

De Lamoignon on the power of the king (1787)

An extract from a November 1787 speech given by Chretien-Francois de Lamoignon, the minister for justice. Earlier in 1787 an Assembly of Notables and the Parliament of Paris had refused ministerial appeals for reform and financial assistance to the state. Lamoignon, a leading Notable and former president of the Parliament, here reminds his peers of Louis XVI's superiority by dismissing their call for a meeting of the Estates-General (France's legislative assembly) in return for approval of a loan. The following May Lamoignon issued six edicts aimed at undermining the judicial and political power of the Parliaments, provoking rioting in Paris and provincial centers. In July Louis decided that he would, after all, convoke an Estates-General in May 1789, and Lamoignon was dismissed.

These principles, universally accepted by the nation, prove:

That sovereign power in his kingdom belongs to the king alone;

That he is accountable only to God for the exercise of supreme power;

That the link that unites the king and the nation is by nature indissoluble; That the reciprocal interests and duties of the king and his subjects ensure the perpetuity of this union;

That the nation has a vested interest that the rights of its ruler remain unchanged;

That the king is the sovereign ruler of the nation and is one with it;

Finally, that legislative power resides in the person of the sovereign, depending on and sharing with no-one.

These, sirs, are the invariable principles of the French monarchy... It results from these ancient maxims of the nation, testified to on each page of our history:

That the right to convene the Estates-General belongs to the king alone;

That he alone must judge whether such a convocation is useful or necessary;

That he needs no special powers to administer his kingdom;

That a king of France, in the representatives of the three orders of the State, would find only a more wide-ranging advisory council...

When our kings established the parliaments, sirs, they wished to appoint officers whose duty it was to administer justice and to maintain the edicts of the kingdom – and not to build up a power to rival royal authority.

Source: Archives parlementaires, 19 November 1787, Series 1, vol. 1, pp. 265-9.

Cahiers de doléances, province of Berry, spring 1789

Members of the First Estate envisaged a rejuvenated feudal order under the backing of a Catholic monopoly of worship and morality. However, as commoners by birth, many parish priests showed a lively concern to reform the system of justice and taxation in the interests of their parishioners. Here the Dean of the cathedral of Bourges in central France and thirty-one clergy in the cathedral chapter outline their advice to the king. Such men were not as critical of the elite of the clergy as were parish priests; even here, however, they condemned those who held important positions in absentia (absently).

Respectful grievances from the metropolitan church of Bourges.

Article 2. . . . May it please His Majesty to order that all those who, through their writings, seek to spread the poison of incredulity and attack religion and its mysteries, discipline and dogmas, be seen as enemies of the Church and the State and severely punished; that printers be once again forbidden to print books contrary to religion; to forbid also bookshops and peddlers to spread such books. To order that judges, accompanied by educated and enlightened clergymen, designated by the bishop, will from time to time visit printers and bookshops, and that all the books contrary to religion and good morals be seized and confiscated, and that the said offending printers and bookshops will be prosecuted according to the severity of the law.

Article 3. The apostolic and Roman Catholic religion is the only true religion. More ancient than the monarchy, she ascended to the throne of our kings with Clovis and has never descended from it. May she reign alone in the kingdom, the only friend of kings!

Article 6. The spirit of religion and of piety is being extinguished in all social orders, the divine and human laws that order the sanctity of Sundays and holidays are violated publicly and with impunity, both in the city and in the countryside. The roads are full of carriages; workshops, shops, cabarets and gaming houses are open on these holy days, even during the hours devoted to the divine service and the education of the faithful. Abuses continue despite the severity of the laws...

JUSTICE

Article 14. . . . May it please His Majesty to reduce the overly widespread jurisdiction of the Parlements; to reduce also the number of courts of law; to simplify further the conventions of justice, and have the code—both civil and criminal—reformed.

SALT TAX

Article 16. All France sees the salt tax as the most disastrous of taxes, even though it weighs most unequally on different parts of this kingdom. Berry, which is in the region of greatest salt tax (grande gabelle), is one of the provinces which has the most reason to complain; besides the enormous sum that the salt it consumes costs it, and which is nearly equivalent to that of the direct tax (taille), poll tax (capitation) and others, its inhabitants are regularly troubled by all the fiscal searches and the surveillance that its proximity to a retithed {lighter taxed} region necessitates, where salt is reasonably priced;. . . fraud, whose cunning cannot be calculated, always finds ways to bring salt from the retithed region into those that are not. . . What a happy change Berry would undergo if the price of salt were sufficiently modified so that its inhabitants could give it to their animals! This would protect them from many sicknesses . . .

CONCLUSIONS

These are the respectful grievances of the metropolitan church of Bourges, those that love for religion and zeal for the public good have dictated.

May the assembly of Estates-General re-establish the empire of morals, make religion reign, reform abuses, find a remedy for the evils of the State, be the era of prosperity in France and profound and durable glory for His Majesty.

Signed: Beugy, Dean, and thrity-one other clergy

Source: Archives parlementaires, Etats-Generaux 1789. Cahiers, Province du Berry, pp. 509-12.

Answer the following questions based of the previous documents.

1. What complaints, if any, does your estate have?

2. What are some potential solutions to your complaints?

3. What obstacles are present that would prevent you from achieving your goals?

4. How would you vote on a new law to raise taxes? Yes or No?

The Cahier of The Second Estate of Berry, 1789

Eleven noble representatives gathered in the town of Bourges on March 28 to draw up this cahier. It demonstrated a willingness to join the third estate but with qualifying clauses. It looked forward to a permanent sharing of power with the king but insisted on the special role for nobles.

