French Absolutism: 1598-1661*, (Harlow: Pearson Education, 2006).

French political tracts published in the sixteenth and seventeenth centuries. A book by William Farr Church on the subject illustrates how the ‘constitutional’ checks on the king’s absolute power espoused by Claude de Seyssel (d.1520), counsellor of Louis XII, were gradually dwarfed by emphasis on the Divine Right of Kings before the end of the sixteenth century.³¹ The explanation Church gives is that the crisis and instability of the Wars of Religion drove many political writers to endorse more aggressively than before a Catholic king’s transcendence of the law.³² By 1598 the monarchy was making ever bolder claims to absolute power, unfettered by ‘constitutional’ qualifications.

This has of course led the revisionists to rightly point out the difference between claiming power and actually possessing it. The conclusion many draw is that French kings had far less power than they claimed. Tireless examination of the fiscal system or the powers of the *parlements* and provincial assemblies is usually employed to drive the point home. Some historians claim that there exists certain absolutist ‘reforms’ of Sully, Richelieu, Mazarin, or Louis XIV between 1598 and 1661 which somehow made the monarchy more ‘absolute’ than it was before. It certainly became more powerful during this time. However, other historians claim many flaws that remained even after these reforms had taken place. Even the absolute power of Louis XIV after 1661 has been in many places disputed. If no change in practice can be found 1598-1661 to accompany theoretical claims, it may be well to give up the use of ‘absolutism’ altogether, except as a form of government philosophy, or put more bluntly, a form of government wishful thinking.

³¹ The constitutional checks consist of tradition, the written law, religion, and ‘advisors’ in the nobility and clergy, along with less tangible things like God and the king’s own conscience. All Seyssel’s checks are more theoretical than pragmatic, with no clear explanation of *how* they would work against a tyrant.

³² See William Farr Church, *Constitutional Thought in Sixteenth-Century France: A Study in the Evolution of Ideas*, (New York: Octagon Books, 1969).

There is, however, an alternative to this. The period 1598 to the fall of the *ancien régime* in 1789 does not comprise the entire period of 'absolutism,' the term itself not employed during that era. Instead it constitutes the period of *ostensible absolutism*, where the monarchy and its advocates made increasingly boisterous claims to supremacy, where the king engaged more and more with the daily workings of the government to the point he became his own first minister, where the bureaucracy and army increased to a size that far outstripped anything seen before. Bureaucracies and armies are tangential, however. They were tools used by an absolutist king, but they did not create absolutism. There was something else before the period of *ostensible absolutism* that allowed all these elements to be of some effect. The mechanism was already in place, but where?

II. 'The Many Flaws' of the French Fiscal System

The answer has already been stated with no pretence of foreshadowing or suspense. The answer lays in the fiscal system, namely, the king's vast mass of revenue coming from arbitrary taxation. Here is an idea which has been contemplated and then swiftly discarded before. Scholars have been distracted by the many inefficiencies, inconsistencies, and inadequacies of the French fiscal system. This delusion stems partially from hindsight. One would naturally expect that a fiscal system capable of propping up an absolutist government would have to be centralised, efficient, uniform, and highly disciplined in collection. However, because a tax system of the early modern period does not meet later standards should not blind one to the fact that the French fiscal system yielded a larger mass of non-consensual and unconditional revenue to the central government than ever before or anywhere else in Europe. The issue is not the amount of revenue collected, the many exemptions handed out to elites and urban areas, or the

amount of debt incurred from spending. The point is that such a large amount of money could be collected without having to go cap in hand to a representative assembly.

Richard Bonney's work *The King's Debts* (1981) highlighted the increasing incapability of the financial system after 1589 to deal with the costs of war, subsequently leading to the accumulation of massive government debts. These debts grew by leaps and bounds and played a central role in the fall of the *ancien régime*. Bonney states 'a less ambitious foreign policy, more closely related to the true revenue-raising capacity of the French state, would have permitted retrenchment and reform of the fiscal system.'³³ Indeed if the fiscal system looked incapable of supporting royal ambitions, even after these detrimental loans, the king would have been wise in reigning in his military and territorial ambitions in order to recuperate his treasury. This would allow the king to hold the resources to quell any unrest at home and stockpile more resources for his next push. In fact – as will later be shown – this is precisely what the king did.

Yet another objection raised by fiscal historians Philip Hoffman and Kathryn Norberg was that the French absolutist fiscal system squeezed less out of their subjects and was less efficient than representative assemblies, thus 'taxation and despotism were in the end incompatible.'³⁴ The reader will notice the equation of absolutism with despotism. Moreover, one should not confuse resistance to taxation in general with resistance to the methods in which people were taxed. In order to receive such funding from its representative assembly, the English government usually had to address the grievances of that assembly. An absolutist monarch in France could also address the

³³ Bonney, 280.

³⁴ Philip Hoffman and Kathryn Norberg "Conclusion" in *Fiscal Crises, Liberty, and Representative Government, 1450-1789*, eds. Hoffman and Norberg, (Stanford: Stanford University Press, 1994). 305-310.

grievances of his subjects at his own discretion, but control over the bulk of French taxation rested in the hands of the king, not a representative assembly. Absolutist governments were not 'despotic' or their subjects 'unfree' because of the amount they were taxed. The point is that French kings were able to extract still considerable sums without recourse to a strong representative institution. The point at issue is *how* the people were taxed, not *how much* the people were taxed. In order to receive funds, a French king did not have to address the grievances of a central assembly. That, in short, is what absolutism was. Therein lays the definition, and not in reference to fiscal restraints or despotism.

The final and most important book within this historiography is *Fiscal Limits of Absolutism* (1987) by James Collins. It is a fiscal history in which he states:

There was a notable centralization of the financial administration of the kingdom in the period from 1360 and 1660, yet the financial system never became either a willing or an able tool of absolutism... the limits of the seventeenth century French state were set by its ability to raise money to pay for its projects.³⁵

The book then dwells upon the many inefficiencies of the tax system and how the king relied to no small extent on carving up a piece of the pie for the tax collectors and elites. After Henry III, Collins states, expenses became too great and collection too inefficient, which explains many of the fiscal shortcomings seen under Henry IV and Louis XIII. He reexamines the tax figures of J.R. Mallet, a clerk in the Central Treasury in the eighteenth century, and shows that the treasury actually took in less after 1616 than his figures have led us to believe. The central flaw of the system, says Collins, is that the elite, towns, and clergy paid far less than their fair share. They were exempt from taxes as a result of the

³⁵ James Collins, *Fiscal Limits of Absolutism: Direct Taxation in Early Seventeenth Century France*, (Berkeley: University of California Press, 1988), 2.

political reality of needing their cooperation.³⁶ When expenses were low, that is to say in peace time, this was not a problem. In war it was necessary to borrow, and wait for revenues to come in later. Debts accumulated until the Revolution. Thus in the 'long run' the arbitrary tax system, so far from being a strength, undermined the regime.³⁷

Collins concluded that the limits of royal power were set by the amount of money at the king's disposal. The various inefficiencies of the tax system, along with the focus of the tax base on the peasantry, with towns and nobles in many places exempted, set a sure and definite limit to the amount the king could raise. As Louis XIII tried to squeeze his peasantry with higher taxation and his officers with surcharges on their office during the Thirty Years War, he found that *non-valeurs* or nonpayment of the levy became widespread. The peasants simply did not have the money and the officers were disinclined to collect it. And so Collins posits the assertion:

There can be little question that the central government never achieved absolutism in any real sense of the term. *The main reason for its failure to do so was that it never could raise enough money to pay for all it wanted to do.* The king could not tax 'à volonté'. There were limits to how much he could raise, and those limits restricted his ability to extend his power in other ways.³⁸

This is by far the most damning argument against the existence of royal absolutism. How could a king, constantly accruing debts, unable to pay for his projects, and impotent before the inefficiencies of his tax system, maintain his rule, divide his elites, and ultimately assert his power against all institutional checks? This question is of great concern to the next chapter. The answer, as will be revealed, is he did enforce his rule. What remains is to describe how.

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³⁶ Collins, *Fiscal*, 17.

³⁷ Collins, *Fiscal*, 32-33.

³⁸ Collins, *Fiscal*, 220. My Italics.

This chapter has attempted to grapple with the massive historiography of absolutism. This was done to illustrate the extreme opacity of the term, the lack of any clear definition of it, and the necessity to decide on a trait that distinguishes absolute monarchy from other forms of monarchy. The arbitrary tax system has been proposed. The reason for its decisiveness will be explained in the following two chapters. Chapter two is a study of the growth of the French tax system in the Middle Ages and the nature of its close connection to warfare, after which the birth of the arbitrary tax system will be described and contrasted to the system that preceded it. Chapter three deals with several case studies which once again illustrate the relationship of the tax system with warfare and demonstrate how in spite of all the inefficiencies of the arbitrary tax system and its inability to pay for all the king's projects in no way inhibited the king's ability to maintain his supremacy within his own kingdom. It will be shown in the reigns of Louis XI, Francis I, and Louis XIII how this system allowed them to encroach on various privileges and overcome all other institutional forms of opposition and dissent.

Chapter Two: Dawn of the Absolutist Tax System

This chapter will examine the French tax system in the context of the single largest expense on the royal treasury – warfare. As will be seen this expense prompted the expansion of royal taxation throughout the kingdom on an unprecedented level. Much of the early history of French taxation involved kings overcoming many obstacles to increase that taxation. Eventually Charles VII (r.1422-1461) eliminated the necessity of consent from representative institutions for the *aides* (sales taxes) and *taille* (direct levy) in what came to be known as the *pays d'élections* of Languedoil, the largest and most populous region in France.³⁹ This marks the transition from consensual taxation to a predominantly arbitrary tax system and a dramatic increase in royal strength.

It is highly difficult to piece together a tax history of France because of a fire in Paris in 1738 which destroyed the majority of the French fiscal records housed there. The sources used in the following chapter are well known printed sources of royal ordinances, letters, first-hand accounts of various Estates-General, and inventories of taxation levied both consensually and arbitrarily during the period in question. The best of these printed sources are quite old, most of which originate from French historians in the nineteenth and early twentieth centuries.⁴⁰

³⁹ The *pays d'élections* were so named because originally representative institutions consenting to a tax elected the local tax officials there. Later the name took on a form of irony. Languedoil roughly consists of the northern half of France, excluding Brittany, and is so named for the dialects of French spoken there taken from the word for 'yes' *oïl*, later modernised into *oui*, hence Langue d'oïl. Conversely in southern Languedoc the word for 'yes' is *oc*, hence Occitan. Languedoc retained its right to consent along with a few other provinces which came to be known as *pays d'états*. The regions of Languedoil constituted over three-fifths of the land area of the French kingdom with a much denser population than those of the outlying regions. This demographic trend holds true for the entirety of the period in question.

⁴⁰ *Archives administratives de la ville de Reims*. ed. Varin. Paris: Imprimerie de Crapelet, 1843. *Documents relatifs au comté de Champagne et de Brie 1172-1361*. ed. Lognon. Paris: Imprimerie Nationale, 1914. *Journal des états généraux réunis à Paris au mois d'octobre 1356*. ed. Delachenal. Paris: Librairie de la Société du Recueil Général des Lois et des Arrêts, 1900. *Ordonnances des roys de France de la troisième race, recueillies par ordre chronologique*. ed. De Laurière. Paris: L'Imprimerie Royale, 1723. *Ordonnances des roys de France de la troisième race, recueillies par ordre chronologique*. ed. Secousse, Paris:

By far the most useful of these printed primary sources are the royal ordinances, covering the High Middle Ages until the Revolution compiled into three different collections. These collections vary in their organization and what is held within them. They were compiled for over the past two hundred years under the headings of three different editors for each collection, who actually represent a long line of editors who worked tirelessly for decades: De Laurière, Secousse, and Isambert, all three of which are employed here for variations in what is held in each collection. These provide a framework of the evolution of taxation. The ordinances are supplemented by various inventories of tax figures, the earliest of which are fourteenth century estimates of thirteenth century figures. Some ordinances on taxation also burned in 1738 and the inventories are all that is left of them. Also there are provincial documents, usually letters of instruction on tax collection, taken selectively by me from Champagne and Languedoc in order to illustrate a particular stage in the evolution of the tax system. Also employed are printed primary accounts of Estates-General, particularly during the mid-fourteenth century crisis under John II (r.1350-1364) and Charles V (r.1364-1380). Beyond this there are several letters of the king himself, taken from the three collections of ordinances and provincial sources, and letters of ministers to the king advising on the use of central assemblies. All of these are of some use in setting forth the remarkable transformation which occurred in the Late Middle Ages.

L'Imprimerie Royale, 1723. *Recueil général des anciennes lois françaises: depuis l'an 420 jusqu'à la révolution de 1789*. ed. Isambert. Paris: Imprimerie et Fonderie de Fain, 1833. *Recueil des historiens de la France: inventaire d'anciens comptes royaux*. ed. Mignon. Paris: Imprimerie Nationale, 1899. *Recueil des historiens des Gaules et de la France*. ed. Bouquet. Paris: Imprimerie Impériale, 1855. Salmon, Pierre. *Les demandes faites par le roi Charles VI, touchant son état et le gouvernement de sa personne, avec les réponses de son Secrétaire et familier Pierre Salmon*. ed. Crapelet. Paris: Imprimerie de Crapelet, 1833.

I. Medieval Taxation & Warfare

It is no wonder fiscal historians have so often found their niche in French history since much of the absolutism debate concerns French monarchs in a struggle to gather enough money to fund their endless stream of wars. This was certainly the case in the medieval period. Indeed this grievous condition persisted throughout French history to the end of the *ancien régime*. Shortage of funds was a harsh reality which afflicted absolutist and non-absolutist monarchies alike. It did not constitute a 'limitation' on absolutism unless one admits that such conditions 'limited' all governments. This was more than just the result of a 'disorganised' or 'inefficient' tax system. The core of the problem lay, and lies, within the nature of warfare itself – in any period one may care to mention. It is the most basic principle that when war erupts the kingdom will marshal whatever resources it has at its disposal and swiftly hurl it into the battle, thereafter immediately seeking further resources and expedients, since no one can tell whether victory, defeat, or stalemate looms around the corner. This tactic is usually employed by even the most incompetent of ministers, except in cases of overwhelming numerical and financial superiority. When you are going to impale a man it is well to put every ounce of muscle and every sinew of your strength into driving the blade home. Thus no matter what period is under discussion, we find kings under constant pressure to find more resources to fuel their war machine. It was the obligation of consent, and not the limitation of funds, that impeded the political power of the French crown in the medieval era. The question is what changed in this struggle between the medieval and early modern periods. The reader will find that the change was triggered not by greater resources but by diminished consent.

In the eleventh and twelfth centuries, the French king was weak. His private lands consisted of a few holdings centered on Paris, encroaching into the surrounding counties of Blois and Champagne, and halting on the Norman and Burgundian frontiers. Some feudal lords possessed fortunes equaling or exceeding the contents of the royal coffers. The king was expected to 'live of his own' from the revenues of his lands, and any question of taxation upon the lands or subjects of the feudal lords was held in abhorrence.⁴¹ It was the meagre income of his *demesne* with which the king was expected to run the government and fight his increasingly expensive wars.

The medieval tax system was centered upon the king's small territory alone and operated under a system of *prévôts*, who conducted the collection and who fell under the supervision of the *baillis*.⁴² No record was kept with any degree of consistency and a great deal of local autonomy was given to the *prévôts*, who were in a position to embezzle royal funds with relative impunity. Such was the situation when Philip II 'Auguste' (r.1180-1223) passed a royal ordinance of 1190 that included a number of instructions and reforms enacted for the sake of Philip's crusade to the Holy Land.⁴³ Article seventeen included a clause which ordered the tax collectors to bring reports of all dues to Paris on three occasions during the year: the festival of St. Rémy, the Purification of the Blessed Virgin, and the Ascension. This marks the first step toward improving the

⁴¹ John Henneman 'France in the Middle Ages' in *The Rise of the Fiscal State in Europe*, ed. Bonney (Oxford: Oxford University Press, 1999), 103.

⁴² For brief overview of the early system see Guy Fourquin, *Lordship and Feudalism in the Middle Ages*, (London: George Allen & Unwin, 1976), 139. For tax histories on the general function of the provost system see Joseph Strayer, *The Administration of Normandy under Saint Louis*, (Cambridge: Harvard University Press, 1932), Ferdinand Lot and Robert Fawtier, *Histoire des institutions françaises au moyen âge*, (Paris: Presses Universitaires de France, 1958) 159-200, in addition to overviews of tax historians Martin Wolfe *The Fiscal System of Renaissance France*, (New Haven: New Haven: Yale University Press, 1972), 4-8.

⁴³ *Ordonnances des roys de France de la troisième race, recueillies par ordre chronologique*, ed. De Laurière, (Paris: L'Imprimerie Royale, 1723), vol I, 18-22. 'ad subventionem sanctae terrae'

efficiency of a rather haphazard system of collection and signifies the king's greater interest in the size of the yield. It must also be noted these actions were necessitated by the constant drain of war. This would most assuredly not be the last time.

With Philip II's significant administrative change confiscating English continental lands in 1214, the royal revenue grew by leaps and bounds. Only then did the French king become a force to be reckoned with on the European stage. Nevertheless, in the thirteenth century, the king had to resort to certain expedients in the struggle to keep up with the many depletions of war. For instance, early fourteenth century estimates of the yearly income of Louis IX (r.1226-70) lay between 178,530 and 235,286 *livres*.⁴⁴ On the other hand, the estimated cost from the same period of Louis IX's crusade was 1,053,476.⁴⁵ This included not just the cost of raising men-at-arms and their transportation far beyond the sea: the king was captured and his entire army of 15,000 men was annihilated in Egypt at the Battle of Fariskur (1250) on the Seventh Crusade.⁴⁶ The king was ransomed, and in his name, the king's ministers, under the leadership of Henry de Surzil, imposed irregular taxes on the more vulnerable wealth of the kingdom: Italian moneylenders and what the ministers expressed as '*haeretici*', namely, the Jews.⁴⁷

This expedient proved useful throughout the thirteenth and fourteenth centuries, but with dwindling effect as the yield was later overwhelmed by the perpetual growth of war expenses and was crushed by their relative size. The Anglo-French war in 1294 provoked an unprecedented step toward imposing taxation upon all France. Philip IV

⁴⁴ M. Bouquet, *Recueil des historiens des Gaules et de la France*, vol. 21, (Paris: Imprimerie Impériale, 1855), lxxvi.

