

THE UNIVERSITY OF CHICAGO

LIBERTY OF CONSCIENCE AND THE BOUNDARIES OF THE POLITY: TOLERATION,
SOVEREIGNTY, AND CITIZENSHIP IN SIXTEENTH-CENTURY FRANCE

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Abstract

Political instability and a theological crisis in France led to the outbreak of civil war in 1562 in the first of eight consecutive wars known as the Wars of Religion. The royal edicts of pacification that ended these wars were variously praised or condemned for granting *liberté de conscience* to French subjects. This dissertation establishes that the monarchy instituted a limited idea of liberty of conscience starting in 1563 in order to avoid granting French Protestants the full legal privileges of a *corps* - a rights-bearing association characteristic of old regime societies – and officially recognizing their church. This toleration was legally implemented through the Gallican kings' earlier secularization of heresy prosecution combined with the royal ability to grant privileges to French subjects. In the end, the monarchy's limited toleration separated the freedom of an individual's conscience from the right of a church to assemble for worship. This royal policy of not forcing consciences was in opposition to both full toleration of a second religion in France and continuing to persecute Calvinists as heretics. It also separated citizenship from Catholicity. This new Calvinist citizenship was perceived as a direct threat to both the Catholic Church and the French polity.

In this dissertation, the problem of toleration is seen through the battle over where the boundaries of conscience ended and began, which correlated with a debate about French citizenship, but also about what was and was not proper religion. It demonstrates that these two things were interrelated: to be a French citizen meant having access to a range of Gallican institutions, from various types of assemblies to the French Church itself. Calvinists wanted their own church as well as continued access to the politico-theological public sphere created by these Gallican institutions. The idea that conscience could be free while worship was limited was not recognized by the majority of Protestants to whom it was granted.

Toleration and the risk of pluralism was seen by many French subjects, Catholic and Protestant, as a direct threat to the polity. Liberty of conscience was used to try and get around the problem of pluralism by bounding conscience in the household; this dissertation explores how this dialectic between sovereignty and private property instantiated in the household was both the logic of liberty of conscience and that of logic for the basis of citizenship through the household in Jean Bodin's 1576 *Les six livres de la République*. By juxtaposing this theoretical argument with Bodin's role in the debates over liberty of conscience and property in the 1576 Estates General, the centrality of liberty of conscience in both defining French citizenship in a plural France and its deep connection to the practice of absolute royal power is revealed.

By rejecting the mapping of a rational/irrational dichotomy onto a political/ religious one, the Catholic League's rejection of a Protestant king through the adoption of Huguenot resistance theory and communal action in individual towns can be seen as the rejection of the private/public boundary of conscience that de-Catholicized French citizenship and the re-drawing of that boundary around their communal *corps* and, ultimately, the kingdom. Henri IV's eventual victory over the Catholic League and conversion to Catholicism can be seen as a triumph for Gallican institutions and a confirmation that the politico-theological sphere would remain Catholic.

French Calvinists continued to fight for inclusion as full members of the polity through the Reformed General Assemblies that negotiated with Henri IV after his conversion in 1593. Because their ability to participate relied upon the king's sufferance, Protestant institutional resistance to limited liberty of conscience had the obverse effect of its intention; Calvinist institutional self-organization both mirrored and strengthened the role of centralized monarchical institutions. Its conclusion determines that the battle over the boundaries of conscience resulted

in strengthening the monarchy from the bottom up, while freedom of conscience itself, long seen as the hallmark of nascent individual rights in the 1598 Edict of Nantes, was really a rejection of religious pluralism imposed on French subjects from the top-down. This early example of individual religious rights in the sixteenth century demonstrates to what degree civil rights are constructed and negotiated, and in what ways they can be circumscribed by their very existence.

Introduction

Although known as iconoclasts, the same French Calvinists that stripped Catholic churches of their ornaments developed a new form of musical ornamentation with the advent of psalm-singing. Sung from the vernacular psalter translated by the poet Clément Marot, they were a key feature of the French Reformed Church from its early formation. In the years before the first civil war began in 1562, groups of Calvinists would violate the ban on singing psalms while processing through the streets. During the wars, congregations and regiments often chose a particular psalm as their anthem.¹ Their association with Calvinist worship also made singing psalms a flashpoint for popular violence; even behind closed doors, Catholics could identify clandestine services by their sound and were known to break down the doors of Protestant homes in response. The fight over who had the right to be heard is illustrated in Catholic and Protestant contrasting accounts for one of the worst incidents of violence before the first civil war, in which armed Protestants worshipping in a neighboring home fatally raided the church of Saint-Médard just outside of Paris in order to silence its bells. Catholics claimed that they were ringing the church bells normally; the Protestant version of the incident was that the Catholics began ringing the bells repeatedly after having heard them sing their psalms in order to interrupt the sermon.²

¹ Barbara Diefendorf, “Waging Peace: Memory, Identity, and the Edict of Nantes,” in *Religious Differences in France: Past and Present*, ed. Kathleen Perry Long, Sixteenth Century Essays & Studies (Kirksville, MO: Truman State University Press, 2006), 34. See also Diefendorf, “The Huguenot Psalter and the Faith of French Protestants,” in *Culture and Identity in Early Modern Europe (1500-1800): Essays in Honor of Natalie Zemon Davis*, Barbara Diefendorf and Carla Hesse, eds. (Ann Arbor: University of Michigan Press, 1993), 41-64.

