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Chapter 1 : The Politics of Religion in Early Modern France | CritCom

Religion and Royal Justice in Early Modern France: The Paris Chambre de l'Edit, (Sixteenth Century Essays & Studies) 1st Edition.

Please contact mpub-help umich. Old Regime France, David Bell has observed, was a "judicial society" where "the experiences of the law courts were central to the way in which political action was conceptualized. It was the law which constitut[ed] the meanings of the terms in which these claims [were] framed, the nature of the contexts to which they pertain[ed], and the authority of the principles according to which they [were] made binding. It shap[ed] the constitutions and powers of the agencies and procedures by which contestations [were] resolved, competing claims authoritatively adjudicated, and binding decisions enforced. Instead, they focus on patronage networks and personal ties as determining the flows of power and authority among the panoply of local, regional, and national authorities that collectively made up the French state. On the one hand, the law pervaded politics and governance. On the other hand, it seems to have been of limited importance in regulating and determining the actual flows and operations of power, especially when considered next to the influence wielded by powerful patrons and the consequences of their pursuits of individual and familial interests. This paradox may reflect, at least in part, a modern tendency to see the law and networks of patronage and influence as somehow antithetical to, or at least in significant tension with, each other. It is well known that the Old Regime legal system was indeed far from autonomous in the modern, Weberian sense. Even so, this hardly means that law was irrelevant to the ways political actors thought about and contested the distribution of power and resources in early modern France. If we look at law not as set of norms or regulations, but as a collection of principles and procedures that could be used for contesting and resolving disputes, then this opposition disappears. The law, in other words, worked in tandem with clientage networks and other informal channels of influence that have drawn so much attention from scholars. In a society where most rights were traditional and where the many levels of the judicial apparatus were far more highly developed than the institutions which created or enforced legislation, it is not surprising that the essence of local government was the pursuit of large numbers of cases in the courts. In so doing, we can begin to see how it operated alongside and in tandem with the patronage networks that have received so much scholarly attention. The rule of law and patronage were not antithetical; they were interdependent. Law helped to shape the terms of disputes, to reduce them to a set of issues and principles that could be argued over and resolved. Finally, the law conferred legitimacy not only on the intervention of patrons, but also on the resolution of the disputes at hand, however achieved. In fact, the absence of a definitive legal code was in many ways a source of its strength. Early modern jurists, it is true, often delineated a hierarchy of authorities. Legal professionals were "experts at managing social and legal constructs" and at creating meaning and establishing at least a degree of certainty in the face of conflicting constructions of social reality. For Bourdieu, the "judicial field" acts by channeling conflicts into an environment where experts with recognized technical competence mobilize often with unequal degrees of success appropriate texts, arguments, and tactics in an effort to secure a peaceful resolution that favors their party. Crook has observed in his study of advocacy in ancient Rome. It consists on the one hand of "a set of rules to be obeyed, made by legislators and refined, interpreted, codified and disputed about by jurisprudents. Law under the Old Regime did not provide clear-cut rules and principles; rather it provided a variety of concepts, languages, and procedures "by which culture and community [were] established, maintained, and transformed. Little wonder, then, that Alexis de Tocqueville would later describe the legal system as the last rampart of French liberty under the Old Regime. Early modern law courts were one part of a much larger system of dispute resolution that incorporated mediators, arbitrators, and other parties who brokered, negotiated, or otherwise helped to bring about informal settlements. Litigation did not represent an abandonment of less formal means of dispute resolution; rather it was inextricably bound up with them. It is well known, for instance, that the vast majority of lawsuits were abandoned before trial. Parties usually went