⁴⁵ *Ibid*, 512-515.

⁴⁶ Peter Jackson, *The Seventh Crusade, 1244-1254: Sources and Documents*, (Farnham: Ashgate Publishing, 2009), 63 and 72-75.

⁴⁷ De Laurière, I, 62-65.

‘The Fair’ (r.1285-1314) who, like Philip II before him, asserted his rights as temporal lord in order to acquire English lands in France when the king of England ‘failed’ in his duties as a vassal. France and England were thrown into a gigantic and protracted struggle which was to lay the groundwork for the Hundred Years War. Once again, the cost of warfare had increased. Philip IV summoned the able-bodied men of his kingdom to fight and demanded all those who did not serve to pay an in-lieu-of-service fine.

These fines had been practiced in France, England, and Germany since 1100, but in 1294 Philip IV extended this practice across his entire kingdom. Lieu-of-service fines were not new, but in 1294 the king ‘nationalised’ the existing custom.⁴⁸ This more or less amounted to the first tax placed by the French crown upon all its subjects. The actual ordinance of 1294 has not been found, although there is mention of it being enforced in various districts.⁴⁹ The ordinance is presumed to have burned in the Paris fire of 1738. However in 1296, in the same spirit, a fiftieth was levied upon the kingdom.⁵⁰

Shortly afterward Philip took things one step further. As the king was massing his armies on the eve of the battle of Courtrai (1302), he extended the demand for service or a fine to all men of the kingdom, including the men of his vassals.⁵¹ All commoners with more than two hundred *livres* in land or over one hundred in miscellaneous goods were subject to this fine.⁵² Although it was called a service fine, this amounted to no less than a property tax on the nobility and wealthy commoners. It legitimised a form of taxation in

⁴⁸ Joseph Strayer and Charles Taylor, *Studies in Early French Taxation*, (Cambridge: Harvard University Press, 1939), 44.

⁴⁹ *Recueil des Historiens de la France: Inventaire D’anciens Comptes Royaux*, ed. Mignon, (Paris: Imprimerie Nationale, 1899), 153. A list of in-lieu-of-service fines levied in the South, in Toulouse, Carcassonne, Périgord, Quercy, Rouergue, Beaucaire, and Narbonne.

⁵⁰ De Laurière, XII, 333.

⁵¹ De Laurière, I, 345.

⁵² De Laurière, I, 345.

an age eminently hostile to it – but only in times of war, and even then, only in times of ‘evident necessity’.

* * * * *

As notable as the onset of widespread taxation in 1302 was, taxation *en masse* was of limited use and frequency. The king’s subjects would only consent to such taxation if there was a burning need. The Estates-General of the next five decades required ‘evident necessity’ to grant the funds. Otherwise the king was expected to ‘live of his own’ just as he had always done. The crown was refused money except when war cast its pall upon the kingdom. Even then, large revenues could not be gained until the French army had suffered a severe fiscal crisis or military defeat. Thus even with the outbreak of the Hundred Years War in 1337 very few corporate groups saw the necessity of granting funds.⁵³ This is illustrated by the fact that the cost of the first year was so crushing that the king’s debt to the Count of Foix alone forced him to cede half the county of Lautrec to the count in payment.⁵⁴ When a king acquires no new lands by conquest, parceling out his earlier gains to his lieutenants must slowly debilitate his power as long as the stalemate lasts.

The frugal policy on the part of French subjects in voting revenue only in times of ‘evident necessity’ had an unfortunate side effect. This side effect was much worse than mere debt. It encroached upon the realm of military affairs. Preparations for defense, such as raising and equipping men-at-arms, hiring mercenaries, building fortifications and stocking garrisons, does not signify the imminence of war. On the contrary, if war were imminent all these preparations would come too late. This imprudent tax policy or lack

⁵³ Henneman, ‘France’, 110.

⁵⁴ Claude de Vic, *Histoire générale de Languedoc*, (Paris: Molnier, 1872), vol. 4, 30.

thereof led to several catastrophic defeats in the opening phase of the Hundred Years War which would otherwise have been easily avoided. Philip VI (r. 1328-1350) managed to scrape together enough funds by the usual in-lieu-of-service fines, but not without considerable resistance.⁵⁵ Medieval France was vastly numerically and financially superior to England, but was defeated time and time again by the small island kingdom simply for poor tactics and, above all, lack of preparation.⁵⁶ This invited disaster, but it is notable such disasters had the tendency to compel the French to reach into their pockets.

The first such disaster occurred with the destruction of the French fleet at the Battle of Sluys in June 1340. Previous to this the French had employed their fleet to repulse invasion and raid along the Channel coast. The French fleet was either numerically equal or smaller than the English force, even when one counts the Genoese galleys under French command, which retreated at the outset of the battle. This is odd considering the relative size of the two countries. Lack-lustre French ship construction is partly accounted for by the stronger emphasis England had always placed upon its navy, while on the Continent the French army often eclipsed naval concerns. However, it is also accounted for by lack of funds, since the French were confined to using irregular armed merchant vessels to defend their vast coastline rather than build a multitude of ships capable of outgunning the English fleet. At any rate, the angle of the sun and the longbow played their roles in the many point-blank encounters and boardings between ships. The French fleet was utterly annihilated, effectively confining the war to French soil. The

⁵⁵ For a royal preamble and list of people fined in lieu of service for Chaumont en Bassigny 1338 along with details of refusal to pay, see Auguste Lignon, *Documents relatifs au comté de Champagne et de Brie 1172-1361*, 3 vols. (Paris: Imprimerie Nationale, 1914), 3: 237.

⁵⁶ John Henneman, *Royal Taxation in Fourteenth Century France The Development of War Financing 132-1356*, (Princeton: Princeton University Press, 1971), 116-153 depicts this as a recurring problem in the run up to Sluys, not to mention afterward.

English wasted no time in invading. However, the same lack of funds afflicted Edward III, king of a much smaller domain, and so by September 1340 the two kings had declared the Truce of Esplechin. Set to last nine months, it was later extended into 1342.⁵⁷

Meanwhile Philip VI had snatched away some breathing space in which to recover. However, he was smote with a lack of funds at the time he needed them most. The Truce of Esplechin made it impossible to demand war subsidies since France was no longer officially in a state of war. Thus during the time when Philip wished to prepare his forces for the end of the truce, he had no funds to prepare such a defense. The alternative was to emerge from the truce without having made preparations and to plunge again into war without the ability to defend the kingdom. Philip VI had to resort to other expedients and hope for cooperation. To some extent he received it. The people were alarmed. The defeat of Sluys had come in the same year as Edward III officially declaring himself king of France.⁵⁸ The crown of France was at stake. Accordingly the vast resources of France, far exceeding anything possessed by England, began to be tapped – but only just.

In the ordinance of March 16 1341, Philip VI established the *gabelle du sel* for the first time in the history of France.⁵⁹ The ordinance established the salt tax in Languedoil only, alongside an order for its compulsory purchase.⁶⁰ Later it was extended to other

⁵⁷ Jonathan Sumption, *The Hundred Years War*, (Philadelphia: University of Pennsylvania Press, 1999), 320-359. A straight forward and up to date narrative of the war.

⁵⁸ Edward did not *declare* himself king of France in 1337, but in January 1340 at Ghent. Previous to that he only laid claim. See *Ibid*.

⁵⁹ While '*gabelle*' had long been used as a term for a sales tax on various goods in Languedoc and Auvergne, usually cloth, nevertheless this was *not* the same tax instated in 1341, even if it shares the same name. It was first used as a term for the *salt tax* in Languedoil in 1341 and it was this connotation which became adopted for the rest of the *ancien régime*. It was *this* tax which became infamous and a great source of revenue for future kings after 1341. See Henneman, *War Financing*, 4.

⁶⁰ *Ordonnances des roys de France de la troisième race, recueillies par ordre chronologique*, ed. Secousse, (Paris: L'Imprimerie Royale, 1723), II, 179-182.

parts of the country. With only a brief hiatus it was to be levied in many areas of France until the end of the *ancien régime*. The war resumed in 1342 with limited action or success on either side. In January the two kings agreed on the Truce of Malestroit which was to last more than two years. Philip VI was then confronted with the same problem as before. A truce once again meant that no subsidies were to be granted. In 1343 Philip repeated his maneuver with the *gabelle* and improved its organisation. He established an official administration to replace the *ad hoc* collection of previous years and assigned seven officials to specific regions. This implies a consistent form of taxation than just a mere expedient of the moment. Philip VI was seeking to make the *gabelle* permanent. Nowhere is this more obvious than in the ordinance of 1345 which plainly reveals the fear of the people of such a fate.⁶¹ The ordinance dealt with a multitude of things, one of which was a declaration in the very first clause that the *gabelle* which ‘is so displeasing to my people’ would not be incorporated into the royal domain nor would it be imposed ‘*toujours*’.⁶² One thinks the king protests too much. At any rate that is more or less precisely what happened. It probably was intended to be perpetual from the first, or at any rate, circumstances forced it to be soon after.

The truce ended in May 1345 and war raged once again. In spite of the modest remuneration of the *gabelle*, the ill-preparedness of the monarchy continued and allowed the English to invade Normandy and win the storming of Caen and Battle of Blanchetaque by numerical superiority – since there were insufficient French numbers to intercept them.⁶³ This culminated in all the weight of the French army being thrown at the English in a single pitched battle in an attempt to trap them on the Continent. The Battle

⁶¹ Secousse, II, 238-241.

⁶² Ibid.

⁶³ Sumption, 455-488.

of Crécy and the utter destruction of the French armed forces was the result. While the larger kingdom was able to mass a superior force at Crécy, the tactical defeat of the French armies left Philip VI without a strategic reserve. There was no money to raise a new army. This allowed Edward III to capture Calais in 1347, and probably would have led to more conquests had the Black Death not intervened and disrupted military action in 1348.⁶⁴ For a time matters came to a standstill.

A crisis of such magnitude forced a hiatus on aggressive campaigning for quite some time, indeed several years after the first sweep of the Black Death. There were a number of notable events during this time, however, like the French victory at the Battle of the Thirty (1351). However, none of this was decisive.⁶⁵ Philip VI died in 1350, and his successor John II 'The Good' (r. 1350-1364) had no better luck with either the English or the Estates. The 1350s inaugurated a new campaign of the Estates to assert their control over the government. In 1355 the king was forced to proclaim officially and for all his successors the right of the Three Estates to consent to all taxation before it was levied.⁶⁶ This was a momentous event and the first time a French monarch recognised it publicly in writing. The principle of consent, predominant for so many years, was now officially confirmed by the crown. It was to prove a serious limitation upon royal power.

Meanwhile John II continued to lack the necessary funds to carry on the war. He was forced into desperate measures. The debt had grown to such a size that the king had to delay payment of all his debts until the crisis had abated.⁶⁷ Such were the dire straits of the crown that John II was forced to cede an overwhelming amount of powers to the

⁶⁴ Sumption, 520-534, and 583-592.

⁶⁵ Anne Curry, *The Hundred Years War*, (New York: Palgrave Macmillan, 2003), 55-60.

⁶⁶ Secousse, III, 678-82. See article 16.

⁶⁷ Secousse, III, 15-16.

Estates-General in December 1355 in exchange for a direct levy – lasting only one year. The king's capitulation to the Estates took the form of an ordinance of an impressive thirty-two articles in which John swore to abolish forced loans, requisitions, and stop debasing the currency to generate more money – measures to which the very unresponsiveness of the Estates had driven him. The ordinance prescribed that the Estates meet every single year. This was more than English Parliament got three hundred years later. More startling was the pledge of the king not to summon the able-bodied men of the kingdom to fight on behalf of the king, by declaring what was called the *arrière-ban*, without 'evident necessity' and without first consulting the Estates. The right to do so was a long standing feudal privilege of the king.⁶⁸ This demand of the Estates-General encroached not only on the king's taxation powers but upon the royal prerogative of calling assemblies, to freely declare the *arrière-ban*, and oversee the currency.⁶⁹ Such was the state of surrender to which the Estates had brought the king of France merely by withholding tax revenue. Let this serve as an example of how consensual taxation can be employed to force limits upon the king.

The royal ordinance was nothing less than an exchange prompted by extortion. The Estates-General imposed terms upon the king in a trade for tax revenue. And the concessions were extensive. Article two stated that representatives of the Estates-General itself would oversee the collection of the taxes. Article five said the revenues were to be used for the war only, and regional deputies were not to obey any other commands unless they were approved by their *parlement*. Article six demanded the Estates meet the following March to review the royal budget and hear any request for more money. Article

⁶⁸ Fourquin, 29 and 36-37.

⁶⁹ Secousse, III, 19-37.

seven stated that the taxes would only last one year before the Estates reconvened in Paris during the festival of St. Andrew (November 30) at which time they would grant more revenues – if the war still raged. Article eight stipulated the king would not debase the coinage. Article twenty-six stated the king had to consult the Estates-General before issuing the *arrière-ban*. Article twenty-seven reaffirmed the yearly gathering of the Estates to approve taxes.⁷⁰ Such were the terms.

The arrangement of 1355 was much more ‘constitutional’ than France would enjoy in subsequent centuries or even England experienced until after the Glorious Revolution. It goes without saying that the 1355 reforms did not bear fruit and were a total failure.⁷¹ Nevertheless at the time a central assembly had within its grasp the ability to gain control over taxation, to meet regularly, and thus to temper the power of the king. In addition, the Estates-General stood to collect large revenues from Languedoil, uniformly and in unsurpassed amounts. Unfortunately the Estates botched this opportunity because of their inability to collect on the taxes they had granted.⁷² The Estates were undermined not by the crown, but by the people, who simply did not wish to pay their taxes. A representative assembly could not encroach upon property rights with any greater ease than a king.

The ordinance of May 26 1356, also composed by the Estates-General in the king’s name, tried to grapple with these failures.⁷³ A tax was once again levied, this time not a *gabelle* or a sales tax known as an *aide*, but a form of income tax. This tax was first

⁷⁰ Secousse, III, 19-37.

⁷¹ Henneman, *War Financing*, 292-293.

⁷² Ibid.

⁷³ Secousse, III, 53-55.

promulgated in March, but apparently was not paid.⁷⁴ So it was reinstated in May. A twenty-fifth or fiftieth of a person's income, graduated upon the basis of amount – and rank – was to be paid.⁷⁵ The tax embraced both the nobility and the urban worker who earned over five *livres* per annum. It reiterated that everybody, regardless of whether they were the Second or Third Estate (the clergy were exempt) was liable to pay the tax. This implies frustration at the difficulty of collection endured in Languedoil over the past five months. The ordinance nevertheless tried to make the deal as palatable as possible by making concessions. The income tax could be paid in two installments on the festival of John the Baptist (June 24) and the Assumption of the Virgin (August 15) respectively.⁷⁶ The ordinance gave eager assurance that the money would be spent solely on the maintenance of the *gens d'armes*. The preamble states that payment of either the salt tax (*gabelle*) and also the sales tax (*aide*) of December or the income tax of March would suffice.⁷⁷ This malleability rather implies that although it had been many weeks and even months, both levies had gone largely unpaid and the Estates were getting desperate.

Had the Estates-General managed to collect the money, it might have set a new precedent. The king might have used it regularly as a revenue generating source and enhanced the power of the Estates-General thereby. It might have gained the undisputed right to consent to all major taxes levied upon Languedoil, the wealthiest and most populous region of France, later burdened with the arbitrary *taille*. Unfortunately, the provincial elite's jealous guard of property prevented the taxes from being collected and frustrated the Estates' attempt to seize power. Soon a new crisis redoubled the urgency

⁷⁴ Henneman, *War Financing*, 295-296,

⁷⁵ Secousse, III, 53-55.

⁷⁶ *Ibid.*

⁷⁷ *Ibid.*

for fresh funds, the king sought other means of collecting, and this compelled France down an altogether different path.

On September 19 1356, quite suddenly and quite unexpectedly, something remarkable happened. An assortment of English foot and archers met a numerically superior force of French men-at-arms at the Battle of Maupertuis, also known as the Second Battle of Poitiers. The superiority of the longbow and English tactics continued to prove their worth. The French were defeated and John II was captured along with his entire retinue. He was shipped off to England and promptly locked in the Tower.⁷⁸ It is ironic that the defeat at Maupertuis and the capture of the French king, such a low-point in French history, should have spurred onward the rise of arbitrary taxation and the steady growth of royal power, later to become 'absolute'.

While John II languished in prison, the burden of the royal government immediately fell upon the young Dauphin, later Charles V 'The Wise' (r. 1364-1380). A truce was declared 1357-59 which was followed by the Treaty of Brétigny in 1360, which itself was set to expire in 1369.⁷⁹ Although Charles could not levy war subsidies during this period, there was 'evident necessity' for raising funds to pay the king's ransom. An emergency session of the Estates-General in October 1356 was convened to deal with the problem of raising enough money for the ransom. Led by Etienne Marcel and Robert le Coq the representatives made various demands of the Dauphin in exchange for a meagre subsidy.⁸⁰ These included a demand for the young prince to cede to the royal council and

⁷⁸ Curry, 56.

⁷⁹ Curry, 58.

⁸⁰ Ardent critics of the government and later inflamed rebels. Marcel was a wealthy Parisian bourgeois and *prevôt* of merchants, Coq was the bishop of Laon; and they both fomented dissent in the Estates against the crown and later tried to have Charles, King of Navarre, placed upon the throne. They also played a hand in the failed Jacquerie rebellion as sympathisers with the peasants. Samuel Cohn, *Popular Protest in Late Medieval Europe*, (Manchester: Manchester University Press, 2004), 143-150.

several 'choice' advisors a significant amount of influence upon the conduct of the war. In addition the Three Estates would also be permitted to 'advise' the king on the same.⁸¹ The Dauphin was quick to point out the proposed subsidy, which would be hard-earned, was insufficient to pay for the king's ransom or the war.⁸² Negotiations broke down into nothing more than squalid invectives. Charles disbanded the Estates and left Paris.