GENERAL GATHERING

Of the order of the nobility of the Province of Berry for the Estates-General

The spirit of unity and agreement, which has always reigned between the three orders, is equally manifest in their cahiers. The question of voting by head in the assembly of the Estates-General was the only one to divide the Third Estate from the other two orders, whose constant wish has been to deliberate there by order... it is with the greatest satisfaction that the orders have seen that their cahiers, although separate, could be seen as effectively comprising only one, motivated by the same spirit.

TITLE 1

Constitution

Article 1. *The deputies will seek to discuss any other matter only when they will have stated in the most positive manner and in the form of fixed and unalterable law:*

- 1. The recognition of administrative power belonging fully to the king;*
- 2. The rights of the nation to consent to laws as well as the grants [taxes], their sharing out and collection;*
- 3. Public and individual freedom, from which derives that of the press, guaranteed according to the law;*
- 4. The sacred and inviolable right of property, the stability of the courts, the irremovability of their officers...*
- 7. The periodic return of the Estates-General.*
- 8. The establishment of provincial Estates in each province...*

TITLE 3

Grants [taxes]

Article 2. *They will demand the abolition of the salt tax and the replacement of this imposition by another that is less onerous...*

TITLE 5

The deputies will ask:

Article 8. *That all bourgeois who are privileged inhabitants of towns give up all exemptions, immunities, privileges, under whatever designation they are represented, even under the title of public teaching or whatever else it may be....*

Article 14. *That the current rate of poll tax for nobles and privileged men in this province not serve as a basis for the new distribution of taxes, given that it has been recognized as being excessive and disproportionate....*

TITLE 6

Nobility

The deputies of the order of the nobility of Berry at the Estates-General will ask:

Article 1. *That all venal nobility will be abolished.*

Article 2. *That the provincial Estates be able to present to the king those of their fellow citizens whose services rendered put them in the position of obtaining nobility.*

Article 5. *The deputies will especially occupy themselves with all that concerns the interests and glory of the nobility of the provinces, having the least access to the favours of the court.*

....

Done and settled in the special hall for the order of the nobility assembled to this effect in Bourges, this Saturday, 28 March 1789. Signed by all the members of the order of the nobility, and particularly by the eleven representatives named for the drawing up of this register.

Source: Archives parlementaires, Estates Generaux 1789. Cahiers, Province du Berry, pp. 319-22.

Answer the following questions based of the previous documents.

1. What complaints, if any, does your estate have?

2. What are some potential solutions to your complaints?

3. What obstacles are present that would prevent you from achieving your goals?

4. How would you vote on a new law to raise taxes? Yes or No?

The Cahier of The Third Estate of Berry, 1789

The sharp contrast in the outlook of prominent members of the Third Estate of Bourges and that of the nobility is readily apparent, as are some startlingly radical attitudes to individual freedoms.

Cahier of grievances, petitions and remonstrations of the Third Estate of the bailliage of Berry, March 23, 1789

May it please the king and the assembled nation to order:

Article 1. *That the Third Estate will have in perpetuity at the Estates-General a number of voters at least equal to that of the two other orders united; that the three orders will deliberate in common...*

Article 3. *That a law can be made only with the participation of the king and the Estates-General.*

Article 4. *That no tax be legal or collectable unless it has been consented to by the nation in the assembly of the Estates-General; and the said Estates can consent to it only for a limited rate, and until their following meeting, so that if this subsequent meeting is not held, all taxes will cease...*

Article 10. *That the press will be free, on the condition that the author will remain responsible for what is produced. Printers will equally be responsible for anonymous writings...*

Article 17. *That taxes remaining or to be established will be borne equally on the same roll by all orders of the State, at the rate of individual properties or capacity to and; and the Third Estate, sensitive to the justice and the disinterest of the first two orders of the province, cannot record their wish here without offering them testimony of their gratitude....*

Article 23. *That positions and offices without function be abolished, or at least that the salaries that accompany them be greatly reduced.*

Article 24. *That all non-Catholic subjects will enjoy all the rights of the citizen, with the exercise of public worship reserved only for the Catholic religion.*

Article 30. *That the laws excluding the Third Estate from civil and military ranks be abolished.*

Article 32. *That municipal officers be elected.*

Decided in the assembly of the Third Estate of the bailliage of Berry, 23 March 1789.

Source: Archives parlementaires, Estates Generaux 1789. Cahiers, Province du Berry, pp. 323-5.

Answer the following questions based of the previous documents.

1. What complaints, if any, does your estate have?

2. What are some potential solutions to your complaints?

3. What obstacles are present that would prevent you from achieving your goals?

4. How would you vote on a new law to raise taxes? Yes or No?

Estate	Complaints & Problems	Suggested Solutions	Obstacles	Vote, Yes or No?
1 st Estate				
2 nd Estate				
3 rd Estate				

The Declaration of Independence (1776)

An abridged transcript of the Declaration of Independence, drafted and passed by the second Continental Congress in July 1776:

Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance...

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing with manly firmness his invasions on the rights of the people...

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries...

He has kept among us, in times of peace, standing armies without the consent of our legislatures.

He has affected to render the military independent of and superior to the civil power...

For Quartering large bodies of armed troops among us.

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states.

For cutting off our trade with all parts of the world.

For imposing taxes on us without our Consent...

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our Governments...

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation and tyranny, already begun...

In every stage of these oppressions we have petitioned for redress in the most humble terms: Our repeated petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people...

We, therefore, the representatives of the United States of America, in General Congress, assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare:

That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

1. Based on the previous document and your knowledge of American history, highlight similarities and differences between the complaints of the three estates and those of the American colonists.
2. Based on your knowledge of the American Revolution, what events would you expect to occur in France as a response to the social, economic and political problems.