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to court not to win definitive judgments, which were often difficult to obtain and costly to execute, but rather to force their adversaries to negotiate or seek another type of informal settlement, such as mediation or arbitration. These norms, in turn, "provided ranges of discourse within which a comprehensible picture might be constructed, either by two parties directly negotiating or by a third party. In a pleading before the parlement, for instance, the barrister Pierre Guillaume, a member of the city council, noted that more than thirty suits between the municipality and the bailliage had been filed at the parlement or the royal council in the past three or four years alone. A compromise between the two bodies in December appeared to have brought this protracted jurisdictional conflict to an end. Esprit following the death of their abbots or rectors. In all other instances, the municipality was to retain jurisdiction over the affixing of seals, the preparation of post-mortem inventories, the naming of tutors, and other similar matters. As historians of early modern France are well aware, however, things were rarely this simple. While adding its complaint to others pending before the royal council, it resolved to send it to the Prince as well in the hopes that he would rule on it. Several months later, the municipality and bailliage began a series of intense negotiations designed to resolve these jurisdictional issues. Neither the parlement of Burgundy nor the royal council ultimately resolved the many lawsuits between the municipality and the bailliage over the affixing of seals, the preparation of inventories, and various other jurisdictions. Indeed, it would be easy for us to dismiss these conflicts as just another example of the endemic litigation of the early seventeenth century, which Orest Ranum has described as "waves in the sea, rising and falling with each new generation of officials and judges. A closer look, however, suggests that we should not be so quick to dismiss the importance, even the necessity, of the law to both the dispute between the municipality and the bailliage and its ultimate resolution. Courts of law and their procedures provided an institutional framework that gave shape to the conflict, channeling it away from violent confrontation and enabling the two bodies to continue functioning while they awaited the resolution of their dispute. Of course, it took thirty years for the conflict to be resolved. Certainly, the First Prince of the Blood and royal governor of Burgundy, a close ally of Richelieu and one of the most powerful men in France could have imposed a resolution on this dispute much earlier had he been inclined to do so. But he did not, and this fact is revealing when it comes to understanding how the Old Regime state actually operated at the local level. Powerful patrons were not likely to spend much time, effort, or credit trying to resolve such matters. Rather than force a solution, all they could, or would, do was to bring the parties together to work out a compromise that both could live with. The terms of these compromises were defined and dictated by what both sides understood to be the legal concepts, principles, and norms that applied to the case at hand. The role of law in politics and governance, in short, looks much like the role of the law in civil and criminal cases studied by legal historians and legal anthropologists over the past several decades. Law was part of a larger system of dispute resolution whose boundaries and tactics were well understood and widely utilized by all parties. The "rule of law" in the Weberian sense of an impersonal, normative, and abstract system of regulations and authorities did not exist in early modern France. Yet the "rule of law" did exist. Without it, processes of negotiation, arbitration, mediation, and other informal mechanisms of dispute resolution could not function effectively. Law provided the frame of reference, the structure, and the aura of legitimacy needed to enable political rivals to settle the constant quarrels and jurisdictional conflicts that marked the workings of the Old Regime state. This was perhaps best expressed by the oft-cited Roman Law principle *digna vox maiestate regnantis legis alligatum se principem profiteri*. University of California Press, , Kenneth Douglas McRae, trans. Richard Knolles New York: Cambridge University Press, , 4: Cambridge University Press, , Royal Historical Society, , Studies of criminal justice have dominated work on early modern law courts and justice. Variorum, ; Malcolm R. Greenshields, *An Economy of Violence*: Farr has recently traced the workings of a noted case in seventeenth-century Dijon, exploring both the legal and extra-legal maneuvering that surrounded the so-called "Giroux affair. Duke University Press, Recently, scholars have begun to explore the workings of civil courts, which accounted for the vast majority of cases under the Old Regime. Schneider, "The Village and the State: Justice and the Local Courts in Normandy, " Ph. For a more general overview, see

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Arlette Lebigre, *La Justice du roi: Bell, Lawyers and Citizens: The Road to Modernity?* Cornell University Press, 1997, 100 pp., \$35.00; Jay M. Smith, *The Culture of Merit: University of Michigan Press*, 1997, 200 pp., \$35.00; Sara E. Chapman, *Private Ambition and Political Alliances: Wolfgang Reinhard* New York: Oxford University Press, 1997, 200 pp., \$35.00. Among those who consider the interplay between law and patronage are David Parker and James B. On Parker, see below, note He distinguishes this from "custom" or "contractual agreements" that served as guarantees against arbitrary behavior by the king and his officials. Old Regime legal thinkers, however, considered "custom" to be a basic component of the law. See *Class and State*, Even so, I would argue, Parker errs in construing the political role of the law so narrowly and limiting it to families and other groups located near the center of the state. Free Press, 1997, 200 pp., \$35.00; Beik, 1997, 200 pp., \$35.00; and Parker, "Sovereignty," Scott defines legitimacy as "a condition reflecting perceived consonance with relevant rules and laws, normative support, or alignment with cultural-cognitive frameworks: Sage, 1997, 200 pp., \$35.00; Sirot, 1997, 1: Thomas Kuehn, *Law, Family and Women: University of Chicago Press*, 1997, 200 pp., \$35.00. On problems of legal interpretation during this period, see Ian Maclean, *Interpretation and Meaning in the Renaissance: The Case of Law* New York: Cambridge University Press, 1997, 200 pp., \$35.00. Cornell University Press, 1997, 200 pp., \$35.00. White cited in *Ibid.* Simon Roberts, "The Study of Dispute: Anthropological Perspectives," in *Disputes and Settlements: Law and Human Relations in the West*, ed.