They convened again in February and sat until March 3 1357. Not much progress was made here either. The delegates did succeed, however, in forcing Prince Charles to draft an ordinance of sixty-one articles which gave the Estates-General a number of executive powers. Much of it repeated the terms of the 1355 ordinance of thirty-two articles: the prince was to spend the subsidy only on the war, and representatives of the Estates would be checking up on this. Forced loans were again prohibited. The *arrière-ban* could not be called by the Dauphin unless it was a case of 'evident necessity' and only if he obtained the consent of the Estates-General.⁸³ There were also some innovations, however. There were several articles which dealt with reforming the incompetence of royal tax collectors. The Estates were to have direct influence upon the conduct of the war. Twenty-two officers of the royal government whom the Estates deemed objectionable were to be deprived of their offices.⁸⁴ One suspects many of these proscriptions were made solely for political reasons. The prince would issue another ordinance regulating the number of officers of *parlement* and the government, with the 'advice' of the Estates. The crown could not debase the coinage without the consent of

⁸¹ *Journal des états généraux réunis à Paris au mois d'octobre 1356*, ed. Delachenal, (Paris: Librairie de la Société du Recueil Général des Lois et des Arrêts, 1900), 24-25.

⁸² L. C. Douet d'Arcq, 'Acte d'accusation contre Robert le Coq, évêque de Laon' in *Bibliothèque de l'École des Chartes*, (Paris: Société de l'École des chartes, 1839-1840), 350-387, articles 72-73.

⁸³ Secousse, III, 124-146.

⁸⁴ *Ibid.*

the Estates. Envoys from each tax district were to give an account of what they had collected each year on April 30 to the Dauphin, and to the Estates. The Dauphin would not conclude a truce with the English, without the consent of the Estates.⁸⁵ Charles promised that the *Grand Conseil* would meet at sunrise and work more efficiently on government business, subject to the supervision and discipline of the Estates. Those who did not discharge their duty would be dismissed from the council, by mandate of the Estates. Likewise, the Chancellor was to observe a certain code of conduct, set forth by the Estates. All royal officers were banned from requesting government funds for themselves or their friends and could not recommend a person to fill a vacant office.⁸⁶ Another term stipulated that, in order to protect themselves from the officers they had just dismissed, the deputies of the Estates-General were permitted to go about the kingdom with six armed men apiece.⁸⁷ There is no more obvious indication of the Estates' blatant manipulation of the king's ordinance than that. There were another two dozen trivial powers of the crown upon which the Estates-General proposed to encroach, but they need not all be listed here. Such were the terms of the ordinance of March 1357, which would have rendered the Dauphin all but impotent and prostrate before the representatives of the Estates-General.

Once again the effort of the Estates was a total failure. Both John II and the Dauphin renounced the ordinance. Nevertheless the refusal of the Dauphin to meet the grievances of Estates denied him the tax revenue he sought. Thus he was not able to quell dissent in France. Etienne Marcel approached the Dauphin's rival claimant for the throne,

⁸⁵ Secousse, III, 124-146.

⁸⁶ Ibid.

⁸⁷ Ibid.

Charles of Navarre.⁸⁸ Meanwhile the Dauphin continued to suffer from deprivation of funds. While the burning of all fiscal records in 1738 prevents statistical analysis of the extent of this shortfall, it is plainly demonstrated by the Dauphin's letter of April 1357 temporarily suspending the payment of all royal debts for a period of six months.⁸⁹ It was only by a miracle that Charles managed to keep his head above water in the crises to come.

In 1358 the Jacquerie flared up and subsequently died.⁹⁰ Etienne Marcel was killed and Charles reentered Paris. A treaty had been concluded with the English in 1359, and that was to evolve into the Treaty of Brétigny, signed in 1360. The peace lasted until 1369. It came at a high cost – approximately one third of the territory of France and roughly six million *livres* for the ransom. John II was allowed to return to France to raise the necessary funds while his son, Louis of Anjou, remained in English Calais as a hostage. John promptly set about gathering the money. On December 5 1360, the king imposed an *aide* of twelve *deniers* per *livre* on all goods sold in France, a thirtieth on wine and other beverages, and a heavier *gabelle*.⁹¹ These were levied upon the whole kingdom. It appears that this time the levy was effective.⁹² Yet this was not enough. The burden of the ransom combined with military and administrative costs made it impossible to procure Anjou's release. In 1363, the prince escaped from English captivity. Ashamed of his son's dishonourable conduct and in a spasm of tremendous chivalry, John II, much

⁸⁸ John Henneman, *Royal Taxation in Fourteenth-Century France: The Captivity and Ransom of John II, 1356-1370*, (Philadelphia: The American Philosophical Society, 1976), 18.

⁸⁹ Secousse, III, 161-162.

⁹⁰ The Jacquerie was a peasant rebellion in which incidents of extreme violence against noble families occurred before it was suppressed with equally extreme violence. The bourgeois, like Etienne Marcel, were ardent supporters of the peasants. Cohn, 143-150.

⁹¹ Secousse, III, 433-436.

⁹² Henneman, *John II*, 117.

to the dismay of his people, volunteered to go back into English captivity. He died not long afterward.

While all this was going on, the Dauphin Charles proceeded to raise money at the Estates-General of Amiens to deal with former soldiers turned brigands. A spirit pervaded the central assembly entirely different from 1355 and 1357. France had passed through the traumatising experience of the Jacquerie and the incitements of Etienne Marcel and Robert Le Coq. Through an act of magnificent chivalry, France had once again been deprived of her king. Peacetime pillaging instilled the assembly with a sense of 'evident necessity'. And so the Estates-General were willing in November 1363 to pass the hearth tax or *fouage*.⁹³ It was a very onerous tax levied upon all Languedoil. Unlike the *aides* sales taxes, which affected only the cities, the *fouage* hit rural areas as well. This was far and beyond the farthest reaching and most lucrative tax ever levied upon the kingdom of France up to that point. The vast resources of the French kingdom were at last harnessed in a war of attrition against the English. Moreover, the *fouage* did not need to be reaffirmed by the Estates-General, nor ratified by local assemblies.⁹⁴ It was an arbitrary tax. It continued to be collected without intermission until the death of Charles V seventeen years later.⁹⁵ This was, in short, the ancestor of the *taille*. It could easily have played the role in absolutist government which the *taille* did later.

The *fouage* was decisive to the war effort. Formal war between France and England resumed in 1369. This time the French had the resources to fight it. Aside from the French naval victory at La Rochelle in 1372, no decisive battle was waged during this

⁹³ Secousse, III, 646.

⁹⁴ For instance, a letter still extant from Champagne shows that instructions were given to raise the money and hire the soldiery, but with no mention of ratification or consent: Pierre Varin, *Archives administratives de la ville de Reims*, (Paris: Imprimerie de Crapelet, 1843), vol. 3, 274-276.

⁹⁵ See below.

time. Yet without a major battle the French recovered all the territory it had lost. The French commander, du Guesclin, resorted to Fabian tactics, avoided the English on land, who had inflicted defeat after crippling defeat upon the French armies. The English responded with slash and burn tactics. Since the war quickly turned to stalemate and a contest of attrition, the *fouage* allowed the French to ride out the storm of war, the next twenty years of fighting, the expense of maintaining a largely unengaged army throughout, and the costs of the devastation. With the vastness of the revenue of the *fouage*, France was able to win such a war of attrition. It gave Charles V ample resources to survive years of inconclusive fighting while he was slowly regaining much of the territory taken from him in the Treaty of Brétigny, even without a pitched battle.⁹⁶

Nevertheless, the *fouage* was the most widespread and burdensome tax that had ever been levied upon the French people. Nor were the nobility, with all their influence and outspokenness, exempt from the tax. It was for these reasons that upon his deathbed Charles V sought to abolish the *fouage*, in spite of all its advantages to royal power.⁹⁷ This was very much a short-sighted policy, since war still raged as Charles ‘the Wise’ died in 1380. It was also unfair to strip his successors of so bountiful a resource. It was a selfish policy since Charles himself did not have to deal with the consequences. If the king really wished to demonstrate charity he might have given up the *fouage* while he was still capable of using it himself. The best resource of the crown was cast away. Once it was lost it was difficult to get it back. The juvenile Charles VI, under the regent Philip the Bold, was forced to reaffirm the cancellation and abolish the *aides* and indeed all

⁹⁶ Henneman, ‘France’, 115.

⁹⁷ Secousse, VII, 710-711.

extraordinary taxes levied since the reign of Philip IV.⁹⁸ Charles was again forced to reaffirm this in 1381.⁹⁹

The costs of warfare did not allow this drastic reduction to last for very long. By 1382 the regency government had reinstituted the *gabelle* and the *aides*, banned in the two previous years, feeling both confident and desperate enough to do so.¹⁰⁰ Though at first re-imposed to meet the expenses of the war, these impositions were to be levied for another thirty-five years – long after the truce of 1389. These taxes needed to be reintroduced. There was no other way for the regency to meet the costs of warfare. Yet, just as before, the *gabelle* and *aides* were not in themselves sufficient. A broad-based tax was needed to fully tap the numbers and wealth of France. Accordingly, it is in 1384 that we see the advent of the *taille*. In a letter of May 3 1384, the royal government introduced a '*nouvelle imposition*' as a surtax on the *aides*.¹⁰¹ This *taille* was occasional and fell under the category of taxes requiring 'evident necessity'. It did not need consent from the Estates if the urgency of need was plainly evident to the general public. If the king did not demonstrate 'evident necessity' he faced the risk of nonpayment. Nor was the tax very lucrative at this point, as the *fouage* had been, since it was only levied in urban areas. The *taille* was not to remain in such pygmy proportions for long.

The tax was soon transformed into a more useful levy apportioned to the wealth and property of both urban and rural subjects, as the *fouage* was. The regent, Philip the Bold, in 1388 was trying to hold onto power.¹⁰² He won noble support for the expansion

⁹⁸ Secousse, VI, 527-528.

⁹⁹ Secousse, VI, 552-554. Secousse states the date of the ordinance January 1380. It was not. This is obvious since Charles V had not yet died or abolished the *taille*. He died in September.

¹⁰⁰ Secousse, VII, 746-751.

¹⁰¹ Secousse, VII, 759.

¹⁰² Philip the Bold was the brother of Charles V and had a dominant position in the regency government of Charles VI. He was briefly removed from power in 1388, after Charles VI had reached adulthood.

of the *taille* by granting them an exemption.¹⁰³ This is where the infamous noble exemption emerged, so crippling to the increase of tax revenues till the fall of the *ancien régime*.¹⁰⁴ However, the amount was overwhelmingly sufficient at the time. Had the nobles been included in the tax, the amount might no doubt have been greater, but a man can glut himself at a small feast just as easily as at a large one. It must not be ignored that the *taille* granted unsurpassed amounts of money, rivaled perhaps only by the *fouage* of previous years. But the specific amount is irrelevant. Charles VI still had to obtain consent for it. In this period the *taille* was only granted for one year and then one had to demonstrate 'evident necessity' all over again. Therefore even though the *taille* did bestow a great deal of money, in spite of the exemptions, it was not collected every year. Even though the distribution of the *taille* was more or less the same as under Charles VII or Louis XIV, it was not a great source of royal power. Its weakness was not the noble exemptions, nor the specific cap on the amount of revenue, but the fact that Charles VI could only levy it during an emergency, or worse, go cap-in-hand to a representative assembly. This ran the risk of facing grievances and demands similar to those of the Estates-General of 1355 or 1357. It laid open the dangerous possibility of the Estates encroaching upon the royal prerogative.

The tax burden increased steadily from 1190 onward, but royal powers over the tax system did not. This was because of the powers of consent wielded by the Estates-General. The crises of 1355 and 1357 prove that royal powers did not grow *in tandem* with royal resources. No matter what the increase in money, it was poured out on warfare

¹⁰³ Secousse, VII, 186-189. Philip issued a similar exemption for the *aides* when he returned to power after in 1393, a few months after the king went mad: Secousse, VII, 524-527.

¹⁰⁴ The role of exemptions in limiting sorely needed tax revenue in later centuries is best discussed in Bonney, *The King's Debts*.

just the same. So much for James Collins' claim that the power of the king was limited by 'his ability to pay for his projects'.¹⁰⁵ The limit on the amount of money was not in itself a limit to royal power. The stumbling block was consent. Even with more resources theoretically available to the crown in fourteenth century, the period of weakness was precipitated by the representative assemblies refusing those resources. With all respect, fiscal historians such as James Collins, Philip Hoffman, Kathryn Norberg, Richard Bonney, and Martin Wolfe, and even non-fiscal historians dealing with the same question Nicholas Henshall and J.R Major, make a mistake when they measure French absolutist power in terms of taxation. All these authors, to one degree or another, conclude that because the amount of revenue was limited, French absolutist power must have also been limited. This was not the case. The point at issue is not the *amount* that was collected, but the *manner* in which it was collected. In the fourteenth century, amount of money was not the problem – since no matter how much was collected, it was almost immediately exhausted by the exertions of war. War empties all treasuries regardless of their size. The problem was consent. If the king needed to ask for money he had to address grievances with his rule in exchange. In the following century this problem was eliminated.

II. Arbitrary Taxation & the 'King of Bourges'

Very seldom in history do single events or individual people shape an entire period as thoroughly as Charles VII (1422-1461) and his entrenchment of arbitrary taxation in the *pays d'élection* of Languedoil. Inaugurated to meet the short-term commitments of war, it would nevertheless mark the beginning of the rise of absolute monarchy in France. Arbitrary taxation would endure for another three hundred and fifty years. Further still, it may be said that the presence of large amounts of arbitrary taxation

¹⁰⁵ Collins, *Fiscal*, 17.

in a kingdom defines the very term 'absolutism' itself. Without control over most tax revenue, a representative assembly cannot impose restraints upon the crown. As a result you have absolutism. This is a bold assertion, but a highly useful one, which would resolve many decades of semantic bickering and historiographical debate.

During the war of the early fifteenth century, Charles VII relied heavily on consensual taxation from the Estates of Languedoil. This yielded large amounts. When the crisis of the 1420s and 1430s had abated, Charles VII continued to gather similar amounts without convoking the Estates. Although no proclamation was made, Charles VII gradually entrenched arbitrary taxation in the largest and most populous tax region of France: Languedoil. He did so simply by neglecting to call the Estates. Until the Revolution, absolutist kings possessed an enormous bulk of tax revenue which required no consent from any representative assembly. Thereafter kings could pursue their projects while deliberately ignoring the grievances of the Estates, if they chose or needed to do so.

As early as 1408, the royal government was fully conscious of the disadvantages of using a representative assembly. Pierre Salmon, secretary to Charles VI (1380-1422), wrote to the king that no requests or 'discord' should be aired in a large assembly of nobles, but that the king should let all dissent come 'into his hand' and then deal with it directly. Only in this way, Salmon wrote euphemistically, could 'justice be done while upholding the rule of law'.¹⁰⁶ Salmon meant the king's version of justice would be exercised, unfettered by the many versions of justice of the king's many subjects. It also meant the king could dictate what needed to be addressed and what could be ignored. On the other hand, kings were well aware that convoking an Estates-General provided a

¹⁰⁶ Pierre Salmon, *Les demandes faites par le roi Charles VI, touchant son état et le gouvernement de sa personne, avec les réponses de son Secrétaire et familier Pierre Salmon*, ed Georges Adrien Crapelet, (Paris: Imprimerie de Crapelet, 1833) p. 101.

platform for the Three Estates to vent grievances which the king would have to address if he wanted money. The question that plagued French kings was how to avoid dependence on representative assemblies altogether. Charles VII found the answer.

The most potent tax was the *taille*. From its inception in 1384 until 1412, the *taille* was levied extremely sparingly and only in cases where 'evident necessity' was manifest to all. The easiest case in which to demonstrate this necessity was war. Five of the six *tailles* levied within that time dealt directly with funding the French war machine. Only one levy dealt with something else: in 1396 the royal government raised a dowry of 800,000 *livres* for the marriage of Richard II to Isabel of France. This was a feudal custom. All the other *tailles* were levied for the 'evident necessity' of war. In May 1402, a *taille* was raised to man fortresses on the Gascon frontier and a crusade against the Turks, which never came to be. The edict requested 1,200,000 to 1,300,000 *livres*. Due to protest of local elites only a fraction of this was actually collected – around 200,000. In January 1404, 800,000 *livres* were granted for an invasion of England, though a conference in June estimated its cost at 1.2 million. A reduced yield was a common occurrence. The remaining three levies were also for war. In 1406, there was a *taille* of 400,000 *livres*; 1411, 300,000; 1412, an amount of 900,000 *livres*. All of the above were for war with England.¹⁰⁷ In the earliest years of the *taille*, 'by necessity' taxation restricted the occasions on which it could be levied. It also inevitably reduced the amount the king requested. Charles VII changed all that.

Considering it was the auspicious reign which inaugurated French absolutism, Charles VII was not entirely fortunate in his inheritance. At the time of his birth in 1403,

¹⁰⁷ Maurice Rey, *Le domaine du roi et les finances extraordinaires sous Charles VI: 1388-1413*, (Paris: Sevpén, 1965), 326-330.

he stood third in line to the throne. Louis, duke of Guyenne, and John, duke of Touraine, preceded him. After 1392, his father, Charles VI, was struck by mental illness interspersed with periods of lucidity. He became the puppet of whichever faction had the possession of his person. The division lay between the Burgundians and the 'Armagnacs'. With the death of Prince Louis in 1415 and Prince John in 1417, the young Prince Charles suddenly became heir to the throne of France. This sickly youth was thrown into the midst of a fierce rivalry between the 'Armagnacs' and Burgundians. The sympathies of the prince lay with the former. Both camps solicited the English for assistance by offering to cede Normandy and Aquitaine. Henry V of England issued an ultimatum demanding Aquitaine, Poitou, Normandy, Maine, Anjou, Touraine, and Ponthieu lest he invade France.¹⁰⁸ In the event he did so, and the French eagerly confronted him and were defeated at Agincourt in 1415. From 1417 onwards, with the English submerged in victory and glutted with success, Henry V of England changed from his initial objective and decided upon systematic conquest of territory. The enemy of France was something of a Caesar. All of Gaul lay before him ready for the taking, and Henry V was perfectly willing and capable of taking it.