² Claude de Saintes, *Discours sur le saccagement des églises catholiques par les herétiques anciens et nouveaux Calvinistes de l’an Mil cinq cens soixante et deux* (Toulouse, 1562) and *Histoire véritable de la mutinerie, tumulte, et sedition faicte par les prestres de Saint-Médard, le samedi 27 décembre 1561* as reproduced in *Archives curieuses de l’histoire de la France*, ed. Louis Lafaist (L. Cimber) and Félix Danjou, ser. 1, vol. 4 (Paris, 1835), 52-56. Collected and translated in Barbara B. Diefendorf, *The Saint Bartholomew’s Day Massacre: A Brief History with Documents* (Boston: Bedford/St. Martin’s, 2009), 65-70.

Protestant psalm-singing continued to be a problem for Catholics after the first civil war. In a petition from 1565, the Protestants from Bordeaux asked the king to prevent Catholics from “imprisoning, molesting, or disturbing anyone for singing Psalms and hymns privately, without congregating.”³ Charles IX’s response to their petition was to order the release of those imprisoned for psalm-singing. He then explained that the Protestants had his permission to sing psalms “in private households, provided that they are not assembled in a congregation or in public.”⁴ The king in his response was attempting to draw a distinction between psalm-singing in homes and assemblies of Protestant worship. In the 1563 Edict of Amboise that the petitioners from Bordeaux were seeking to have enforced, liberty of conscience was protected in households, but Calvinist worship was only allowed in designated locations with the king’s permission. French Calvinists’ complained, however, that their requirements of conscience did not fit easily into the confines of a delineated private sphere, and that the boundaries placed on their worship through the monarchy’s grant of liberty of conscience actually constrained their consciences. The counter-intuitive nature of liberty of conscience was that, at root, it was neither wanted nor welcomed by the very subjects for whom it was intended.

The confrontations between Protestant and Catholic subjects in Bordeaux caused by psalm-singing Calvinists and their claims for access to worship are illustrative of the problems

³ *Articles, respondus par le Roy en son conseil privé, sur la resqueste présentée par plusieurs habitans de la ville de Bourdeaux, & Seneschaulcée de Guyenne, sur le faict de la Religion qu’on dict reformée* (Bordeaux, 1565). “Premierement il vous suppliant treshumblement, Sire, que tres-estroitcs inhibitions & defenses soyent faictes aux Maire, & Juratz des villes, & à tous les autres, d’emprisonner, molester, ou inquieter aucun pour chanter des Psalmes & Cantiques privément, & sans assemblées.” Unless otherwise noted, all transcriptions and translations in this dissertation are my own. I have kept original spellings and punctuations, though on occasion I have replaced ‘i’ with ‘j’ or ‘u’ with ‘v’ for ease of reading.

⁴ *Articles, respondus par le Roy*. “Permis de changer les Psalmes és maisons privées, pourveu que ce ne soit en assemblée, ne en lieu public. Et ceux qui pour raison de ce sont detenus prisonniers seront eslargis.”

the monarchy faced in seeking to mark out the boundaries of French citizenship through the boundaries of conscience when it moved from prosecuting French Calvinists as heretics, who could be executed or banished, to tolerating them as French subjects, with liberty of conscience in their households. The boundary between the private household and public space became a battleground over the limits of conscience. By resisting the tendency to map this private/public divide onto that of a sacred/secular or a religious/political dichotomy, it is possible to use the history of this concept, liberty of conscience, as a nexus, the place where ideas about the state, the church, religion, politics, orthodoxy, heresy, and citizenship all met. How did freedom of conscience and the exercise of religion through worship interact in physical space? Could you have one without the other? In what ways was private property not enough to mark the boundaries of conscience? What does the context of these interactions reveal about the weight of legal arguments for and against freedom of conscience and resistance to these different levels of boundary-formation during the French civil wars? And what did this tactic of toleration look like in practice? Through this investigation, I demonstrate that the conflict over sound and silence in the public sphere is an example of the battle for the boundaries of French citizenship that took place through the implementation and rejection of liberty of conscience. This boundary of citizenship relied on a distinction between the public and the private, the kingdom and the household, worship and belief, and, at heart, presence and absence. The monarchical conception of limited liberty of conscience redrew the boundaries of citizenship by separating it from the faithful of the Gallican Catholic Church and became the formula for toleration throughout the wars, only to be enshrined in the 1598 Edict of Nantes. I use Catholic and Protestant rejections of this new citizenship to formulate what Gallican French citizenship looked like in practice, and I offer two Catholic and Protestant alternatives to citizenship developed to resist the monarchical

formula of liberty of conscience, in which heretics were tolerated on the basis of royal authority of a Most Christian King in a Most Catholic Kingdom.