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Chapter 2 : Ritual, Civic and Royal | calendrierdelascience.com

Religion and Royal Justice in Early Modern France. The Paris Chambre de l'Edit, Diane C. Margolf "This is the first book to try to examine and explain in a systematic way why the royal justice system was never able to protect the interests of French Huguenots after , as the Edict of Nantes implied it would do.

Europe, to The words "ritual" and "ceremony" are here used interchangeably because separating them would be anachronistic and would suggest distinctions that people did not make until near the end of the early modern period. By the nineteenth century, the words had come to denote the ostentation of power and superstitions and the exotica of non-Western or illiterate societies. The words first gained currency in the sixteenth century to disparage heretical religious and extravagant political practices. Before this time, rituals or ceremonials were not concepts as much as books of practices that gave some precision to the places, costuming, and gestures in processions and assemblies, as seen in the late-fourteenth-century Roman clerici cerimoniarum or the Libro Ceremoniale of Florence. These large-scale performances frequently placed religious, royal, and civic-legal rituals on the same plane. With the growth of the state in the late sixteenth and early seventeenth centuries, the most powerful element and participants were those intent on expanding their spheres of influence in the government. As arguments about national character and divisions of power continued, these interested parties invested in rituals to strengthen or on occasion to question or to redirect governmental authority and their status or rank within it. Courtiers, nobles, judges, wealthy townsmen, and others dependent on the resources and patronage of princes sought to define in their favor the overall meaning of ritual or ceremonial performances and to represent in them their personal or official status in the state. Thus, the terms "ritual" and "ceremony" came to describe the highest performances of princely and royal celebrations. In it, he published historical accounts of the ranking and actions of officials and courtiers in rituals-with-the-king, which he presented according to the prescriptions of an encompassing political theory of hierarchy and kingship. The collection also incorporated many elements of traditional legal protocols and religious acts. In these collections, rituals and ceremonies supplied essential cultural components for the practice of what we call "politics" and what early modern people thought of as mysteries of governance. Rituals and ceremonies bound together the societies of medieval and early modern Europe; they occurred any place where a group of people claimed a particular purpose, legitimacy, and identity. Townsmen, judges, English common lawyers, and princes self-consciously expanded the scale, rhetoric, and publicity of civic and royal events as rites of passage and of government, which served for the sanctification, legitimization, and continuity of communal and national authorities. According to their needs and the circumstances, fifteenth- and sixteenth-century governments appropriated ritual practices and ideas from religious, classical, feudal-military, and legal-constitutional traditions. Public participation even in the roles of spectator or reader was extended over time, space, and social groups through processional rankings, symbols, medallions, program books, special costumes, reenactments, and ritual theater. By , and certainly under the influence of earlier Italian rulers like the Sforza of Milan, the Medici of Florence, and the doges of the Venetian Republic , royal rituals in England , France, and Germany exalted the ruler from a symbol of state and society to its actual embodiment, and the ceremonies frequently equated these kings with pagan rulers or gods. They encouraged obedience within the political hierarchy and obligated nobles, royal officials, and subjects to act out their parts in that order, and they centralized the king and his royal court as the source of privilege and honor. Similarly, in guild elections, funerals, or pageant-laden communal processions, western European cities staged rituals to reinforce sociopolitical hierarchies and to connect individuals to the larger community. The ritual of the royal touch developed into frequent public demonstrations of the miraculous results of coronation rites, in which kings were both anointed with holy oil and crowned. Bloch traced the vicissitudes of the ritual among the divergent explanations of eight centuries of writers. French kings performed the ritual until the Revolution; the practice ended in England with the death of Queen Anne in