To top it all off, the Dauphin Charles held the exact opposite character. He was allegedly in a state of timid apathy for the first twenty-six years of his life.¹⁰⁹ The initial stages of his reign until the end of the 1420s were spent trying to prevent any further losses, rather than regain the lost kingdom of France. Charles certainly could have done more to recover his inheritance during this period. It is probable he did his best, but he

¹⁰⁸ Curry, 98-101.

¹⁰⁹ Malcolm Vale, *Charles VII*, (London: Eyre Methuen, 1974), 25.

certainly could have done a great deal more. To be fair, however, there were forces at work in France which could have overawed even the most seasoned of statesmen.

During the invasion crisis, the French government was zealous in levying the *aides* (sales taxes). Between 1416 and 1418, four *aides* were levied on the kingdom. This was necessary, because the Dauphin's financial situation was teetering on the brink. He was forced to sell jewels and contract massive loans. On January 30 1418, things went from bad to worse. John the Fearless, duke of Burgundy, abolished his *aides* in his own territory and Charles found that he was not in a position to resist the tide of public opinion and had to follow suit. The *aides* were an excellent source of funding but they were now lost to Charles for several years.¹¹⁰

John the Fearless seized control of the government in Paris in May 1418 and the Dauphin Charles fled southwards. He then attempted and failed to appease the English holding the north. On July 30 1419, Henry V stormed Pontoise. From here he threatened Paris. The image was no longer of a line bent or temporarily broken, but of a besieged fortress. In his darkest hour, the Dauphin Charles resolved upon a desperate ploy. On September 10 1419, John the Fearless was murdered on the bridge at Montereau, by the Dauphin's men, forty-five miles south of Paris. The result was electric. The new Duke of Burgundy, Philip, sought an immediate rapprochement with the English, which resulted in the Treaty of Troyes which, after a series of parleys and negotiations, was ratified on May 20 1420. On the death of Charles VI in 1422, Henry V became king of France as well as England. Charles VII meanwhile set about shoring up his control south of the

¹¹⁰ A letter of Charles to a captain in Languedoc cancelling the *aides* printed in Claude Devic and Jean Vaissette, *Histoire Générale du Languedoc avec notes et les pièces justificatives*, (Toulouse: Édouard Privat, 1885), vol. 10, 1984-1985. See also Rey, 370.

Loire and east of Guyenne.¹¹¹ Coincidentally, this territory almost exactly resembles that held by the French government at Vichy after the German occupation of 1940.

The 'King of Bourges', as he was derisively called by the Burgundians, was in something of a desperate position. He certainly had no lack of foes. The 1420s were particularly grim. As a consequence, there was a revived use of the Estates to legitimise his rule. Calling the assemblies allowed Charles VII to show himself to his people, to flatter them by seeking their council, and above all to obtain sorely needed funds. It is ironic that Charles VII was the king to entrench the arbitrary absolutist tax system, yet in the first years of his reign he cooperated with the Estates in the fullest possible spirit. This cooperation was easily and willingly given because both king and subject recognised the supreme emergency of the times. Taxation on an unprecedented level was granted willingly by the Estates because *no one could deny the need for it*. The principle of 'consent' was operating more effectively and on a scale never seen before. It would also never be seen again.

Whereas in the reign of Charles VI, the lucrative *taille* had been levied without ratification of the Estates-General or provincial assemblies, the *taille* in the 1420s under Charles VII was levied almost exclusively by consent of a central representative body. The Estates-General of Clermont, May 1421, convoked before Charles VI died, bequeathed an enormous amount for those times to the Dauphin, who was absent, to the tune of 800,000 *livres* – 700,000 to be paid by the Third Estate and 100,000 by the clergy. The Estates-General of Bourges, January 1423, voted a larger sum of 900,000 *livres* paid by the Third Estate and 100,000 *livres* contributed by the First Estate totalling a million. The same year the king received 230,000 *livres* from the Estates of Languedoc

¹¹¹ Curry, 98-101.

alone. In August 1423, the Estates of Languedoil at Selles voted 200,000 *livres* and revived the *aides* which had been discarded in 1418. These sales taxes were given entirely by consent of the Estates, to be levied for three years from October 1, but in December the provincial estates replaced them with a direct levy. Nevertheless 1423 marked their revival by consent, while their permanent entrenchment did not occur until 1436, whence they were levied arbitrarily. In 1424, the Estates of Languedoil at Tours consented to give another million *livres*, presumably with the same divisions as at Bourges, though it is unclear. Languedoc that same year voted 150,000 *livres*. The Estates of Poitou at Poitiers in 1424 also met separately in the presence of the king and consented to a levy of 50,000 *livres* from their small holdings alone. The Estates-General also met in Poitiers in October 1425 and granted a total of 800,000 *livres*, part from a direct levy, part from sales taxes. The Estates of Languedoc were summoned to Poitiers but apparently did not come for they met at Mehun-on-Yèvre in November and consented to 200,000 plus two 'tenth' taxes on the clergy. The total amount levied in 1425 thus amounts to another million *livres*. In 1426, Languedoil consented to 700,000 plus 100,000 from the clergy and Languedoc 250,000 plus 12,000 'for the pleasure of the king' once again landing in the neighbourhood of one million *livres*. In 1427 and early 1428, there seems to have been some difficulty arranging a large meeting of the Estates. Languedoc granted 150,000 *livres* and in April 1428 100,000 came from the Estates of Anjou, Touraine, and Berry at a meeting at Chinon. This was a 'partial' Estates of Languedoil. Later that year in September Charles VII managed to convoke a unified Estates-General at Chinon, including both Languedoil and Languedoc. It appears to have been the largest single assembly gathered in the reign of Charles VII. It consented to give

700,000 *livres*, with 500,000 coming from Languedoil and 200,000 coming from Languedoc.¹¹²

Nothing in this massive display of cooperation between king and assembly indicates the lurking forces of absolutism. On the contrary, these proceedings were all quite consensual. The demands of the war made it so. Like the Estates under Charles V a few decades before, the French were willing to stake their wealth and often their lives to redeem France from English domination. Charles VII faced not only a military crisis but a direct challenge to his succession, and therefore was wise to harness the goodwill of the Estates. Together king and assembly cooperated more adroitly in a consensual tax system than any subsequent king would expect from the Estates – and vice versa.

This changed with the defection of Burgundy in 1435 and the reconquest of Paris in 1436. The Estates were still willing to grant the king what he asked for the prosecution of the war. The English had been beaten back and had to be expelled from France altogether. All that remained was the long push to the sea. *Écorcheurs*, veteran soldiers turned plunderers of the French countryside, also caused a great deal of concern.¹¹³ The cooperative spirit of the Estates remained. The attitude of the monarchy, however, as the campaign drew to a close, was decidedly more reserved. Charles cast off his need for the consent of the Estates. It is unclear whether or not this was a deliberate policy.

¹¹² Clermont (1421) from printed extracts from the archives de Tours: C. de Grandmaison, 'Nouveaux documents sur les Etats Généraux du XVe siècle' *Bulletin de la société archéologique de Touraine*, 4 (1887-89), 139-151; For an overview of all the grants see the old but unsurpassed work of Antoine Thomas, *Les Etats Généraux sous Charles VII: Etude chronologique d'après des documents inédits*, (Paris: L'École des Chartes, 1878), 11-29; in this work he corrected and reconciled the erroneous figures of two previous attempts by Picot and Vallet de Viriville; For Languedoc see: Henri Gilles, *Les Etats de Languedoc au XVe siècle*, (Toulouse: Édouard Privat, 1965), 40-47; also Ferdinand Lot and Robert Fawtier, *Histoire des institutions françaises au moyen âge*, (Paris: Presses Universitaires de France, 1958), 271-2; and also Antoine Thomas, 'Le Midi et les Etats Généraux sous Charles VII' *Annales du Midi* 4 (1889) 290-312 and 4 (1892) 1-15.

¹¹³ Wolfe, 30.

In 1435, Charles summoned the Estates of Languedoil to Poitiers. There the Estates voted him revenue in the form of the '*aides*' sales taxes for three years. This was also reaffirmed by the Estates in 1436, also meeting at Poitiers. The royal ordinance on the *aides* issued in 1435 describes the taxes and also the manner in which they were to be collected. In an ordinance of thirty-seven articles, Charles reclaimed all the old rights over the *aides* that had been proclaimed since the reign of John II. The preamble to the ordinance explicitly mentions that the *aides* were levied with the consent of the Three Estates.¹¹⁴ This is curious since it was also the last time consent was ever sought.

Aides of twelve *deniers* per *livre* were to be levied on all food products and merchandise over the value of five *sous*. A sales tax of twelve *deniers* per *livre* was also placed on wine and 'minor beverages' sold '*en gros*' meaning wholesale. This particular *aide* was the most lucrative. Also a tax of one-eighth was levied on wine and minor beverages sold retail. After describing this, the rest of the ordinance on the *aides* lists strict instructions on how the bailiffs were to collect, who had to pay, who was exempt, and so forth. The final item declares a reaffirmation of older edicts on the subject and declares the ordinance of Charles VII to be a continuation of them, rather than any sort of deviation.¹¹⁵ This bolstered the ordinance's legitimacy. The ordinance is rather vague about the length of time for which the *aides* would be collected, and does not mention the three year limit prescribed by the Estates of 1435 or 1436.

¹¹⁴ Secousse, XIII, 211-215; François-André Isambert, *Recueil général des anciennes lois françaises: depuis l'an 420 jusqu'à la révolution de 1789*, vol. 8 (Paris: Imprimerie et Fonderie de Fain, 1833), 834-842.

¹¹⁵ Secousse, XIII, 211-215; François-André Isambert, *Recueil général des anciennes lois françaises: depuis l'an 420 jusqu'à la révolution de 1789*, vol. 8 (Paris: Imprimerie et Fonderie de Fain, 1833), 834-842.

After the three allotted years had elapsed, Charles continued to levy the *aides* on the same terms, but without seeking consent, although the Estates did not agree to surrender its tax powers, and the king made no proclamation of any change. The *aides* were henceforth entrenched and were collected almost perpetually until 1789. Why should the king ever request such a thing or make an official proclamation, to draw attention to the act, which was made possible simply by the oversight of the people? It is unlikely, however, that historians will ever know whether the act was deliberate or not. It is possible, though unlikely, Charles VII did not intend to deceive the assemblies and simply realised that it was too expensive and time-consuming to summon the Estates every three years. Nevertheless, the king would have been a fool not to recognise the advantages of avoiding representative assemblies. Moreover, his similar behaviour concerning the *taille* indicates a systematic attempt to undermine the principle of consent. The *aides* were just one form of tax Charles VII would entrench. Nor was it of negligible value. By the end of his reign, *aides* collected arbitrarily from Languedoil amounted to roughly 30% of his total income.¹¹⁶ It is probable we will never know whether Charles VII deliberately intended to entrench arbitrary taxation or whether he fell into it innocently. At any rate the deed was done.

The official date for the entrenchment of the extremely lucrative *taille* in Languedoil is 1439. It followed a generous grant of the *taille* by the Estates of Orléans. The vote of 1439 did not surrender tax control of the Estates. Consent was given as usual. Consent was expected in future. The ordinance following the vote commanded all

¹¹⁶ A figure for Languedoil and Outre-Seine and Normandy, along with figures projected by Spont for Languedoc and the rest of France: ms. 685 *du Cabinet des titres* (Bibliothèque nationale) printed in Alfred Spont, 'La taille en Languedoc, de 1450 à 1515' *Annales du Midi* 2 (1890): 365-384.

exactions made by garrisons, lords, and other military officers to cease. Only the king could tax his people to raise troops in the kingdom. All officers who levied the *taille* without permission, the king declared, would have their person and their lands confiscated. In article forty-one, the king, after explicitly mentioning his need for the consent of the Three Estates, claimed the right to levy the *taille* to fight the war.¹¹⁷ In 1439, the *taille* was levied in the same way it had been in the 1420s. Yet afterward, Charles VII continued to levy the *taille* without consent year after year. The principle of consent was undermined.

What happened subsequent to 1439 is unclear. There are only a few clues. There are royal letters of June 1445 which discussed the jurisdiction of the tax districts over the *tailles*, *aides*, and *gabelles* and November 1447 which handed out tax exemptions to various military officers. Both of these make no mention whatsoever of the *taille* being levied with the consent of the Three Estates. This is a significant indication of how swiftly the principle of consent was discarded.¹¹⁸ It is very difficult to pinpoint a moment between 1439 and 1445, however, when this became a deliberate policy.

There are signs Charles VII was making preparations to hold another Estates-General in 1440. The deputies convened at Bourges for this very purpose. Fate intervened. Before the Estates could commence, there came word of the defection of several prominent nobles organised under the Dauphin Louis, the future Louis XI. This uprising soon adopted the name 'Praguerie' after the Hussite wars which had ended in Bohemia only a few years previous.¹¹⁹ Charles postponed the meeting of the Estates-General mustering at Bourges. At this point, no one could foresee the postponement

¹¹⁷ Isambert, IX, 57-71; Secousse, XIII, 306-13.

¹¹⁸ Secousse, XIII, 428-30 and 521-22.

¹¹⁹ Vale, 79-80.

would be permanent. In fact there would not be another Estates-General convened during the reign of Charles VII.

The most clichéd reason given in many antiquated histories of absolutism for the significance of the *taille* is that it allowed the monarchy to maintain standing armies.¹²⁰ These troops in turn enforced the king's will. In 1445, the king did indeed use the *taille* to fund the first early modern standing army, the *compagnies d'ordonnance*. It is possible to claim that the standing army established French absolutism, acting as a military arm of royal tyranny and compelling the country by force. However, as any revisionist will say, the French standing army was of limited numbers and could not possibly enforce an absolutist state.¹²¹ Fifteen companies, each of one hundred lances, would not be enough to suppress a population of thirteen to eighteen million. At full strength, which it never was, the force would consist of approximately nine thousand men.

Nor are there many instances of the *compagnies d'ordonnance* being used in such a fashion. If the standing army was the foremost tool of absolutist kings, one would imagine they would be constantly deploying it to enforce their will. In fact, the power of absolutism rested in the 1439 entrenchment of the arbitrary *taille* and not in the 1445 establishment of permanent troops. Absolutist power rested solely in the crown's ability to raise large sums of money annually without recourse to a representative body. This was much more effective than an army. Withholding money in the *pays d'élection*, the name by which the Estates of Languedoil and others came to be known, was an offence, a sort of *lèse-majesté*, punishable to the fullest extent of the law. Since the king was armed

¹²⁰ Georges Picot, *Histoire des Etats Généraux*, 5 vols. (Paris: Hachette Librairie, 1888), 1: xiv-xvi.

¹²¹ Major, xxi.

with arbitrary taxation, there was very little a representative assembly or group of local elites could do to check royal power without resorting to violence.

It is true the king was still forced to request revenues from many local and provincial bodies and enlist the cooperation of powerful lords. The most prominent examples are the *pays d'états*, provinces like Languedoc and Dauphiné, which still had power of consent over taxation. These gathered annually to barter with the crown and vote subsidies. Often the sums were reduced. However, one may challenge any historian to find a single case in French history where a *pays d'état* withheld all revenues outright. Their influence was simply not that strong. Nor did the king depend upon their funding. He had the Estates of Languedoil. Thus only a central assembly, possessing control over the majority of the tax revenue of the kingdom could possibly have checked the actions of a king. The *taille* was a sizable chunk of the royal revenue, emanating from three-fifths of the country. And, above all, the king did not have to ask for it.

Did Charles VII intend to impose arbitrary taxation? What were his reasons?

There is little chance he could have foreseen how it proved to bolster the power of the French monarchy long after his reign. It is unlikely he foresaw the full consequence of his actions, and even more unlikely he was the self-conscious architect of royal absolutism. On the other hand, the French people did not realise, and could not possibly realise, what they were casting away. Short-term interests trumped the long. More concerned with finishing the war and dealing with the *Écorcheurs*, the French raised little protest over the protection of their rights during peace. It is true that absolutism might be defined by other characteristics: standing armies, large bureaucracies, explicit ideologies. While these bestow strength, they do not bestow freedom of action. Freedom from consent means

freedom of action as well. While some may wish to incorporate other absolutist traits into their definition, one would strongly urge pride of place being given to the entrenchment of the *taille*. Arbitrary taxation might not have given birth to French absolutism, but without arbitrary taxation French absolutism might have remained unborn.

* * * * *

This chapter has explored the various trends in the evolution of French taxation. The process was driven by the costs of war, which it was always struggling to meet. French taxation was at first hindered by the principles of consent and evident necessity. After the fifteenth century these principles were undermined and overthrown. The king controlled a vast region of arbitrary taxation in Languedoil. The next chapter surveys four case studies which demonstrate how this change allowed subsequent French kings to enforce their will upon the kingdom in spite of all other institutional means of opposition.

Chapter Three: Absolutism in Action

There were several occasions in French history where the king manipulated the arbitrary taxation system to overcome limits on his absolutist rule. On these occasions, it is clear that tax revenue allowed the king to ignore the grievances of the Estates, *parlements*, and groups of local elites, while he pursued whatever policy he pleased and violated whatever customary privilege he chose. Armed with influences of all kinds but devoid of tax control, the elites were unable to find a way to curb royal power and prevent encroachment upon their privileges, besides outright violent rebellion. Much play has been made by revisionists of the existence of independent institutions, seemingly with legislative powers. Additionally, much has been made of the limitations on tax revenue and the king's ability to collect. This chapter involves four case studies from the fifteenth, sixteenth, and seventeenth centuries. Three are taken from France to demonstrate how kings employed the arbitrary tax system to enforce their rule – from the reigns of Louis XI, Francis I and Louis XIII. All three of these kings are known for their autocratic tendencies. It is notable, however, that only Louis XIII is considered absolutist by mainstream historiography.¹²² Yet all three kings employed similar tactics in regard to representative assemblies and arbitrary taxation. The fourth case is taken from England and the Personal Rule of Charles I, in order to contrast France to a system where absolutist tendencies definitely existed but mass arbitrary taxation did not. These case studies do not seek to deny the existence of these limitations, but seek to demonstrate that, before the overwhelming might of an absolutist king backed by arbitrary taxation in Languedoc, these safeguards, time and time again, were ultimately swept away.