The Wars of Religion and Liberty of Conscience

Influenced heavily by the French exile Jean Calvin and the missionaries sent from Geneva, after 1550 reform became solidly Calvinist in France. By 1559, the French Reformed Church had developed an organizational structure with a local and national synodical system. From its early stages, French Catholics objected to Calvinist public worship. The French monarchy faced a seemingly insurmountable political crisis as a result of the growing strength of this new church in France. Combined with the untimely deaths of a series of kings, the conversion of powerful noble houses to the Reformed faith exacerbated already existing dynastic tensions among the peers of France. The addition of a theological crisis, complete with public acts of iconoclasm and popular violence on both sides, led to the outbreak of civil war in 1562, the first of eight consecutive civil wars known as the Wars of Religion. While these wars technically ended with the Edict of Nantes in 1598, the implementation of Nantes led to another outbreak of war in 1620, ending with the Peace of Alès in 1629. The Edict of Nantes was not on its own a groundbreaking document; it drew much from the edicts of pacification that preceded it. While the fact that each of these edicts did not prevent subsequent wars is evidence for the difficulty the monarchy had in implementing and enforcing them, these experiences informed and influenced the better-known Edict of Nantes. The earliest edicts decreeing the toleration of French Calvinists in 1559 and 1560 and the edict of pacification that followed the first civil war set the stage for both peace and war in the ensuing decades. These royal edicts were variously

praised or condemned for having recognized the French Reformed Church and granting *liberté de conscience* to French subjects.⁵

The sixteenth-century French monarchical state did not grant liberty of conscience in order to guarantee freedom and protect religious pluralism. It did so out of concern for the pernicious results of forcing consciences as well as a matter of political expediency in the hopes of limiting the public influence of Protestants by placing constraints on their worship. This attempted solution should not be confused with the creation of a secular public sphere; the decades-long battle over what was necessary for liberty of conscience makes that abundantly clear. By declaring that French Protestants were no longer to be prosecuted as heretics, however, the monarchy inadvertently opened up the possibility of a religiously plural society in a Gallican Catholic kingdom. This was not the goal of French kings or their regents, and they never claimed to sanction a second church in France. The growth of the Reformed Church had made it more difficult to successfully prosecute Protestants as heretics by the late 1550s, but it was the Protestant nobility that forced the monarchy's hand. Protestant nobles were able to foster the new faith because liberty of worship for the nobility had already been allowed in practice, based on their pre-existing privileges.⁶ In response, the monarchy appropriated arguments that had been advanced by some nobles for *liberté de conscience* on their own estates before and during

⁵ For a succinct description of the development of the French Reformed Church, see Philip Benedict, *Christ's Churches Purely Reformed: A Social History of Calvinism* (New Haven: Yale University Press, 2002). For an account of how French Protestants became specifically Calvinist, see also Robert M. Kingdon, *Geneva and the Consolidation of the French Protestant Movement, 1564-1572* (Madison: University of Wisconsin Press, 1967).

⁶ See Arlette Jouanna, *Le devoir de révolte, La noblesse française et la gestation de l'État modern, 1559-1661* (Paris: Fayard, 1989) on the rights of the nobility and their political actions using them as justification. Regarding their claims to freedom of conscience in 1560 (and beyond), see, for example, 149. See also Jean-Marie Constant, *La Noblesse en liberté XVI^e-XVII^e siècles* (Rennes: Presses Universitaire de Rennes, 2004).

the first civil war in order to grant liberty of conscience to all French subjects in their households. The monarchy's legal basis for this conceptual shift was the king's prerogative to grant privileges, rather unexpectedly combined with the king's secular jurisdiction over heresy prosecution that had previously been granted to royal courts in the defense of the Gallican Church. The radical consequence of recognizing the citizenship of heretics was that citizenship was no longer Catholic.

This dissertation is not about secularization; it is necessary to resist the modern urge to map sacred/secular onto a sixteenth-century contested private/public. That the French monarchy was decidedly Catholic at the end of the wars, and that French Protestants still only existed in France on the king's sufferance, is enough to disprove such a notion. Instead, I use the ways that French subjects contested the idea of liberty of conscience to examine the construction of the French polity and its boundaries of citizenship, along with the development of French absolutism through the practice of pacification. While the public may have remained Catholic, and the king remained divinely inspired, this process re-conceptualized the protection of private property as the locus of the household, now with a boundary moderated by the king that was outside of the Church's control. This allowed the possibility of having unorthodox religious opinions that were deemed heretical, a possibility that both Catholics and Protestants saw as spiritually, socially, and politically threatening. Thus, the practice of pacification included the actions of French Catholic and Protestant subjects as they negotiated with the monarchy for proper religion, for their rights, for their representational institutions, and for the polity that they envisioned as truly French.