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The belief in the power of the royal touch emphasizes the notion that the king was a "mixed person"—part sacred and part layperson. In the fifteenth and sixteenth centuries, lawyers, officials, and corporate bodies claimed rights in this divine creation according to the notion of legal fictions: Ceremonies with kings and princes articulated these rights and mirrored right order in secular titles, offices, and institutions. Among the people participating in political life, rituals complemented and represented constitutional developments over which the seventeenth-century French were best positioned to assert hegemony as model builders. Other national histories took different turns: Four major French state ceremonies represent the models of European rulership. Royal entries advanced a civic and secular model of "humanistic kingship. Each ceremonial model of rulership had its own forms and venue. The coronation took place in great churches where the clergy and magnates of the kingdom had major roles in the ritual drama, which was replete with royal paraphernalia including the crown, holy oil, scepter and sword of state, gloves, slippers, and robes. The ritual entailed an undressing, anointing, redressing, and crowning of the king. The English Queens Mary ruled 1553–1558, Elizabeth ruled 1558–1603, Mary ruled 1689–1694, and Anne ruled 1702–1714 had coronations like kings, but issues of Protestantism and revolution—more than sex—gave occasion to changes in the liturgy, language, and scenic effects of the English ceremony. While Holy Roman emperors had elaborate coronations, imperial elections demystified the rituals and placed attention on politics of the empire. In France, royal funeral ceremonies developed an influential style and unique interregnum practices, such as the display of a lifelike effigy along with the corpse in its coffin and the disappearance from public duties of the heir until after the funeral. The funeral celebration focused on services before a magnificent catafalque with thousands of candles built within the church; the funeral served as an occasion for the court hierarchy to reassert itself in the form and order of its mourning. By the fifteenth century, Italian city-states such as Florence and Venice had appropriated processions to celebrate local saints into rituals that became "the principal mechanism for representing governmental authority," as Edward Muir writes. In London and Paris, royal entries were distinctly political by Their rites aimed to balance the tensions inherent between the dual desire to preserve local liberties and to give unconditioned loyalty to the sovereign. In London, guilds lined the streets in their livery as the new ruler and his entourage viewed street plays while en route to the coronation at Westminster. In Paris, the king returning from his coronation appeared on horseback under a canopy carried by guild members. He processed with his royal robe, hat, helmet, gauntlets, and sword displayed before him. From 1550, the royal seal and the chancellor of France preceded the king to accentuate the legal nature of the ceremony. Likewise, the Parlement of Paris in robes of office closed the ranks of several thousand liveried urban groups. Thousands of splendidly costumed lords and nobles followed the Parisians as part of the royal procession. The Parisians had exited from the city to submit to the king and to lead the march into the city, where the king slowly made his way among tableaux vivants and street plays to a banquet at the Palais de Justice, residence of the Parlement of Paris. Other towns staged entries and progresses, but metropolitan and royal ceremonies tended to establish the norm in terms of rank and privilege within kingdoms. In Italian cities, despots and princes transformed the style and ultimately the meaning of entry pageantry from reciprocal ceremonies between rulers and cities to celebrations of power. By the 1600s, northern cities appropriated Italian monumental architecture, classical symbolism, and awesome images of the Roman triumph to their royal entries. In the process, they replaced the ceremonial image of the ruler as judge and arbitrator of a unified body politic with that of sovereign and absolute ruler. In the fifteenth century, French kings replaced royal robes of office with armor of parade. By 1600, Louis XIV began his Parisian entry seated on an especially built royal throne to receive the kneeling representatives of all major Parisian institutions, including the Parlement of Paris. In England after the Glorious Revolution of 1688 and the subsequent advancement of parliamentary power, royal ceremonies became shadows of their earlier magnificence and suggested constitutional restraints. The Spanish Habsburg Monarchy since Philip II had eschewed public state ceremonies, and royal rituals were performances of conduct and protocol within the relative privacy of the Spanish royal court. If the ruler were sacred in one place, like the coronation, he was now seen as sacred in all places and at all times. Thus, with the centering of princely activities in their courts, particularly Versailles,