¹²² For example, see Yves-Marie Bercé, *Birth of Absolutism: A History of France, 1598-1661*, trans. Rex, (New York: St. Martin's Press, 1996) and Alan James, *The Origins of French Absolutism: 1598-1661*, (Harlow: Pearson Education, 2006).

Case Study I – Louis XI

Louis XI ‘The Spider King’ (r. 1461-1483) did not alter the tax system of his father Charles VII. Consequently fiscal historians have not found his tax system worth much note. He did exploit it roundly however. That, for our purposes, is of great interest. Thus Louis XI forms the first case study of absolutism in action.

When Louis XI came to the throne he vowed publicly to undo some of the injustices of his father. At his coronation in 1461 he pledged to relieve the inhabitants of Reims of its entire tax burden. However, after several months nothing was forthcoming. Louis broke his promise. In reaction, the common people of Reims led a revolt a few months later and drove out the local tax officials.¹²³ They never received the tax relief promised to them. For all the king’s vows at the outset of his reign, as well as during the reign of his father, Louis proved to be not only tight-fisted in his administration, but extremely demanding of his people. The people, as it happened, were very easy to tax because the king did not have to ask for their consent for any specific amount. During his twenty-two year reign the tax burden increased from 1.8 million in 1461 to 4.7 million in 1483, with considerable bribes passed out to local elites and towns to ease the collection process.¹²⁴ This amount was three times as heavy as any burden levied by Charles VII. And there was nothing his subjects could do about it.

That is to say, there was nothing they could do about it save resorting to violence. This manifested itself in the War of the Public Weal in 1465. Perhaps one might object to the idea that any ruler can be ‘absolute’ if he can be checked or overthrown by violent rebellion. One might point toward the War of the Public Weal or the Wars of Religion

¹²³ Isambert, X, 422; Victor Duruy, *A History of France*, vol. 1, (Charleston: Bibliobazaar, 2008), 252.

¹²⁴ Wolfe, 54.

and assert this indicates that kings in the fifteenth and sixteenth centuries were not yet 'absolute'. Yet Henry IV, the most widely attributed 'architect' of absolutism was shot by an assassin in 1610. Louis XIII faced numerous violent rebellions during his reign. Louis XVI and indeed the whole absolutist regime met their end during the Revolution. Therefore, as far as violent protest is concerned, it can plainly and undoubtedly manifest itself under any type of government and in any period in question. It is not a commentary on the weakness of the absolutist regime or the flaws of the tax system. Even an absolutist monarch could be undone by violence. No amount of arbitrary tax revenue can stop a bullet.

Moreover, it is interesting to observe how Louis XI, initially cowed by the War of the Public Weal, managed to maintain his absolutist power and ability to tax without consent. He sued for peace in October 1465 and concluded the treaties of Conflans and St. Maur. Louis was compelled to agree to the most pathetic and humiliating terms. His brother Charles got Normandy, along with suzerainty over Eu and Alençon. The duke of Burgundy got Boulogne, Guines, Péronne, and the towns of the Somme. The duke of Brittany got Étampes. Louis XI was also forced to surrender enormous 'pensions' for the dukes of Lorraine and Bourbon and the counts of Armagnac and Dunois. Louis XI's blatant abuse of the arbitrary tax system, bleeding dry a country still recovering from the Hundred Years War, had united most of his elite subjects against him.¹²⁵

Nevertheless, the king managed to escape addressing their demands. Soon after the two treaties of October 1465, Louis XI reneged on the terms mentioned above. To reinforce the legitimacy of his actions, he convoked the only Estates-General of his reign in 1468. The clerical and bourgeois deputies were opposed to the revival of large noble

¹²⁵ Duruy, 254-260.

landholdings and even urged the king in case of another noble rebellion to levy taxes and mobilise troops 'without waiting to convoke the Estates' since it was not easy to bring them together.¹²⁶ Here in a moment of unity against the nobles, the Estates-General somewhat perversely repudiated one of the primary reasons of their own existence. Though the *aides* and *gabelle* remained at the same rates, their share in the total revenue of the crown shrank because Louis continued to increase the *taille* to take on a steadily larger portion of the whole. The 'Spider King' may have been defeated in battle, but he retained his control over arbitrary taxation and thus the grievances of the great many who supported the War of the Public Weal went largely unaddressed.

The vast majority of Louis XI's arbitrary revenue was predictably spent on war. The same is true of all French absolutist kings. The most costly wars were those with Burgundy. These came to an end in 1477 when the Duke Charles died without a male heir. Louis annexed Burgundy, Nevers, and parts of Flanders and Picardy and increased his wealth even further.¹²⁷ Although there was always a great deal of dissent and bitterness in the country about the excruciating levels of taxation, no *parlement*, *pays d'état*, or 'corporate group' of elites were able to force Louis XI to lower his taxes. Even though it would likely have been the will of his subjects, in light of the threefold increase of taxation and the clamour for reduction after his death, Louis had control. The others did not. There is no plainer example of the will of a king trumping the wishes of his country, with the arbitrary taxation system playing a central role.

Nevertheless, when Louis XI died in 1483 there was an opportunity for the entrenchment of 1439 to be undone. Charles VIII (1483-98) was a minor. His regent was

¹²⁶ Georges Picot, *Histoire des États Généraux*, (Paris: Hachette, 1888), I, 342.

¹²⁷ Robert Jean Knecht, *The Rise and Fall of Renaissance France, 1483-1610*, (Toronto: Wiley-Blackwell, 2001), 28.

his sister, Anne of Beaujeu, and like all regencies there was a significant challenge to her power. It took a weak regency for all the frustrations and outrage at Louis XI's tax policy, which had been latent for twenty-two years to boil over and impose its will upon a French monarch. This is testament to the personal nature of absolutism, the maintenance of which relies mainly on the character of the king. Arbitrary taxation was a tool wielded by an absolutist king, but not every king had the will or the competence to use it. An Estates-General was called in 1484 to deal with dissent, address grievances, and win support for the regency. The foremost of their demands was to abolish the arbitrary *taille*. The regency government agreed to cut taxes, reduce the size of the army, reduce pensions to favourites, and to remove several officials, all of which is somewhat reminiscent of the demands imposed by the Estates-General of 1355 and 1357. The Estates also demanded back the right of consent to taxation. After fierce negotiations, the *taille* was not abolished, but reduced only. The amount shrank from 4.5 million to 1.5 million *livres*. They did not gain the right to consent to this levy.¹²⁸

On the surface this appears to be a victory for the Estates. In fact, it was a colossal and unmitigated failure. The amount of taxation may have been reduced, but as has been stated a number of times before, the issue is not the amount the people are taxed but *how* they are taxed. Consent to the *taille* was not re-established. As such, the regency felt no compulsion to call another Estates-General in 1486, as the assembly had demanded and the regency had agreed in 1484. The government had the money, and therefore did not need to address the grievances of a representative assembly. The Estates-General was not called again until 1560 – three quarters of a century later. Notably, this was during

¹²⁸Knecht, *Rise and Fall*, 23-25.

another minority. It seems that armed with arbitrary taxation, there was very little cause for the six adult French kings between 1439 and 1560 to convoke the Estates.

A Magnanimous Interlude – Louis XII

A limited and consultative ruler like Louis XII (1498-1515) could never be accused of absolutism. It is yet another example of the personal nature of absolutist rule. Taxes stayed low compared to the reign of Louis XI or Francis I. The king was renowned for his open style of rulership. Yet on either side of his reign, Louis XI, Charles VIII, and Francis I, there were shifts back and forth to a more autocratic rule without pause or political revolution. Why? Simply this. The kings of this period differed from one another more than they stood apart from the kings of the medieval period.¹²⁹ The tool of arbitrary taxation was already in place since Charles VII. Whether or not the king decided to harness it was entirely his own discretion. Louis XII showed fiscal prudence, good sense, and no little kindness to his overburdened subjects. Though working in an absolutist system, he was undeniably a very kind and competent king. This should not be a surprise to those who understand that any system of government, just as any single man, is capable of both good and ill. Nor does autocracy rule out magnanimity any more than consultation does corruption.

Francis I (1515-1547) seemed much more inclined than Louis XII to use the tools and resources bequeathed to him. He possessed enough revenue from arbitrary taxation to pursue his aims in foreign policy, revenue which no other institution could rightfully withhold. He also held both the will and drive to rule as he saw fit.

¹²⁹ Frederic J. Baumgartner, *France in the Sixteenth Century*, (New York: St. Martin's Press, 1995), 10-11.

Case Study II – Francis I

There was no Estates-General held between 1484 and 1560. The question therefore arises, was there any means of checking the powers of a wilful king such as Francis I, apart from a central institution armed with powers of consent? Revisionists have highlighted several candidates: the *pays d'états* which still had powers of consent in their provinces, the *parlements* composed of judges whom the king needed to register his laws, the numerous 'Assemblies of the Notables' the king occasionally called for advice or political support, and groups of local elites without whom taxes in the *pays d'élections* could not be collected.¹³⁰ The following case study exposes the weaknesses of these fractious and disunited groups. While they did have some influence, they could not stop kings from encroaching on their rights and privileges. It appears these so-called restraints were as flies around a bull.

Yet there was another limit to 'Renaissance absolutism'. Francis I possessed a smaller bureaucracy, a smaller army, and immeasurably more modest tax revenue than the 'Baroque absolutists' of the seventeenth century. A critic might ask how Francis can possibly be considered as 'absolute' as Louis XIV. While bureaucracies and armies augment the performance of any political system, they do not necessarily bring absolutism into being. That, as we have seen, was caused by the introduction of large amounts of arbitrary taxation in the reign of Charles VII.

¹³⁰ One apologist who is particularly notable for this view of consultative and limited 'Renaissance Monarchs' being different from the absolutist monarchs of the seventeenth century is J.R. Major. See *Representative Institutions in Renaissance France, 1421-1559* (Madison: University of Wisconsin Press, 1960) and *The Deputies to the Estates General in Renaissance France* (Madison: University of Wisconsin Press, 1960) as well as a number of articles. His opinions remained largely unaltered through the rest of his distinguished career and are very well summarised in his *pièce de résistance* published around the time of his death: *From Renaissance Monarchy to Absolute Monarchy: French Kings, Nobles, and Estates*, (Baltimore: John Hopkins University Press, 1994).

Note: The *parlements* were not representative assemblies and did not possess legislative or tax powers. They were judicial courts which gave formal sanction to royal edicts. See Knecht, *Rise and Fall*, 16-17.

‘Renaissance absolutism’ does differ, however, in some ways from its seventeenth century counterpart. Obviously, the creed of absolutism itself had not yet matured. It was espoused only with many reservations by Claude Seyssel in 1515 and only in moderate terms by ultra-royalist lawyer and political theorist Guillaume Budé in 1518. Seyssel mentions the king’s absolute right to rule, but also mentions several constitutional checks on his power. Later works were to be much more vigorous in their assertions. The Wars of Religion brought forth philosophers and jurists such as Jean Bodin who emphasised the unrestrained powers of the king.¹³¹ The ‘constitutional’ reservations of earlier authors such as Seyssel faded away. Thus the march of the absolutist system proceeded separately from the march of ideas. The stage was erected before the actor even knew he was upon it.

Of all the restraints on the royal prerogative during the long history of the *ancien régime*, there were scarcely any more formidable than the *parlements* of the realm. In order for new laws of the king to be enforced, they first needed the approval of the judicial assemblies of Aix-en-Provence, Bordeaux, Dijon, Grenoble, Rennes, Rouen, Toulouse, and above all the *parlement* of Paris, whose approval, by its large jurisdiction and proximity to the royal government, was crucial to the eventual enforcement of any new law.¹³² Nor was this task always an easy one, due to the extreme and almost vehement conservatism of these assemblies. If for any reason the new law should displease the judges of any one of these assemblies, they could hinder its enforcement in their respective regions by stalling its passage.¹³³ In no circumstances could the assembly

¹³¹ For an analysis of this evolution of ideas, see William Farr Church, *Constitutional Thought in Sixteenth-Century France: A Study in the Evolution of Ideas*, (New York: Octagon Books, 1969).

¹³² Knecht, *Rise and Fall*, 16.

¹³³ Emmanuel Le Roy Ladurie, *The Royal French State: 1460-1610*, (Oxford: Blackwell, 1987), 5.

reject and discard any royal legislation completely, but if necessary the *parlements* could use stall tactics for months or, theoretically, even years. We must not underrate the strength of this position. But we must ask ourselves if it was enough to impose a check on Francis I, preventing him from riding roughshod over a privilege which obstructed the expansion of his power. The answer lies, one hopes, in testing the theory.

The Concordat of Bologna

In the 1430s a Catholic Conciliarist ruling of the Council of Basle asserted, somewhat predictably, that a general council was superior to the authority of the pope. Eugenius IV broke off relations with the council. As a reaction to this Charles VII issued the Pragmatic Sanction of Bourges (1438). This claimed French clerical influence over ecclesiastical appointments and forbade the payment of annates to Rome.¹³⁴ Such policies were the pillars of Gallicanism, waxing since the inception of the Avignon Crisis. In 1462, Louis XI revoked his father's decision, partially from personal differences between father and son, and also to woo the papacy towards his aggressive Italian policy. However, the pope proved an unreliable ally for the 'Spider King' and so the latter reverted to the Pragmatic Sanction. A decade later, Louis invited Sixtus IV to share in half the appointments. Four years later, Louis again fell out with the Holy See. The Sanction was therefore reinstated – again.

In the meantime, the *parlement* of Paris, deeply in favour of the Pragmatic Sanction, sparred with the crown concerning its indirect influence over the appointment of bishops.¹³⁵ After the high-handed influence of Louis XI over the appointments, the Estates-General of 1484 demanded strict adherence to the Pragmatic Sanction be

¹³⁴ Ladurie, 118.

¹³⁵ Robert Jean Knecht, *Renaissance Warrior and Patron: The Reign of Francis I*, (Cambridge: Cambridge University Press, 1994), 93-94.

observed. The choice should remain with the clergy. Nevertheless, the clergy lacked the sufficient cohesion to withstand royal intimidation and bribery. The Pragmatic Sanction thus continued to be symbolically bound to Gallicanism, but pragmatically bound to the king.

Riding high from his victory at Marignano in 1515 with, or so he thought, a long reign of supremacy in Italy lying ahead, Francis I was eager to ally with the pope. While the king by no means wished to relinquish royal control over the church in France, he had nothing to lose by shedding the extreme Gallican disposition held by the majority of those in the *parlement* of Paris.¹³⁶ The Concordat of Bologna was thus drawn up between Francis and Leo X on August 18 1516. The Pragmatic Sanction of Bourges was henceforth abolished, and bishops, abbots, and priors, previously elected by their chapters, were to be 'nominated' by the king and 'instituted' by the pope.¹³⁷ This was a cloak of language. Nominees to benefices were to indicate the value of those benefices in their letters of appointment, allegedly to check pluralism, but in reality to resume the annates paid to Rome which the Pragmatic Sanction had abolished. Thus an entirely political compromise was forged between Francis I and the Holy See in the interests of French foreign policy. To this end, the privileges of many benefices to freedom of election and freedom from Papal annates amongst the clergy were swept away.

Francis I believed they should be sacrificed. The Pragmatic Sanction had been laid down by legislation approved by the courts of the realm. Now, without the slightest consultation, and with the least possible notice, the king swept it all away and abolished a privilege held by a societal order of France. Therefore we have on our hands an act of

¹³⁶ Knecht, *Renaissance Warrior*. 93-94.

¹³⁷ Ibid.

arbitrary rule. It remains to be seen how the checks and balances of the system, so touted by Claude Seyssel and more recently venerated by revisionists, were able to restrain the king and protect local privileges from royal encroachment.

The *parlement* of Paris certainly did not lack the willpower to do so. Had the king consulted them, they would most certainly have opposed the Concordat. Through their conservative instincts, the judges wished to uphold the prestige of Gallicanism, and maintain a privilege which had persisted for nearly a century. What is more, up to this point the *parlement* had been a staunch supporter of the Pragmatic Sanction of Bourges, at least in its ideal. The judges were angry at this massive retraction of Gallican liberty being committed without their consultation. As shall be seen, they did their utmost to annihilate the Concordat or at least to prevent its passage. Therefore, it cannot be postulated the king triumphed over the *parlement* due to any slackening of effort or vigilance on part of the latter.

The Concordat of Bologna was ratified between France and the Holy See in December 1516. On March 21 1517, the representatives of the *bonnes villes* were summoned to Paris to ‘advise the king’. While in the royal presence, the representatives felt the urge to submit several grievances to the crown about the Concordat, and were cordially invited to send them in writing after returning home and consulting their townsfolk. These proposals reached Paris, were dropped unopened into a large leather bag, and were quietly forgotten.¹³⁸ How this can possibly be seen as consultative is beyond imagining. It is more the smile of the serpent: the beneficent leader stands for a time in front of his supporters, armed with a forced smile and an abundance of promises, then returns to work and does exactly as he pleases. One imagines this tactic has been

¹³⁸ Knecht, *Renaissance Warrior*, 95.

embraced by many national leaders in a long and venerable political tradition which extends to this very day.