The History of Early Modern France and Liberty of Conscience

While there is a vast amount of literature on tolerance, intolerance, and coexistence during the Wars of Religion, there is much less on the specific concept and use of liberty of conscience.⁷ Joseph LeCler argues in his classic article on *liberté de conscience* that the term was not used in a general sense before the 1560s, though permutations of it first appeared in the earlier writings of Luther and Melancthon. Significantly, LeCler points out that Jean Calvin defined it as the liberation from doubt of the conscience through faith. He identifies its first controversial use in the sense of toleration in France between 1559-1561.⁸ LeCler's assertion that toleration was not perceived positively is confirmed by William H. Huseman, who notes that *tolérer* was mostly used in the early 1560s by those opposed to it and most worried about heretics.⁹ My own research confirms LeCler's position on the first use of liberty of conscience in France, but, when contemporary responses from both Catholics and Protestants to the edicts of pacification are read alongside the edicts themselves, a clear definition of *liberté de conscience* does not emerge. It is simply not defined, and it is used in different ways by the monarchy, the monarchy's critics, Protestants, Catholics, nobles, and non-nobles. This lack of clarity should not be surprising; it was a time of repeated crises, and fluid policies were formed in their wake. Philip Benedict acknowledges that just what toleration legally meant in the period is hard to determine in his more complete history of liberty of conscience in the context of the study of co-

⁷ On the conception of conscience as it was understood and used in the sixteenth century, see for example Alexandra Walsham, "Ordeals of Conscience: Casuistry, Conformity and Confessional Identity in Post-Reformation England," in Harold E. Braun and Edward Vallance, eds., *Contexts of Conscience in Early Modern Europe, 1500-1700* (New York: Palgrave Macmillan, 2004), 32-48 and Marc Venard "Les catholiques et la liberté de conscience au XVI^e siècle," *Nouvelle Revue du XVI^e Siècle*, vol. 11 (1993): 19-35.

⁸ Joseph LeCler, "Liberté de Conscience. Origine et sens divers de l'expression," *Recherches de Science Religieuse*, 54 (1966): 370-406.

⁹ William H. Huseman, "The Expression of the Idea of Toleration in French during the Sixteenth Century," *The Sixteenth Century Journal* 15, No. 3 (Autumn, 1984): 293-310.

existence in France, though he does not discuss the separation of liberty of conscience from worship. Benedict acknowledges that “no comprehensive effort has yet been made to survey the entire discussion” of issues of freedom of conscience and worship in France, and then identifies three different ways in which it changed in the early modern period. The first is that, while Catholic opinion on the efficacy and wisdom of tolerating Calvinists varied throughout the wars, by the early seventeenth century there was more willingness for toleration. Despite this, the expectation was still that Calvinists would eventually be reunited with Catholics in the true Church. Even those who defended the toleration of Protestant worship at the end of the Wars of Religion “rarely recognized a generalised [sic] right to freedom of conscience or worship, however.” Secondly, Reformed authors began to make stronger arguments for liberty of conscience and worship by the end of the seventeenth century; in the mid-seventeenth century, these arguments began to rely more and more upon natural law in the vein of Grotius. Finally, Benedict identifies an argument for liberty of conscience that grew out of the needs of the state: objections to the revocation of the Edict of Nantes included the exigent need for “the military and commercial skills of Huguenots.”¹⁰

Olivier Christin contends that freedom of conscience was not a priority of the French monarchy, since from 1563-67 the language that is more often used is that of communal unity, not that of individual rights.¹¹ My contention is that there was no one definition of *liberté de conscience* being employed, and that that we think of freedom of conscience as an individual

¹⁰ Philip Benedict, “Un roi, une loi, deux fois: Parameters for the History of Catholic-Protestant Co-existence in France, 1555-1685,” in *Tolerance and Intolerance in the European Reformation*, edited by Ole Peter Grell and Bob Scribner (Cambridge: Cambridge University Press: 1996): 65-93; 71-74.

¹¹ Olivier Christin, in *La paix de religion, L'autonomisation de la raison politique au XVI^e siècle* (Paris: Seuil, 1997), 38-9.

right does not mean that this was an intended consequence of its use. Liberty of conscience was used to maintain royal authority over all French subjects, Catholic or not, by granting private freedom of conscience as a way to avoid exiling or prosecuting a large portion of French subjects for heresy. This was, in fact, granted to all French subjects, but rights of assembly for worship were attributed and regulated communally, to the members of the “so-called reformed religion.” Christin usefully posits that the 1563 Edict of Amboise was meant to create co-citizenship between Catholics and Protestants, almost uniquely focusing on the real differences between how conscience is used in the 1562 Edict of January and the 1563 Edict of Amboise. He sees these differences as a purposeful tactic by the monarchy to both re-integrate Protestants into monarchical institutions, as well as “an occasion to deploy new institutional devices that plainly extended royal authority.”¹² Christin’s narrative uses the language of absolutism, but his arc is of the rise of an autonomized, rational and centralized state. His focus on political answers to religious problems still presents the monarchy’s use of royal power as an innovation, a new logic of royal authority that develops in France, and Europe, as a response to the influx of irrational religious violence and the fracturing of polities. I argue that the logic of royal power that made it possible to use freedom of conscience in this way was not new, however, but an earlier institutional development, and it was predicated on the very religious nature of the monarchy.