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the minutiae of daily rituals inundated and depreciated traditional one-time or occasional state ceremonies. Seventeenth-century ceremonial researchers culled the rules governing the ranks, protocol, and conduct of subjects and those in royal service from the historical records of monarchical ceremonies. In many cases these were precarious, occasional, and random examples of behavior or acts that promoters of monarchical absolutism succeeded in ossifying into rules of deportment in a society based on ranks, orders, and honors. Rituals performed very occasionally in past centuries supplied the foundations for a perpetual etiquette at the royal court. Rituals that today appear to have been for minute distinctions—such as a system of seating and standing based on rank—were fundamental to the thought and habits of court and political society. Royal ceremonies marked the degree of honor possessed by any individual and his or her family. They set standards of deference for a code of courtesy, which guided both noble and bourgeois into new forms of civility. Ritual was refashioned into conduct, forms of association, and practices of disassociation. The collection that rationalized its taxonomy in terms of exalted royalty and unique national ceremonies. Festivals and Entries, One of several contemporary accounts of entries and ceremonies extensively annotated by Graham and Johnson. This one shows rituals of the monarchy in different regions of France. Zeremoniell und monumentale Poesis: The progresses and public processions of Queen Elizabeth. Among which are interspersed other solemnities, expenditures, and remarkable events during the reign of that illustrious princess. Collected from original manuscripts, scarce pamphlets, corporation records, parochial registers. The title gives an exact account of this useful antiquarian collection. The progresses, processions, and magnificent festivities of King James the First, his royal consort, family, and court; Collected from original manuscripts, scarce pamphlets, corporation records, parochial registers. New York, [reprint of edition]. Medieval and Early Modern Monarchical Ritual. Berkeley, Los Angeles, and Oxford, Collection of recent scholarship on European royal rituals. Bak has a very useful introduction to approaches to coronation studies. A study in rich detail of the sacred rituals of power, greatly emphasizing the early modern religious nature of kingship at the expense of other important aspects of royalty. The work does not place itself in the historiography of royal imagery and ceremony, particularly the seminal study of Ernst Kantorowicz. Sacred Monarchy and Scrofula in England and France. French publication of was the first to move from apologetics, polemics, or positivist interpretations of monarchical customs and ceremonies and apply the insights of ethnography and anthropology to interpreting historical sources. Essential for studying medieval and early modern ceremonies. Politics, Ritual, and Art in the Renaissance. Considers the sixteenth-century rise of magnificent ceremonies in regard to humanist rhetoric, sixteenth-century historiography, royal ideology, and politics. New Haven and London, Essential for understanding how royal power does not just happen but is fabricated. The Fortunes of the Courtier: Studies the Cortegiano as the stimulus to a series of discourses that contributed to codifying the social imagery and ideals of life among the early modern European aristocracy. Translated by Edmund Jephcott. New York, Highly influential, sociologically based study of the court of Versailles as a model of aristocratic behavior and shaper of modern codes of conduct. Politics, Patronage, and Royalty, edited by A. Basic source for the workings of Spanish royal ceremony. The Interpretation of Cultures: A work of extraordinary influence in the study of rituals that gives European history an anthropological frame for more contextualized studies. An overview of four major royal ceremonies that reveals access—which escapes positivist-minded historians—to institutions, events, and political history. The chronology of the rising and ebbing of a model offers a way to understand changes in the thought and practice of politics.

Chapter 3 : Siege of Alã's - Wikipedia

Religion and Royal Justice in Early Modern France to be affiliated with the parlements of Grenoble, Bordeaux, Rouen, and Toulouse. A fourth court, christened the Chambre de l'Edit or "chamber of the edict," would.

Chapter 4 : Surrender of Montauban - Wikipedia

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Chapter 6 : Patronage, Politics, and the "Rule of Law" in Early Modern France

The courts were not independent but, rather, branches of the parlements, royal courts of appeal that dominated the judicial systems of the French provinces. Most of the parlements' judges were Catholics, which made it difficult for the subordinate Catholic-Protestant courts to act decisively in defense of Protestant rights.