The Concordat was officially issued from Rome and reached Paris at the end of April. On May 13, Francis I ordered its registration. The *parlement* of Paris subsequently ignored this command, and remained silent. Confronted after another delay, they claimed it did not receive the full text of the Concordat until June 5. After 'receiving' it, they of course needed time to examine it, still being 'entirely unaware' of its contents. A committee was subsequently appointed.¹³⁹

Displeased with the lack of progress, Francis sent along his trusted agent René of Savoy, a bastard son of the Duke of Savoy, to represent the crown at the debate. René was refused entrance until July. Finally, over a week later, the *parlement* of Paris finally refused in an official statement to register the Concordat. Francis then demanded to see some representatives from the *parlement*. Three were appointed, but were 'delayed'. Furious, the king as late as December demanded again to see the representatives. Two new representatives were finally ready to meet the king in January 1518. Before agreeing to meet Francis, however, the representatives asked him to read a memorandum. This document condemned the Concordat for various reasons. An actual meeting was arranged only with some difficulty. Francis finally was able to meet them on February 28 and no progress was made. Such were their opposition tactics.¹⁴⁰

It is questionable how effective these tactics were. The *parlement* doubtless stalled the registration of a law which clearly infringed on the rights of an established order. Francis I was frustrated for a time, and seemingly unable to force their acceptance

¹³⁹ Knecht, *Renaissance Warrior*, 96.

¹⁴⁰ Knecht, *Renaissance Warrior*, 97-98.

of the Concordat. But never at any moment was there a possibility of the reverse. The *parlement* never had the power to force the king to abandon a policy which obviously infringed on some of the rights of his subjects. It was not a question of Francis I being checked in his own policy, but rather, whether he would think it worthwhile to press the matter to a satisfactory conclusion.

In the end he did. On March 6 1518, nearly a year after litigation began, the king's chamberlain, La Trémoille, was sent to the *parlement* to demand the Concordat's registration. Meanwhile Francis had spread a rumour that he would establish a new *parlement* at Orléans. This would have cut into the jurisdiction of the *parlement* of Paris. And so the judges began to see the profit of compromise. They agreed to register the Concordat under certain conditions. Francis saw no reason to accept this compromise, and refused all conditions flatly, renewing his demands for full registration of the Concordat. And accordingly, it was registered, in full, on March 22.¹⁴¹

* * * * *

Let us place aside the fact of the crown, by its ability to create new *parlements*, cowed the judges of Paris into full submission in spite of their vigorous protests. Let us focus instead on how the *parlement* could have possibly forced the Concordat out. Their best chance at this would have been to stall the passage of the Concordat indefinitely, until Francis gave up, lost interest, or needed to appease them in order to gain something else. However, Francis did not give up or lose interest. He pursued his policy to the bitter end, and there was nothing the *parlement* could do about it. Had the *parlement* possessed the ability to withhold sufficient resources from the king at the time of his extremely costly Italian Wars, Francis might have been compelled to bow to a very credible threat.

¹⁴¹ Knecht, *Renaissance Warrior*, 98-99.

Thus the crown would have been checked, and the privileges of the clergy, as laid down in the Pragmatic Sanction of Bourges, would have been protected and preserved. As it was, the king required nothing of the *parlement* except the registration of the Concordat. Failing that, the king had the power to remove something the *parlement* of Paris valued, namely, its own jurisdiction by threatening to create another *parlement* at Orléans. As for leading the front lines in the constant and reliable defence of traditional rights and privileges, one thinks the effectiveness of the *parlements* was somewhat less than satisfactory.

The Return of the King

The Battle of Pavia (1525) was the greatest and most shocking military defeat of the reign. Francis I was taken prisoner. His captivity lasted over a year with Louise of Savoy, his mother, acting as regent. Like a great many female regents throughout French history, simply by virtue of being a woman, her position was immediately challenged by male rivals for power. For the next few months the regency council, including several senior ministers as well as the widely despised Chancellor Duprat, set about protecting Northern France from overseas invasion. This was no easy task. Had the English invaded, and the Imperials pressed from the east, the French war effort might well have succumbed. The countryside was practically denuded of fighting troops because the government, exhausted from war, was hit by a shortage of cash. Troops lived off the countryside which had suffered badly from a few poor harvests. Therefore, the regency was faced with an expensive prolongation of the war, without any means to confront it, and little chance of profit or success.¹⁴²

¹⁴² F.L. Taylor, *The Art of War in Italy 1494-1529*, (Westport: Greenwood Press, 1973), 77.

Louise of Savoy was entirely dependent upon the *parlement* of Paris to defend the north from the English.¹⁴³ As a result, the Queen Mother gave ear to several grievances, including the reduction of Gallican liberties by the Concordat of Bologna, and promised to address them once the crisis was averted. It seemed, for a time, the judges had won some measure of control.

However, once the crisis was averted, Louise had very little reason to address any of these grievances. She ruled as if they had never existed. Louise appointed Chancellor Duprat, a man of ruthless ambition and generally disliked, as archbishop of Sens and abbot of Saint-Benoît-sur-Loire. Here again we have a blatant violation of rights, not of the Pragmatic Sanction, however, but of the Concordat of Bologna itself. Under the Concordat, the bishopric of Sens had retained the right to election, and in Saint-Benoît the candidate had to be Benedictine, which Duprat assuredly was not.¹⁴⁴

The chapter of Sens appealed to the *parlement* of Paris. Louise of Savoy subsequently removed the case from that court and placed it before the *Grand Conseil* instead. This was a blatant conflict of interest, for who was president of the council but Duprat himself? There is no doubt in whose favour the *Grand Conseil* would have found. The judges of Paris were outraged and moved to examine the case anyway. Stalemate over jurisdiction ensued. At Saint-Benoît the situation was much the same. Duprat sent agents to occupy the abbey, and the *parlement* thereupon demanded their expulsion. Tensions did not abate during the summer.¹⁴⁵

Once again the reader is confronted with a case of encroachment by the crown, or in this case, its regent, upon the privileges of a societal order heartily advocated by a

¹⁴³ Knecht, *Renaissance Warrior*, 229.

¹⁴⁴ Knecht, *Renaissance Warrior*, 232.

¹⁴⁵ *Ibid.*

powerful and influential institution: the *parlement*. What is more, this time the privilege violated was one granted by a charter, the Concordat, which itself had revoked yet another set of privileges. Nor can the government be said to have held any impressive powers in this matter, the coffers being empty, and with the king locked away in Madrid. What does this say of the power of the government, bankrupt and still reeling from defeat, nevertheless managing to frustrate the processes of the court system? In the aftermath of Pavia, the government was in no danger of being forced into such a transformation, and still found the strength to battle head-to-head with the *parlement* over the benefice. Nor can it be said the *parlement* was very strongly supported by the elites of the realm. Although many members of the *Grand Conseil* detested Duprat for his submissive obedience to the king, very few had sympathy for the opposition of the judges.¹⁴⁶ There was thus no cohesion between the lawyer class and those influential nobles, by whose help alone could any appreciable stand be made against the government. Never in this instance could words be backed up with anything more significant, unless the nobility of the sword and robe cast aside petty divergent interests and formed a union. The preponderant political forces were on their side. They had but to be combined to be obeyed. But they did not, and they were not. There was no apparatus to encourage their unity.

When Francis was released from captivity in March 1526, after a year of imprisonment in Spain, he was briefed on events happening in France. The authority of the government had been severely challenged by an upstart *parlement*, whose authority theoretically originated from the king. This was not to be borne. On April 9 1526, Francis ordered Chancellor Duprat to take possession of Saint-Benoît, and shortly afterwards

¹⁴⁶ Knecht, *Renaissance Warrior*, 235.

Sens came under his authority. Francis then arranged for a debate to be held, where both sides could meet in disputation and ‘respectfully’ submit their arguments to the ‘mediation’ of the king. On December 4, the debate was held. Six days later the king ruled that *parlement* had acted unlawfully and had verged on sedition. Four judges were suspended from duty as a result.¹⁴⁷

Nor was the king content to let matters stand there. A month later, Francis requested a written record of all the *parlement*’s debates on the issue since the April of two years prior. After a brief interlude, the *parlement* sent along the court transcripts. Francis demanded the original minutes. Eventually the court complied, but only after carefully blotting out certain statements made about Duprat. Such was the bold face of justice. Moreover, the bishop of Paris, Francis Poncher, who had been unofficially elected abbot of Saint-Benoît and headed up the opposition to the Chancellor’s claim, was charged with sedition. He was held at Vincennes, where he died after five years imprisonment.¹⁴⁸

The final humiliation of the *parlement* of Paris took place on July 24 1527. The king proceeded down to the *Grande Chambre* to enact the ceremony called a *lit de justice* in which the king momentarily resumed the judicial authority he had theoretically delegated to the *parlement*.¹⁴⁹ In total, one hundred and twenty people attended. Duprat began the session by inviting the judges to speak, if they wished to do so. None did. Thereafter, all seventy-five judges fell upon their knees. This of course was all show. Then Claude Guillard, the fourth president, rose and gave a long and tedious speech

¹⁴⁷ Knecht, *Renaissance Warrior*, 263

¹⁴⁸ Ibid.

¹⁴⁹ Literally ‘bed of justice’ taken from the appearance of the seat on which the king sat when in *parlement*, see Knecht, *Rise and Fall*, 16-17.

justifying the *parlement's* actions. The meeting adjourned shortly afterward. That afternoon, the king and his council drew up an edict forbidding the *parlement* from meddling in affairs of state. Most significantly, *it required, each year, formal confirmation of its powers by the king.*¹⁵⁰ The judges were summoned before Francis and the edict was read. They were prohibited from making a reply. After it was read, the king ordered the edict to be registered and thereafter swept from the room.¹⁵¹ Thus by his removing his presence the king denied the *parlement* the measure of claiming duress – much good it would have done them.

The regent's actions against Sens and Saint-Benoît were not only infringements on a privilege, but it offended the judges of Paris in their sense of what was fair and just. That the *parlement* did not in the end manage to defend these privileges was not for any lack of trying. Remonstrances and stall tactics did not seem to be enough. None can say, therefore, the *parlement* proved an effective means of defending such rights from royal encroachment, when it suited the advantage of the king to do so. The *parlements* lacked the persuasive power of the Estates-General before it lost powers of consent over taxation in the fifteenth century. The *parlements* could not defend these societal privileges alone. They obviously wished to do so, but lacked the tools to finish the job.

The Solitary 'Fiscal Limit' of Absolutism – Warfare

The most formidable charge levied by revisionists at the existence of absolutism is the argument that French kings simply did not have the resources to enforce their will due to an inefficient and unreformed tax system. It did not matter that the crown possessed arbitrary taxation powers since, as James Collins puts it in his *Fiscal Limits of*

¹⁵⁰ Isambert, XII, 275.

¹⁵¹ Knecht, *Renaissance Warrior*, 267.

Absolutism, 'it never could raise enough money to pay for all it wanted to do.'¹⁵² Collins cites the necessity to bribe tax collectors, the venality of government offices, and above all the tax exemptions handed out to the kingdom's wealthiest orders – the nobles and the urban bourgeois – severely reducing the amount the king could collect. In fact the major tax burden, the *taille*, fell upon those least equipped to pay, the rural peasantry. And these people could only be squeezed so far. Yet it is unclear precisely how the scope and exercise of royal power can be measured by the amount of tax revenue alone. It has been stated before that it does not matter *how much* the king's subjects were taxed, but *how* they were taxed. Nevertheless, it is undeniably true that from the sixteenth century onward, French kings were continually strapped for cash and steeped in debt. James Collins is absolutely correct in asserting that an absolutist king never had enough money to afford all he wanted to do. But it is also worthwhile to explore precisely what extravagant pursuits bankrupted him.

As it happens, the most expensive pursuit was warfare. Roughly 50% of royal tax revenue collected between 1500 and 1789 was funneled toward an endless stream of conflicts.¹⁵³ Whereas Louis XII might be able to abstain from taxing his subjects heavily, his successors could not. The sixteenth and seventeenth centuries saw a leap away from the knightly armies of the Middle Ages to armies dependent on large numbers of infantry, wielding gunpowder. These armies became more expensive, and as a result, defeat in a decisive battle all the more catastrophic. Most armies therefore avoided open battle and focused on attrition. Additionally, it became increasingly difficult to capture towns and fortresses. The result was a massive increase in the cost of war. It is difficult to see how a

¹⁵² Collins, *Fiscal*, 220.

¹⁵³ For instance, see Collins, 51.

cost such as warfare, so vastly expensive and exhausting to any treasury, can be used to proclaim a weakness in an absolutist king. Warfare consumes whatever resources a country can afford to throw at it, and then some.

The perfection of the armour of a mounted horseman with the introduction of plate armour in the 1360s, forcing out chain mail, and the creation by 1500 of armour sloped, fluted, and curved, to render nearly impossible the passage of a missile, provoked a search for an alternative.¹⁵⁴ Gunpowder weapons became the answer. The triggerless handgun was shot from the chest, limiting the amount of powder permissible for use, lest the soldier be severely injured by his own weapon. Around 1500 the arquebus fired from the shoulder replaced this inferior design, richly increasing its explosive power.¹⁵⁵ A knight, of noble birth, heavily armoured at great expense, could be felled by a foot soldier who happened to have loaded in time and was lucky enough to get off a successful shot. It became disadvantageous to rely on small armies of specialised mounted warriors whose years of training and expensive preparation could be ended in a flash should a ragtag band of footmen wielding guns be brought onto the field. Infantrymen in France thus attained a growing prominence throughout the sixteenth-century:

Year	Numbers in Service (<i>total numbers 'on paper'</i>)
1480	25,000 men
1491	20,000 men
1494	28,000 men
1509	30,000 men
1536	45,000 men ¹⁵⁶

Conditions also allowed for the growth in the size of manpower. In the Middle Ages, transport and supply were of such poor quality it was impossible to send a force of

¹⁵⁴ David Eltis, *The Military Revolution in Sixteenth-Century Europe*, (London: I.B. Tauris, 1995), 12.

¹⁵⁵ J.R. Hale, *War and Society in Renaissance Europe*, (London: Fontana Press, 1985), 51.

¹⁵⁶ Hale, 62.

a few thousand men more than fifteen hundred miles from home.¹⁵⁷ The roads were too small, and the countryside too perilous for convoys. And so the mounted warriors ruled the day. These at least had the merit of being small in number and extremely mobile. With the passage of time came gradual improvement in transport and supply, thus enabling more extensive use of infantrymen. Charles VIII crossed the Alps in 1494 with a cavalry force constituting roughly two-thirds of his entire army. In 1528 this number had shrunk to one-eleventh.¹⁵⁸ Writing seven years prior to this date, in 1521, Machiavelli himself advises a ratio of 20:1, foot to horse.¹⁵⁹ Gone were the days when a few hundred mounted warriors could meet on a distant battlefield and settle the blood-feuds of princes and dynasties through the toil and noble struggle of a single afternoon. War was a game of numbers, where soldiers had to be churned out at an unprecedented rate, and the state struggled to find sufficient resources to deploy them all in the field. War had become Europe's largest and most unprofitable industry.

The increase in war expenditure was not entirely due to the increase in the size of the French infantry. The progression of time did not necessarily correspond with the growth of armies but the increase in unit cost. In fact, French armies rarely numbered more than 50,000 in the sixteenth-century, and by the death of Henry IV in 1610 the French army numbered less than 20,000. Only when France entered the Thirty Years War (1618-1648) did the number skyrocket to 150,000 men.¹⁶⁰ Firearms previously ineffective underwent improvements and emerged as the dominating champion of the battlefield.¹⁶¹

¹⁵⁷ J.F. Verbruggen, *The Art of Warfare in Western Europe During the Middle Ages: From the Eighth Century to 1340*, (Woodbridge: The Boydell Press, 1997), 20.

¹⁵⁸ Taylor, 61.

¹⁵⁹ Niccolò Machiavelli, *The Art of War*, (New York: Bobbs-Merrill Company, 1965), 81.

¹⁶⁰ Michael Duffy, *The Military Revolution and the State 1500-1800*, (Exeter: University of Exeter Press, 1980), 30.

¹⁶¹ Eltis, 43.

The effect of artillery and fortification also contributed to the dramatic increase in the cost of warfare. Charles VII's investment in artillery had driven the English out of every castle in Normandy in a single year.¹⁶² A stone cannon of the 1420s had a powder-projectile weight ratio of 1:13, whereas one of the 1470s had a ratio of 1:2, vastly increasing the cannon's destructive power.¹⁶³ Against this the defences of medieval Europe, hitherto thought virtually impregnable, crumbled into dust and ruin. Medieval walls were seldom more than seven feet thick. Blockade was the only sure means of reducing a medieval stronghold, but the introduction of gunpowder changed all that. The new cannons Charles VIII brought into Italy were able to tear down old medieval fortifications one by one. This in large part contributed to France's startling success in the opening years of the Italian Wars. The French distinguished themselves from all the other peoples of Europe by in the early sixteenth-century putting forth an enormous financial outlay to increase the size and quality of their artillery wing, making it the finest and fiercest of them all:

Number of French Guns on their Respective Campaigns

1494	36 guns, light and heavy
1507	60 guns, light and heavy
1515	72 guns, light and heavy
1524	70 guns, light and heavy ¹⁶⁴

Walls once capable of withstanding long sieges now fell in a few weeks or even days to the monstrous force of the French war-machine. However, with every action comes a reaction. The Italian refinement of fortification in the 1520s brought about the invention of the angle-bastion. This used earthen or brick walls, constructed low and

¹⁶² Sir Charles Oman, *A History of the Art of War in the Sixteenth Century*, (London: Methuen and Company, 1937), 49. An old source which nevertheless remains one of the finest and most detailed sources on sixteenth century warfare.

¹⁶³ Eltis, 77.

¹⁶⁴ Taylor, 92.

thick, with cannon placed in the mounts protruding from the walls to cover blind spots.¹⁶⁵ The walls of Renaissance citadels were usually around twenty feet thick or more – around three times the width of medieval walls.¹⁶⁶ Naturally these new fortifications were vastly expensive to build, nor was that the end of it.