Toleration is often the context of the historiography that sees the Wars of Religion as the precursor to absolutism, which identifies the centrality of the cultivated image of the sacral king and the ceremony and ritual that accompanied this in the court. Two complementary recent

¹² Olivier Christin, “From Repression to Pacification: French Royal Policy in the Face of Protestantism,” in *Reformation, Revolt and Civil War in France and the Netherlands 1555-1585*, edited by Philip Benedict, Guido Marnef, Henk van Nierop and Marc Venard (Amsterdam: Royal Netherlands Academy of Arts and Sciences, 1999), 213.

books on the role the Wars of Religion played in the development of French absolute monarchy place the Wars of Religion in a causal role. Nicolas Le Roux argues that the monarchy transformed the court as the site of government and the king as the embodiment of stability during the course of the civil wars. With the increase of religious conflict, Le Roux sees greater insistence on the king as the instrument of God, culminating in Henri IV's reign.¹³ Echoing a similar refrain in regard to the culmination of the holy king in the person of Henri IV, Arlette Jouanna claims more strongly that French absolutism in the seventeenth century was not a continuation of a past trend that the Wars of Religion interrupted, but a new phenomenon of kingship entirely, created as a response to and in the crucible of religious civil war under Henri IV. Jouanna frames the birth of the absolute monarchy in the seventeenth century as a result of the turmoils of the Wars of Religion; however, while the ceremonial changes and the related shift in the imaginary of the king's power are well-chronicled and defended here, they are not sufficiently equated with the inception of the logic of absolute royal power. Jouanna asserts that the influence of late-medieval thought on early Renaissance kingship meant that monarchs were able to act outside of the law, or with absolute authority, but only in instances of necessity. Absolute power was extraordinary power and, in the early sixteenth century, was a negative attribute. Two centuries later, she claims, it has become positive.¹⁴ She sees in this shift evidence of a new conception of monarchy.

While the royal imaginary and expectations for royal power most certainly changed in the course of two centuries after Bourbon attempts to ensure stability in the wake of civil war, this is not in itself evidence that the logic of absolute royal power was the result of the Wars of

¹³ Nicolas Le Roux, *Le roi, la cour, l'État: De la Renaissance à l'absolutisme* (Seysse: Éditions Champ Vallon, 2013).

¹⁴ *Ibid.*, 15.

Religion. Jouanna's acknowledgement that Renaissance kings had access to absolute power in its extraordinary sense is significant. For, despite the vast amounts of knowledge we now have about its development in the seventeenth century, the history of 'absolutism' and 'absolute monarchy' still suffers from a problem of framing, in part from the inexorable pull of Louis XIV or 1789 as its ending point. The largest problem with this framing is that it has distorted our understanding of the structures and interrelations of royal power and French citizenship during the Wars of Religion itself. When the logic of the monarchy's use of power and the logic of French resistance to that power are added to the frame, the story changes. It is no longer a story of royal absolutism and divine right monarchy developing as a result of the breakdown of royal power from 1562-1598. Instead, I argue that the dynastic stability, territorial consolidation, and new financial regime of the seventeenth century were the result, confirmation, and expansion of an already existing logic of absolute monarchical power and legal status for extraordinary justice that predated the French civil wars. While separating religion and politics in royal motivations makes it seem like there is a gap between Christin's rational modern state and Jouanna and Le Roux's divine absolute monarchy, I argue that the inception of freedom of conscience as a tactic of toleration demonstrates that these two historiographical paths are not in fact divergent. They are the outcome of a use of politico-religious power that can only be understood if the private/public dichotomy is decoupled from that of both the sacred/secular and religious/political.