The improvement of fortifications had a highly significant effect upon the rest of the sixteenth-century, namely, the prolongation of wars. Failing a political collapse in enemy territory, each fortress needed to be conquered from the enemy before an invading army could move forward. If an enemy fortified town was ignored and left behind, it had to be surrounded, at great cost, lest the enemy disturb vital supply lines.¹⁶⁷ This in turn reduced the striking power of the invading force. Additionally the capture of each town was a major undertaking. The combined result was a vast increase in the cost of warfare by the mid-sixteenth century. Bastions had to be surrounded and starved, which meant troops were required in action for longer periods of time.

Thanks to the strategy of attrition favoured by most commanders rather than courting decisive battle, the treasury was required to hold out for longer, and therefore war became a test of financial strength as well as military cunning. Even if a commander won a string of field victories, he would have to besiege town after town before victory was truly won, and there were enough towns in France or Italy to devour thirty armies.¹⁶⁸ Wars dragged on and became increasingly expensive. It is said the overall cost of the Marignano campaign in 1515-16 was 7.5 million *livres*, while the war against the Empire

¹⁶⁵ Taylor, 134.

¹⁶⁶ Eltis, 79.

¹⁶⁷ Eltis, 90-92.

¹⁶⁸ Eltis, 91.

in 1536-38 may have been as much as 15 million.¹⁶⁹ What is remarkable then, is not the crown being strapped for cash, but rather that they managed to keep their heads above water at all.

It does not follow that the absolutist kings of France should be proclaimed as weak and limited simply because they could not find enough tax revenue to fund increasingly expensive groups of infantrymen, vast arrays of destructive cannon, and a web of impenetrable fortifications. The largest drain on the royal treasury was a gigantic machine of war, in campaigns that were becoming increasingly attritional. There is no fixed cost in warfare. The cost of warfare is elastic. Two sides pour whatever resources they possess into the battle and immediately set about finding more. There is no scrimping. If they can afford to throw in more resources, they will. Once a treasury is emptied the nation must sue for peace. If the arbitrary tax system had been more efficient and had yielded more revenue, it is still likely that most of this revenue would also have been consumed in times of war and French absolutist kings would have been just as strapped for cash.

Domestic Expenses – A Fiscal Limit of Absolutism?

By comparison, the domestic expenses of the French Crown were relatively low. They did not constitute a drain on the treasury on the same scale as warfare. To meet domestic expenses, revenue from the ‘inefficient’ tax system was more than sufficient. The principal domestic expenses were the upkeep of the royal court, pensions, and the maintenance of legal courts. These domestic expenses in 1549 amounted to 2,739,000

¹⁶⁹ Richard Bonney, *The Rise of the Fiscal State in Europe: c.1200-1815*, (Oxford: Oxford University Press, 1999), 139.

livres tournois, constituting approximately 24% of the annual budget.¹⁷⁰ So what consumed the remaining 76% of budget of 1549?

The salaries of officeholders (*gages*) and 'unofficial' debts (*non-valeurs*) surprisingly total just 10%, interest from loans taken from the bankers of Lyon 3%, embassies abroad cost 2%, and payment on loans which were due, of which the revisionists make so much, 21%.¹⁷¹ These together constitute a total of only 36%. The last expense, loans, could often be reduced by defaulting upon them. In spite of ruling one of the wealthiest kingdoms in Europe, the French king had incredibly dismal credit among foreign bankers. This was primarily a consequence of the French king's projects being vastly more expensive and ambitious than the average noble or tradesman. Tradesmen do not often seek to clash in battle with the mighty potentates of Europe.

What is more, these loans were directly related to the greatest burden on the treasury, war, costing a whopping 40% of the budget. France was then at war with England. Loans were required to pay the expenses of warfare which tax revenue could not, either falling short or taking too long to collect. Without the massive expenses year by year not dissimilar to the 40% toward warfare in 1549 it is unlikely a loan of two million would have been necessary to make up the shortfall. And most assuredly there *was* a shortfall. In 1549, the records show the total expenditure was eleven million *livres*, whereas the total income of the government was closer to eight million:

<i>Income Source</i>	<i>Amount(in 000 l)</i>
Tailles	4,466
Gabelles	852
Aides	700
Décimes (two that year)	700
Parties casuelles	100

¹⁷⁰ Collins, *Fiscal*, 51.

¹⁷¹ Collins, *Fiscal*, 51

Demesne	100
Wood Sales	200
1548 Carryover	577
Britanny (<i>pays d'état</i>)	514
Dauphiné (<i>pays d'état</i>)	32
Burgundy (<i>pays d'état</i>)	38
Provence (<i>pays d'état</i>)	27
Total	8,302¹⁷²

From 1484 to 1555, the cost of the standing cavalry force of peacetime, remained stable between one and two million *livres tournois*; in 1490, the cost of infantry, mobilised mainly in times of war, for that year was less than a million; in the year of 1515 this had shot up to 3 million; in 1520 to 5.5 million; during the peace of 1530-1535, around 500,000/annum; in 1540 back to 5.5 million; in 1545 to 6.5 million for that year; and in 1553 a massive 11.5 million *livres* for that single year.¹⁷³ Without the crushing cost of warfare, the French Crown could easily sustain itself on its revenues, even if the *pays d'états* were to band together and withhold all revenue at the same time, which they never once did separately, never mind in a unified protest. A total revenue around eight million *livres* would have paid all expenses in times of peace, the sum of which, including all debts and excluding all inconsistencies of the records, was no more than 6 million *livres tournois*.

Collins asserts correctly, 'the limits of royal power were set, to a large degree, by the amount of money at the king's disposal.'¹⁷⁴ But if we accept the argument that a lack of money to fight foreign wars is a limiting factor on absolutism, we must ask what qualifies as absolutist? A lot of money? To be able to fight all wars, against any opponent, at any time? Obviously there is seldom an end to a man's ambition, much less

¹⁷² Collins, *Fiscal*, 51.

¹⁷³ Bonney, *Fiscal State*, 139.

¹⁷⁴ Collins, *Fiscal*, 214.

a nation's. What endangers Collins' argument in this respect is that the war ambitions of French monarchs were not fixed – they fluctuated relative to the resources and circumstances which made their aims in Europe feasible. If a man succeeds at squeezing an ounce of blood from a stone, he can hardly be blamed for trying for two. And if he fails to extract the second ounce, he must content himself with the first.

If local discontent at home ever prevented the king from acting abroad, the tax revenue system offered more than enough resources to deal with domestic insurgency. After the entrenchment of arbitrary taxation under Charles VII, if the king of France ever felt himself strapped for cash he preferred to cut short his military ambitions rather than confront the grievances of an Estates-General.

Collins' argument about the amount of taxation, to say the least, seems somewhat dubious. It is much more likely the revenue system had to enable the king to endure in case the country went against a royal policy. Should the king ever have desired to subvert the privileges of any societal order, he needed only enough strength to wear them down, not an infinite amount of strength to pursue all his aims at once.

The debate is thus reduced to whether absolutism is determined by the strength of its resources, or by the ability of the monarchy to violate recognised privileges previously bequeathed to its subjects without any reliable or lasting restraint on its power.

Case Study III – Louis XIII

There is a clear example in French history of an absolutist king abstaining from warfare, escaping its costs, and using his resources to crush dissent at home. In this example, Louis XIII (r. 1610-1643) confronted the most powerful 'corporate group' ever seen in French history, who in the previous century had thrown France into a brutal civil

war – the Huguenots. Throughout the many confrontations with the Protestant ‘state-within-a-state’ in the 1620s, the royal administration often had to choose between domestic warfare and expanding its influence abroad, primarily against Spain.

Several reasons prevented the resumption of an aggressive foreign policy at the dawn of the majority of Louis XIII. First, the king had to reckon with the constant revolts of his mother, Marie de Médicis. Second, France was at that moment undergoing a small economic depression, which lasted from 1619-1622.¹⁷⁵ Lastly was the conflict with the Huguenots. From the 1560s right down to the Edict of Nantes, the Huguenot party had successfully maintained an armed struggle with the Catholic League and the government of the day. From 1598 to 1620, the Calvinists had fought for their privileges entirely within the terms laid down by the Edict. The Huguenots constituted a massive socio-political-religious bloc, 10% of the population, sweeping through Poitou, Saintonge, Guyenne, Gascony, Languedoc, Dauphiné, and vital strategic points on the right bank of the Rhône.¹⁷⁶ The Huguenots controlled one hundred fortresses with permanent garrisons, dwelt in eight hundred communities, and constituted around a tenth of the French population. This formidable force cannot be discounted without a massive contravention of basic facts or an argument based in hindsight. Had they not held their own for years, through horrendous civil war and urban slaughter, against the vast majority of the French people, half the nobility, and a succession of kings? If any social order, and in fact this was a coalition of several, was capable of weakening the grip of absolutism, it was them.

¹⁷⁵ Richard Bonney, *The King's Debts: Finance and Politics in France 1589-1661*, (Oxford: Clarendon Press, 1981), 103.

¹⁷⁶ Alexandra Lublinskaya, *French Absolutism: The Crucial Phase, 1620-1629*, (Cambridge: Cambridge University Press, 1968), 156-157. See also Mark Konnert, *Early Modern Europe: The Age of Religious War, 1559-1715*, (Peterborough: Broadview Press, 2006), 100 for an informative and concise overview.

French foreign policy was diverted by the expansion of Huguenot influence. The flashpoint was the tiny independent state of Béarn, which was incorporated into the organisation of the Calvinist church in 1617. This was extremely alarming to the crown.¹⁷⁷ The incorporation of Béarn stretched Huguenot territory along the Pyrenees and nearly the entire Spanish frontier. Huguenot territory became more compact extending along the Rhône and the line of the Cévennes, to the Mediterranean, along the Pyrenees to the Atlantic, and up to the mouth of the Loire. Amidst it all, towering over this vast amount of territory, the fortresses of Montauban, Montpellier, and La Rochelle stood erect, guardians of the Huguenot state-within-a-state, thought by anxious contemporaries to be all but impregnable.

And so, with the repression of yet another revolt by the party of the Queen Mother in August 1620, the French army did not disband but instead marched south to Béarn, restoring Catholic worship there, and annexing it without great difficulty.¹⁷⁸ In this act, Louis XIII was accountable to no one, although many urged him onwards, and it easily could be defined, except by the most brash of Catholic partisans, as absolutist. It was both a direct and indirect violation of a number of chartered rights, privileges, and sovereignties, and a slap in the face to a rather large and powerful societal order. How else does one define an absolutist act? It was to provoke resistance in the form of Huguenot rebellion one year later. Therefore we have the perfect test of the absolutist system in the face of dissent.

At the time, Europe was far from at peace. In fact, the Thirty Years War was just beginning. Nor were France's interests entirely divorced from the situation. France was

¹⁷⁷ Lublinskaya, 165.

¹⁷⁸ Bonney, *The King's Debts*, 105.

unable to support the Calvinist rebellion in the Habsburg Empire in 1619, flying in the face of traditional policy and the wishes of the king.¹⁷⁹ The French government were as yet too weak and the king's ambition had to be restricted for the sake of royal security.

However, tensions rose in the Valtelline dispute over which in 1621 France was very tempted to declare war. Yet in March, the French immediately rejected the Venetian alliance proposal to conquer the Spanish fortresses in the Valtellina, and after much parleying with the Spanish, the Treaty of Madrid was signed in April 1621, allowing the return of the Valtelline fortresses to the French sphere of influence in exchange for giving Spain a free hand in Western Germany. It is no coincidence only three weeks later Louis XIII was proceeding down the Loire into Poitou to begin his first official campaign against the Huguenots.¹⁸⁰

Meanwhile financial preparations proceeded apace. An army of 40,000 foot and 6,000 horse had to be raised. The *paulette*, abolished in 1617, was restored for a period of nine years.¹⁸¹ *Officers*, except those of the highest caste, had to pay 5% of their office's assessed value in 1621, and 1% in the subsequent years prior to 1629. A loan of two million *livres* was sought. The *gabelle* was increased by four *sous*. After a brief struggle, the king obtained a clerical payment of one million.¹⁸² All this was mobilised against the Huguenots without the resource-drain of a second front against Spain. The result was devastating for the Huguenots. From 1621-22 Louis XIII wore them down and forced

¹⁷⁹ Bonney, *The King's Debts*, 103.

¹⁸⁰ The Valtellina lay along the 'Spanish Road', the Spanish supply route through Italy and Germany for its war against the Netherlands. In 1621, when that war resumed, the Spanish seized the Valtelline fortresses from the Swiss Grisons, considered a French sphere of influence, causing outrage in France. Lublinskaya, 178-180.

¹⁸¹ The *paulette* was a fee that venal bureaucrats paid in order to hold the right to bequeath their offices to their heirs. In the early modern period, offices were often sold and were considered personal property. See Collins, 81.

¹⁸² Bonney, *The King's Debts*, 126.

them to sign the Peace of Montpellier where they lost eighty of their autonomous towns, though they kept the fortresses of Montpellier and La Rochelle.¹⁸³ Although an extremely powerful group, the Huguenots were no longer a 'state within a state'.

In 1625 the Huguenots again rebelled, but by this time they were so weakened Louis XIII did not need to restrict his foreign policy. Louis waged simultaneous war over the Valtelline while the Protestant struggle raged. The Huguenots were forced to sue for peace in 1626. This did not last long and Louis XIII felt capable of waging a small war with Spain over the duchy of Mantua in 1627 even while he laid siege to La Rochelle. By 1629, the Huguenots had been beaten and all their fortresses had been dismantled. Thus even against one of the strongest internal enemies French kings had ever faced, the system still allowed for a small war to be waged on the side. It is hard to speculate how, faced by a concerted rising by local elites, the arbitrary revenue system, with France recoiling from the European stage, could have failed to supply enough resources to the absolutist regime. It is no coincidence that only two years later France had concluded the Treaty of Bärwalde with Sweden, effectively funding Sweden as a proxy against Spain. Two years after that France herself had entered the Thirty Years War.¹⁸⁴

During the struggle with the Huguenots, the royal administration underwent a succession of ministers in control of finance. Schomberg, La Vieuville, Marillac, and Richelieu, all tried their hand at the balancing act of keeping enough resources in play to face the Huguenots. Each, except for the last, failed. Under Schomberg's spendthrift ministry total expenditure rose from 37 million in 1620 to 43 million in 1621, and 49 million in 1622. Under La Vieuville, expenditure was reduced to 33 million in 1624.

¹⁸³ Konnert, 176-177.

¹⁸⁴ Ibid.

However, La Vieuville was corrupt and had a talent for alienating nearly everyone at court. So in spite of his performance, La Vieuville's career also met with the night. Marillac's administration started with high hopes, but failed with overall expenditure rising to 44 million in 1626.¹⁸⁵ Even under the most incompetent ministry, the financial system was able to cope with domestic warfare.

What is more, the direct tax burden was not raised despite the conflict, lest the *taille* alienate the French population while the Huguenots were suppressed. When France entered the Thirty Years War, such an increase was necessary. In the 1620s it was not. Wars between dynasties and mighty nation-states are extremely expensive, as we have already established. Domestic conflicts are less so, however fierce. In fact the crown's dependence on the *taille* from the *pays d'élections* fell drastically in this period. It accounted for 45% of the ordinary revenue from 1610-14, 38% from 1615-19, and 27.7% in 1620-24. In 1626, Richelieu even laid down a reform plan which would eliminate the *taille* and replace it with an extended *gabelle* and a 5% sales tax.¹⁸⁶

Unless every single interest group in France were able to unite, which they could not because always divided by conflicting interests, the king was always assured of getting some money from somewhere. Nor can it be said Louis XIII was even remotely dependent on any representative institution – revenue from the *pays d'états* averaged less than 6% of the total government revenue throughout his entire reign.¹⁸⁷ There was little any representative institution or societal order could do to resist the royal will, if the king was determined to run roughshod over local privileges, whatever the short term cost.

¹⁸⁵ Bonney, *The King's Debts*, 104-124.

¹⁸⁶ Bonney, *The King's Debts*, 110-131.

¹⁸⁷ Bonney, *Limits of Absolutism in Ancien Regime France*, (Aldershot: Variorum, 1995), 110.

War was an elastic expense, depleting whatever funds the French king had – no matter how considerable. But war could also be avoided. Arbitrary taxation in times of peace, however inefficient, provided enough revenue to pay for domestic expenses and even to crush internal dissent. Louis XIII simply restricted his military ambitions while he used his resources to overawe his opponents at home. A delay of military ambition was preferable to begging from a representative assembly, which conceivably could have checked an absolutist king in a way no *parlement*, *pays d'état*, or 'corporate group' could. Because of arbitrary taxation, Louis XIII did not have to face such fierce demands as the Estates-General imposed on John II and Charles V in exchange for revenue. War exhausted whatever resources the king possessed during a conflict. Arbitrary taxation was perfectly capable of covering domestic expenses during peace. The power of absolute monarchy is not measured by the ability of the king 'to pay for his projects'.

The Fronde & Louis XIV

There needs to be a disclaimer about the Fronde. It is not featured in a case study in this work simply because it is not as apt an example as the previous three, but nevertheless it is another example which proves the rule. The reservations are as follows. One, the royal government under Mazarin and Anne of Austria managed to unite the judges, the nobility, and the venal bureaucrats against them and still managed to ride out the storm. Two, these three classes while cited by many authors as a 'limiting force' on absolutism were not able to coordinate their efforts in any sort of unity and eventually a wedge was driven between them. Three, institutional efforts of the judges of the *parlements* failed when, in June 1648, they drew up a list of grievances they had nothing with which to force them on the government, whose response was to try and have several

judges arrested. Four, the opposition of French subjects turned from institutional protest to outright violence once the nobles arrived on the scene.¹⁸⁸ This violence steps outside the definition of an absolutist monarchy stated at the beginning of this work and also demonstrates once again the lack of institutional powers of persuasion at the disposal of the opposition. As has been stated before, no absolutist king or regent however powerful can stop a bullet. And the Fronde illustrates how, when violence must be resorted to, institutional checks on absolutism are exposed as all the more impotent.