James B. Collins succinctly critiqued the long historiography of absolutism, especially in relation to the history of political thought, when he determined that "the prevailing historiographical concept of 'absolute monarchy' is a myth, promulgated by the royal

government and legitimized by historians.”¹⁵ He removed this observation from the second edition of his book in 2009, while still demonstrating its accuracy, perhaps because since its first publication in 1995 numerous studies have nuanced the prevailing understanding of just how the French state functioned in the centuries before the French Revolution. He identifies three phases of French monarchical state development, starting with a judicial phase during which it was understood that kings enforced already existing laws they “discovered” that lasted until the Hundred Years’ War (1337-1453). This prolonged military conflict led to a new phase, as the bureaucratic changes required to meet the military needs of the monarch led to novelty in law and administration. Collins identifies the second phase as legislative, and sees its apex under the rule of François I (r. 1515-1547). In this phase, the king was the maker of the law. Collins argues that the final phase, which makes up the substantive subject of his study, begins in the early seventeenth century. After 1620 and especially into the eighteenth century, he identifies the monarchy’s transition from making law to primarily administering it, becoming a fully-formed bureaucracy with information gathering powers that made such administration possible.¹⁶ There is a vast divergence in interpretation and focus when it comes to characterizing and explaining the “absolute,” “modern,” or “royal” fiscal and administrative state that developed in the seventeenth and eighteenth centuries.¹⁷

¹⁵ James B. Collins, *The State in Early Modern France* (Cambridge: Cambridge University Press, 1995), 1.

¹⁶ James B. Collins, *The State in Early Modern France*, Second edition (Cambridge: Cambridge University Press, 2009), 5-6. For earlier scholarship and its reprisal on the rise of absolutism in the *ancien régime*, see Perry Anderson, *Lineages of the Absolutist State* (London: N.L.B., 1974); William Beik, *Absolutism and Society in Seventeenth-Century France* (Cambridge: Cambridge University Press, 1985); and David Parker, *The Making of French Absolutism* (Ithaca: Cornell University Press, 2004).

¹⁷ For a review of recent literature and trends in scholarship from both Anglo and French scholars, see the review article by Vincent Meyzie, “Histories of the Early Royal State in France: Institutions, Practices, Officers,” *French History* vol. 31, no.2 (2017): 219-240.

By the turn of the millennium, however, the historiographical orthodoxy has been the genealogy of a modernizing monarchy establishing the start of absolutist power that was sidelined during the Wars of Religion and then consolidated with the Bourbon monarchy under Richelieu, fully developing under Louis XIV.¹⁸ Sixteenth-century historians have more specifically formulated two separate but complementary approaches to explaining the absolute monarchy or consolidated royal power in the seventeenth century. One approach has been to argue that the Wars of Religion do not present a gap or a break in the development of royal power, but that the Bourbon monarchs, starting with Henri IV, respond to the Wars of Religion with a new conception of royal power that they inhabit through ceremony and sacralization as well as administrative consolidation. This strand of literature agrees at the minimum that absolute power was the result of a “doctrinal break” that followed from Jean Bodin’s configuration of monarchical legislative sovereignty, and divinity or royal power and monarchical sacralization, and the simultaneity of both ordinary and extraordinary government.¹⁹ While I recognize qualitative differences in the manifestations of royal power in the seventeenth century, my research disputes the claim that legislative sovereignty, or the ruler as law-giver as first described by Jean Bodin in 1576, was a break at all. I argue that Bodin gives a theoretical grounding for the logic of royal power that the monarchy had been using since 1562 in attempting to use freedom of conscience as a method of religious toleration in France.

The most useful formulation of the existing logic and its legal paradigm that places the inception of freedom of conscience as toleration in the sixteenth century in context is presented

¹⁸ Ibid., 219.

¹⁹ Ibid., 220. See also Fanny Cosandey and Robert Descimon, *L’Absolutisme en France. Histoire et historiographie* (Paris, 2002).

by Tyler Lange.²⁰ Lange's argument is that what he calls the "first French reformation" (which is a questionable choice of words, but a valid thesis) took place when the monarchy took control of the French Church's hierarchy with the Pragmatic Sanction of Bourges in 1438, turning French advocates for conciliarism into defenders of royal power. This "first" reformation is what he argues prevented the "second" Protestant reformation from taking hold in France, and from the development of a French state church. He argues that papal absolutism was transformed into royal absolutism under François I through the Parlement and the Concordat of Bologna in 1516, in which the king had the right to approve clerical appointments. But most importantly, the monarchy secularized the prosecution of heresy when it expanded the rights of appeal for church courts to royal courts in the effort to reform them. His timeline coincides with William Monter's findings about heresy prosecution in the years before the Wars of Religion.²¹ Lange argues that the monarchy had already legally nationalized the French Church before the Protestant reformation, and this politico-theological legal structure and kingship was one reason reform "failed" in France.²² Lange identifies his early development of French absolute power before the Wars of Religion as the existing scaffolding with which seventeenth-century financial absolutism was built; what is most useful in relation to my research is Lange's argument that this absolute power was the basis for the pursuit of heretics by the French king. "The pursuit of heresy," he posits, "was a statement about sovereignty."²³

²⁰ Tyler Lange, *The First French Reformation: Church Reform and the Origins of the Old Regime* (Cambridge: Cambridge University Press, 2014).

²¹ William Monter, *Judging the French Reformation: Heresy Trials by Sixteenth-Century Parlements* (Cambridge, M.A.: Harvard University Press, 1999).

²² Lange, *The First French Reformation*, 53-55, 65, 77, 161, 208-209, 268.