A word also needs to be said about Louis XIV. It may seem odd at first glance to have a thesis on absolutism without the Sun King, since he is by repute the 'most absolutist' king of them all. However, many studies have done so, focusing on earlier periods, because of the fact that Louis XIV was the inheritor of many evolving facets of absolutism, rather than the instigator. The main apparatus of absolutism was already in place, that is, arbitrary taxation. This thesis does not look for proximate causes of the Sun King's power, but long term ones, however, some of the proximate causes of Louis' absolutism may be mentioned. The bureaucracy and army were larger, the *parlements* and nobles more docile, than they had ever been before. The Sun King's reputation was enhanced by the *gloire* of his wars, some would say to an exaggerated extent.¹⁸⁹ It was also enhanced by his depiction of himself at Versailles and the court. Louis became his own first minister and deftly made sure that no other minister became too powerful. The ideological espousals of Divine Right were at their height. His ferocity as an iron-fisted ruler was enhanced by the revocation of the Edict of Nantes in 1685. The Fronde had made elites more reluctant to incite dissent and a powerful king became increasingly

¹⁸⁸ Konnert, 180-182.

¹⁸⁹ For instance, Peter Campbell, *Louis XIV: 1661-1715*, (Harlow: Addison Wesley Longman, 1993), 46-52.

acceptable as the way forward. All this made the absolute nature of his rule very ostensible indeed. Much of it, the bureaucracy and army, the Divine Right ideology, and even the political teachings of his mentor, Cardinal Mazarin, were Louis' inheritance. So also was the arbitrary taxation system without which Louis would have had no way of funding his many wars, by which his kingdom was driven to debt and virtual bankruptcy, without having to go cap in hand to a central representative assembly. This had not changed since the days of his father, Louis XIII. The Estates-General had not met since 1614. Nor would it meet again until the eve of Revolution. Nor had it possessed powers of consent over taxation since 1439 – and perhaps it is telling that it had met less and less frequently since then.

Case Study IV – Charles I of England

The final case study illustrates what happens when the king does not possess arbitrary control over the majority of taxation and strains even to cover domestic expenses. Obviously this case study cannot be taken from France, where arbitrary taxation had long since become a reality – although affairs pre and post 1439 make for interesting contrast. England had a central representative assembly with powers of consent over the bulk of taxation. While the English king did possess the rights to a minority share of taxation without consent, just as some French assemblies still gave consent to a minority share, nevertheless the advantage in a confrontation comes down to who possesses control of the *majority*. Otherwise, a king becomes dependent on a representative assembly and is forced to address its grievances.

This is seen in medieval France but also in seventeenth century England. The outcome of all the confrontations between king and assembly should not be dismissed too

quickly as mere coincidence. On the contrary, the constancy of the result on so many occasions serves to prove the rule – or at any rate the trend. It is upon this trend that a clearer definition of absolutism can be founded.

In 1628, England's central representative assembly had a number of grievances against its king, Charles I (r. 1625-1649), which its members articulated in the Petition of Right. These included arbitrary arrest and imprisonment, violation of property rights, violation of *habeas corpus*, the declaration of martial law, and protection of crown ministers from prosecution. In addition, they opposed any form of taxation without Parliament's consent, including forced loans and Tonnage and Poundage, a sales tax on imports and exports.¹⁹⁰ With the exception of two writers in the 1620s who denied that Parliament should have powers of consent, Robert Sibthorpe and Roger Manwaring, the vast majority of political thinkers, even 'absolutists' or proponents of royal power had more or less accepted Parliament's right to consent.¹⁹¹ Charles, in order to obtain tax revenue to fund his war with France and Spain, was compelled to accept the Petition of Right. He subsequently prorogued Parliament.

Over the course of the next year Charles did not mend his ways. Parliament was angry about his appointment of several Arminian bishops and his Catholic-leaning policy as head of the Anglican church. Parliament also had the same constitutional complaints as before. For instance, Charles was collecting Tonnage and Poundage in 1629 even though Parliament had yet to vote them, and was imprisoning merchants who refused to pay. Charles wanted Parliament's permission to levy Tonnage and Poundage. The members

¹⁹⁰ Konnert, 189.

¹⁹¹ Glenn Burgess, *Absolute Monarchy and the Stuart Constitution*, (New Haven: Yale University Press, 1996), 111. Sibthorpe and Manwaring were writing on instructions from William Laud, the Archbishop of Canterbury, to support a forced loan, which did not require parliamentary consent.

stipulated it would only grant Charles I money if he addressed its grievances. The members criticised ministers of the king's government and demanded they be punished. Charles more or less refused. Parliament reassembled on March 2 1629 and began a debate on the conduct of the government only to have the Speaker of the House of Commons try to adjourn till March 10. An uproar ensued. The speaker was physically held down in his chair while the members had a debate and passed three reformist resolutions critical of government policy. Charles I then dissolved Parliament in spite of public outrage.¹⁹²

There followed the years of his Personal Rule, where Charles attempted to run the government without the influence of Parliament and without the revenue only Parliament had the right to grant him. This aped the example of France, which had done without the Estates-General since a meeting in 1614.¹⁹³ In order to reduce strain on the treasury, Charles made peace with France in 1629 and Spain in 1630. As a result, Charles was able to focus on domestic costs only, which, devoid of the tax revenue controlled by Parliament, was all Charles could afford.¹⁹⁴

Charles sustained himself on customs revenues, the yields from crown lands, and by fines on infractions of all kinds. As a loophole, monopolies were sold to companies since it was illegal to sell them to individuals. He seized lands in Scotland which had previously been alienated from the crown. He taxed all minerals, cloth, starches, soaps, spectacles, gold and silver wire, playing cards, waterworks, and even taverns. On the whole Charles' attempts to increase his revenue were quite successful. Impositions on

¹⁹² Konnert, 189.

¹⁹³ Once again this was to resolve political tensions which arose during the rule of yet another minority, this time Louis XIII.

¹⁹⁴ Conrad Russell, *The Crisis of Parliaments*, (Oxford: Oxford University Press, 1971), 319.

trade were bringing in £119,000 a year by 1636. His new impositions yielded an additional £60,000. A monopoly on soap added an additional £29,000 a year. The sea coal trade brought £18,000.¹⁹⁵ Charles also set about fining those who had not been knighted at his coronation which brought in £170,000 between 1629-35.¹⁹⁶ In addition to revenues from royal lands, ship money, forced loans, and gifts from royalist subjects, all told the king's income was an average of £899,000 per year. Roughly 56% of revenue from the entire reign of Charles I came from indirect taxation, including the period in the 1620s before Personal Rule where he still received consensual grants from Parliament. This was a much higher proportion than Henry VIII, Edward VI, Mary I, Elizabeth I, and James I. If one only looks at the period of Personal Rule from 1629-1640 the share of indirect taxation jumps to 90%.¹⁹⁷

For several years it appeared Charles I's various expedients in addition to the various forms of indirect taxation to which he had arbitrary rights would be enough to sustain him, provided he stuck to domestic expenses and did not indulge in the single largest expense of the early modern era – warfare.

Then things started to go wrong. Public discontent was growing, firstly with the appointment of Charles' Arminian favourite William Laud to the archbishopric of Canterbury in 1633. In taxation Charles also overstepped the mark. In order to enlarge the navy, Charles found a loophole which allowed him to collect Ship Money without

¹⁹⁵ Russell, 317-8.

¹⁹⁶ Mark Kishlansky, *A Monarchy Transformed: Britain 1603-1714*, (London: Allen Lane, 1996), 120. This fine was an outrageous revival of a forgotten statute from the thirteenth century, which required all men over a certain income to present themselves at the coronation and become a knight.

¹⁹⁷ Russell, *Crisis*, 319. See also Conrad Russell, *The Fall of the British Monarchies: 1637-1642*, (Oxford: Clarendon Press, 1991) 1-27; L.J. Reeve, *Charles I and the Road to Personal Rule*, (Cambridge: Cambridge University Press, 1989), 58-98; Christopher Hibbert, *Charles I: A Life of Religion, War, and Treason*, (New York: Palgrave Macmillan, 2007) 138-144. See also figures in Patrick O'Brien and Philip Hunt, 'England 1485-1815' in *The Rise of the Fiscal State in Europe: c.1200-1815*, (Oxford: Oxford University Press, 1999), 62 & 72.

consent. This brought in around £200,000 a year.¹⁹⁸ In order to enhance the yield Charles extended the tax into land-locked areas, although traditionally only regions on the coast had to pay the tax. This sparked protest. In order to make an example of someone, Charles took to court for non-payment a man named John Hampden, a member of the House of Commons who was hostile to Ship Money. Hampden lost the case but it kicked off a massive campaign of tax refusal and revenue was reduced to around £60,000 per year prior to the Parliament of 1640.¹⁹⁹

What broke Charles was Scotland. Arguably one could classify the conflict with Scotland as warfare, or else domestic strife, but it was doubtless an uprising no more severe than that of the Huguenots against Louis XIII in the 1620s, with their eighty towns, private army, and mighty fortresses. In keeping with his religious policy, in 1637 Charles introduced a new prayer book in Calvinist Scotland formed along Anglican lines. There was a riot in Edinburgh, and the bishop who presided over its first use barely escaped with his life. Thousands of Scottish petitioners signed a 'national covenant' and bishops were generally abused by congregations. The Scots armed and a rebel army was formed. Charles could not afford to raise a sufficiently well equipped force to meet it. Charles relied heavily on loans instead of calling Parliament. By April 1639 an army of 28,000 had assembled at York, along with a 5000 man amphibious force of whom only 200 were proficient with a musket.²⁰⁰ Without revenue from Parliament Charles could not raise an army to quell a rebellion within his own kingdoms, much less fight a foreign war.

¹⁹⁸ Russell, *Crisis*, 321-3.

¹⁹⁹ Russell, *Crisis*, 321-3.

²⁰⁰ Trevor Royle, *The British Civil War: The Wars of the Three Kingdoms 1638-1660*, (New York: Palgrave Macmillan, 2004), 92.

It is likely the force Charles managed to scrape together would have collapsed under the Scottish attack. Charles marched north and was met by a much larger and better organised force at Berwick in 1639. It is indicative of his lack of confidence in his force that without a single engagement being fought, Charles sued for peace. This makes an unfavourable contrast with Louis XIII who could confidently organise a force to deal with the Huguenots at home and win. Negotiations stalled and war appeared imminent once more. The Scots demanded a subsidy of £300,000 while they waited.²⁰¹ This demand Charles could not possibly afford in an already strained position. Without a shot being fired, Charles was compelled by his own lack of funds to convene his representative assembly and ask for consent to taxation – after holding out on his minority share of taxation for eleven years. In spite of deliberate resistance to the principle of consent, without arbitrary taxation Charles was compelled to address the grievances of his subjects – and there were many.

In the event, Parliament was again convened and it demanded that the king address their grievances about constitutional and religious issues before any tax revenue would be granted. Instead of complying with this request, Charles escalated tensions until both parties resolved on war. Subsequently Charles was not only checked in his power, but removed from his throne after a protracted civil struggle. Violent action was his only option in light of the fact that by institutional means Charles was compelled to address the grievances of a national assembly – because they possessed the right of consent over taxation. The effectiveness of this one simple tool is astounding and outstrips the restraints that legal courts or provincial assemblies attempt to lay on a powerful and wilful king. Francis I has illustrated the effectiveness or lack thereof of those restraints.

²⁰¹ Russell, *Crisis*, 329.

Powers of consent tower above them all as a considerable restraint on the king which *was* able to prevent him from ‘pursuing his projects’.

This same result in 1640 was seen in the ordinances of 1355 and 1357 in France, when the French crown proclaimed limits on its prerogative in a way obviously advantageous to and dictated by the Estates-General. Charles I of England was faced with the same institutional deadlock. Alternatively, Louis XIII had enough of arbitrary tax revenue to pay all his domestic expenses without the same difficulty as Charles, and even to put down a massive Huguenot uprising. Absolutism in France was assuredly not ‘limited by the king’s ability to pay for his projects’ and the ‘inefficient’ tax system, with its exemptions and *pays d’états*. The tax system was more than capable of providing the French king with the ability to rule his own kingdom without being checked by the grievances of his subjects. In the pre-modern period it appears that the surest and most effective check on the king was to make him ask permission for the money to pay for those projects. Without this, it appears the French king after 1439 was able to pursue his own aims regardless of the opinion of any other institution or branch of government, provided he had the will and the intelligence to do so. With a small army and bureaucracy, however, he was not in any sense ‘totalitarian’. Nor were his actions always ‘tyrannical’ even if they were autocratic – for it was an autocratic age. Yet the supreme lack of effective checks certainly indicates his power was considerable, and it is in that sense the French monarchy after 1439 can be defined as absolutist.

Conclusion

The first chapter surveyed the vast amount of scholarship that has been produced in debating whether early modern French kings 'were absolute or not' or 'just how absolute they were'. It has shown the principal weakness which has crippled the debate is to adequately define precisely what absolutism *is* beyond some vague unarticulated notion of all-encompassing and indefatigable power. If absolutism is defined as something so extravagant that it makes the king appear as a near totalitarian dictator of the early modern state, of course the term will be torn to pieces by scholars. However, since absolutism is an anachronism and an analytical historical term, there is no reason why we cannot make the definition suit the facts of the case.

The second chapter laid forth the growth and entrenchment of arbitrary taxation as a trait that completely altered how the French king interacted with his institutions. It charted the periods of royal weakness where the king had to go cap in hand to the Estates-General and other assemblies in order to gain funds, and could usually only do so in cases of 'evident necessity' or when he made concessions to the grievances of those assemblies. In the mid-fourteenth century these came at the expense of his prerogative, which he was compelled to trade like chattel. In a moment of crisis and clear 'evident necessity' Charles V was able to levy the *fouage*. Similarly, in a moment of crisis Charles VII was able to get a great deal of money out of the Estates by consent and later by entrenching the arbitrary levy of the *aides* and the *taille*. This was the decisive point. From that point forward, although the crisis subsided, arbitrary taxation continued to be levied. By and large, the Estates-General had lost control of their powers of consent. Thus they lost one of the most formidable restraints on royal power.

Nevertheless revisionists have cited the various assemblies, *parlements*, and the inefficiency of the tax system as limits upon royal power.²⁰² The case studies have shown that without clearly defined powers of consent, Louis XI could raise taxation to unprecedented heights and there was nothing anyone could do until his death. At the Estates-General in 1484, the regency managed to avoid the return of consent in exchange for the reduction of the *taille* and other promises, but soon the regency was able to renege. Francis I was a powerful and wilful Renaissance king who on two separate occasions undermined the legislative authority of the *parlement* of Paris, which was reduced to stall tactics and eventually had to fold. Francis in spite of opposition was able to enforce his will upon the kingdom.

One of the most severe criticisms of absolutism is the inability of the arbitrary tax system to enable the king to pay for all his projects. However, as has been argued, the vast bulk of expenses on the treasury were constituted by warfare. And warfare is a unique expense. It does not come with a predetermined price. Treasuries are emptied until victory is won. If the king wins the war, he may well expand his ambitions until he is engulfed in another. However inefficient the arbitrary taxation system was, it was more than sufficient to pay for domestic expenses. Louis XIII, dealing with the Huguenots in the 1620s shows how the largest expense can be reduced by avoiding war or minimising its scope in order to deal with civil dissent at home. Louis XIII presents a case all the more potent because the Huguenots represented not a few judges, nobles, or venal bureaucrats, but the largest and most powerful corporate group in the history of early

²⁰² E.g. James Russell Major, *From Renaissance Monarchy to Absolute Monarchy: French Kings, Nobles, and Estates*, (Baltimore: Johns Hopkins University Press, 1994). Nicholas Henshall, *The Myth of Absolutism: Change and Continuity in Early Modern European Monarchy*, (London: Longman, 1992). James Collins, *Fiscal Limits of Absolutism: Direct Taxation in Early Seventeenth Century France*, (Berkeley: University of California Press, 1988).

modern France. They had their own army, their own fortified towns, and yet still Louis was able to mass his formidable resources against them simply by temporarily avoiding the boundless drain of war.

This thesis redresses an imbalance. While scholarship of the past few decades has effectively dispelled myths about the exaggerated power of an absolutist king and his ‘tyrannical’ and ‘despotic nature’ they have gone too far. Absolutism was not limited by inferior tax systems or the influence of bureaucrats. It is true these things had to be confronted by a king and overcome. But when it came down to imposing an institutional check on the king’s power, it appears nothing was quite as effective as power of consent over the majority of taxation. The issue of money, and this issue alone, was enough to make the king sit up and listen. It constitutes the only institutional restraint upon the monarchy. Without it, all other restraints were as flies around a bull.

My four main propositions are, one, that absolute monarchy is identified by a system with no reliable restraint preventing its encroachment upon the clearly defined rights and privileges of its subjects. Two, that does not mean the king always did encroach on them, which would have tasted of despotism, but the *ability* of the king to encroach without any significant means of institutional protest or restraint on his doing so is what defines absolutism. Three, that the only sure restraint in any autocratic system in the early modern period was powers of consent over taxation – since kings everywhere, absolute or otherwise were extremely powerful in an autocratic age – and a kingdom lacking such a restraint was an absolutist state. Four, that the French monarchy after the entrenchment of arbitrary taxation in the reign of Charles VII undoubtedly fits this description.

Therefore I submit that an absolutist system lacks any effective institutional check on the king's power, arbitrary taxation undermined such institutional checks. By extension, an absolutist system can be defined by the presence of a large amount of arbitrary taxation. 'Absolutism' is an anachronistic term devised to describe a nature of early modern kingship for which we have no other word. For the good of historical analysis this term should be defined as precisely as possible. Large bureaucracies, large armies, specific amounts of money, or the absence of central representative assemblies like the Estates-General do not in themselves describe absolutism with any great precision, which is why revisionists have undermined them. The sole, key, defining characteristic of absolutism which brings into significance all others is arbitrary taxation. From this standpoint, absolutism can be analysed by historians – for both its strengths and its weaknesses. At long last, absolutism can be redeployed as an analytically rigorous historical term, it can fill the function that it was originally designed for, it can symbolise and embody a more concrete meaning, and it can stand alone without propping itself up with apology or qualification. In short, it can do what historical terminology should do: describe and instruct rather than obscure and obstruct.

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