²³ *Ibid.*, 209.

The historiography related to toleration and the rise of the French state is complemented by that on the rise of French nationalism and citizenship. The two historiographical strands are connected by the history of Gallicanism in France. Until the Reformed Church was established in France, all French subjects also shared the same church. This church was not, however, just Catholic; it was known as the Gallican Church. Gallicanism is not easy to define, it describes the different concepts of the Gallican Church and the political ideologies associated with them and was not coined until the nineteenth century.²⁴ There has never been a unified, uncontested definition of “Gallicanism.” It is, on the contrary, an amorphous concept that has been used by different groups to mean different things, but in general terms the French Catholic Church was granted a certain amount of independence from Rome, based on supposed historic precedents, during conflicts between the French monarchy and the papacy over the course of the fourteenth and fifteenth centuries. It was not one unified doctrine, and there are at least three strands that make up Gallicanism: royal, ecclesiastical, and parliamentary.²⁵ It seems likely that what is now called Gallicanism developed out of the idea of the *ecclesia Gallicana* that was combined with ideas that developed in the thirteenth century of French exceptionalism, related to the consolidation of royal power, in which France was the most holy kingdom led by the Most

²⁴ See Henri Morel, *L’Idée gallicane au temps des guerres de religion* (Aix: PUAM, 2003).

²⁵ The first conflict centered around Philip’s assertion that he had the right to tax French clergy, and resulted in a battle between the king and the pope in which the monarchy argued that the king was sovereign in his kingdom, even over the Church. The estates themselves are rooted in the history of royal Gallicanism: Philip called the first national Estates-General in 1302 in order to accuse the pope of abusing his power by asserting that he had control over the French crown. See the introduction to *John of Paris: On Royal and Papal Power*, trans. by J.A. Watt, *Mediaeval Sources in Translation* (Toronto: Pontifical Institute of Mediaeval Studies, 2002 [1971]).

Christian King.²⁶ The main tenet of royal Gallicanism was that the king of France had independence from the temporal jurisdiction of the pope.²⁷ Ecclesiastical Gallicanism, informed by conciliarism, or the movement to limit papal power by giving general church councils precedence in the fourteenth and fifteenth centuries, and royal Gallicanism, implied that the French church historically had freedom from papal interference and the right to be self-governing by electing its bishops. The king of France as the head of the church was to guarantee these Gallican liberties.²⁸ These imprecisely defined liberties served as the basis for the relationship between not just the Gallican Church and the monarchy, but also as a defense of the autonomy of both from the papacy.²⁹ Parliamentary Gallicanism, on the other hand, evolved along with the parlements. In the early fifteenth century, the Parlement of Paris began to act independently of the crown, and, once it established itself as the defender of the ancient constitution and laws of France, it also became a defender of the Gallican Church and its liberties.³⁰

The Gallican Church required a king who was both sacred and secular; the result was repeated conflict between Gallican jurists in parlements and the king throughout the sixteenth century.³¹ The Most Christian King (*Rex christianissimus*) and the central Gallican tenet of one

²⁶ For the fusion of the sacred with the kingdom and the monarchy, see Joseph R. Strayer, "France: The Holy Land, the Chosen People, and the Most Christian King," reprinted in *Medieval Statecraft and the Perspectives of History: Essays by Joseph R. Strayer* (Princeton: Princeton University Press, 1971; orig. 1969), 300-14.

²⁷ Morel, *L'Idée gallicane*, 12.

²⁸ *Ibid.*, 12-14.

²⁹ Joseph Bergin, *The Making of the French Episcopate, 1589-1661* (New Haven, CT: Yale, 1996), 28.

³⁰ Morel, *L'Idée gallicane*, 15. For a history of the Parlement of Paris in the sixteenth century, see also J.H. Shennan, *The Parlement of Paris* (Gloucestershire: Sutton, 1998 [Ithaca: Cornell University Press, 1968]).

³¹ For the Parlement of Paris and its conflict with the king, see Nancy Lyman Roelker, *One King, One Faith: The Parlement of Paris and the Religious Reformations of the Sixteenth*

faith, one law, one king (*une foi, une loi, un roi*) meant that, once reformers in France became Calvinists, they were automatically suspected of sedition as well as heresy. For most French men and women in the sixteenth century, France was both Gallican and Catholic. As the number of Reformed churches in France grew, Protestant churches that had formed independently before the 1550s joined with them in a national synodical system with its own official doctrine, known as the Gallican Confession. Despite the importance of Geneva on its growth, the French Reformed Church did not adopt the established Calvinist organizational structure.³²

Alain Tallon posits that its Gallicanism is what kept France from becoming Protestant and from developing a state church.³³ From papal, ecclesiastical, and royal documents and diplomacy, he argues that Gallicanism did not imply anti-papalism. Instead it was about the French as a people chosen by God, and adherence to the Pope was as much a part of Gallicanism as were the liberties of the Gallican Church and a Most Christian King. He sees this Gallicanism as the basis for the idea of the French nation, which, with a divinely sanctioned monarch and a divinely favored Church, can be identified in the sixteenth century, not as a creation of this century's conflict. This is a welcome nuanced study of Gallicanism; however, Tallon does not address in what ways Gallicanism, or this national sentiment, was employed by the French people outside of ecclesiastical, royal, and theological debates, nor how it was employed in secular institutions.

Century (Berkeley: University of California Press, 1996) and Sylvie Daubresse, *Le parlement de Paris ou la voix de la raison (1559-1589)* (Geneva: Librairie Droz, 2005).

³² Robert M. Kingdon, *Geneva and the Consolidation of the French Protestant Movement, 1564-1572* (Madison: University of Wisconsin Press, 1967). Kingdon attributes this to the circumstances the Reformed Church faced in France (40). I agree, but include the culture of Gallicanism and institutional structures informed by it in those circumstances.

³³ Alain Tallon, *Conscience nationale et sentiment religieux en France au XVIe siècle. Essai sur la vision gallicane du monde* (Paris: Presses Universitaires de France, 2002).

I do not deal with conceptions of French identity in this dissertation, but with the practice of French citizenship as experienced by French subjects and its legal basis. Liberty of conscience broke open previous conceptions of French citizenship by tolerating heretics, but it did so within the existing legal basis of citizenship.³⁴ The history of legal citizenship overlaps with the history of citizenship in relation to liberty of conscience where it identifies the legal rights that separated a French *régnicole* from a foreigner; this has been studied in relation to the naturalization of foreigners by the king, which gave them the right to hold office, inherit, and bequeath property. Inversely, the king had the right to claim all property from non-naturalized foreigners who died while in France through the *droit d'aubaine*.³⁵ Peter Sahlins studies the history of the *droit d'aubaine* and immigration in order to establish the distinction between French and foreigner in the *ancien régime* from the perspective of both the legal history of naturalization as the prerogative of the king.³⁶ He concludes that naturalized foreigners were in

³⁴ On the legal background of French citizenship, see Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge, M.A.: Harvard University Press, 1992); Charles Tilly, "The Emergence of Citizenship in France and Elsewhere," in *Citizenship, Identity, and Social History*, Charles Tilly, ed. *International Review of Social History* 40, supplement 3 (1995): 223-36. See also Gail Bossenga, "Rights and Citizens in the Old Regime," *French Historical Studies* 20, no. 2 (1997): 217-43.

³⁵ For examples of legal approaches to citizenship, see Charlotte C. Wells, *Law and Citizenship in Early Modern France* (Baltimore: Johns Hopkins University Press, 1995); Jacques Boizet, *Les Lettres de naturalité sous l'Ancien Régime* (Paris: M. Lavergne, 1943); Marguerite Vanel, *Histoire de la nationalité Française d'origine; Evolution historique de la notion de Française d'origine du XVIe siècle au Code Civil* (Paris: Recueil Sirey, 1945); and M. Folain-Le Bras, *Un Projet d'ordonnance du Chancelier Daguesseau: Etude sur quelques incapacités de donner et de recevoir sous l'Ancien Régime* (Paris, 1941). A common aspect of this historiography is to trace modern citizenship directly to Renaissance Italian city-states. According to this explanation, ancient citizenship by way of the Renaissance was rediscovered in the eighteenth century after having been usurped by the growing power of monarchs and absolute power, and, via the Enlightenment, the idea of ancient citizenship (exclusive to the few) was expanded to turn subjects into citizens.

³⁶ Peter Sahlins, *Unnaturally French: Foreign Citizens in the Old Regime and After* (Ithaca, N.Y.: Cornell University Press, 2004), 314. Sahlins sees the breakdown of the function of naturalization with the essential abolishment of the *droit d'aubaine* in the eighteenth century

practice never in the same legal category of natural-born French subjects.³⁷ While this distinction is valuable for understanding the legal boundaries between being French and foreign, they do not explain what the practice of citizenship was for *Français naturels*.

Myriam Yardeni explores different conceptions of national consciousness found in pamphlets and treatises in the sixteenth century in *La conscience nationale en France pendant les guerres de religion* and concludes that the basis for national identity before the end of the wars was religious.³⁸ The trajectory of French national sentiment throughout the wars, she argues, paved the way for the absolutism of the seventeenth century as French men and women reacted against decades of war.³⁹ Yardeni sees this new secular national sentiment replacing the

as a sign of the destruction of the idea of the citizen under absolutism and a precursor to the French Revolution and the Republican idea of citizenship as *ius soli*, based on residence, instead of *ius sanguinis*, or that based on ancestry.

³⁷ *Ibid.*, ix. Naturalized subjects were still subject to occasional taxes, property confiscations and other legal conflicts over property, among other disadvantages, throughout most of the early modern period. Sahlins estimates that from the late sixteenth century until 1789, there were on average fifty foreigners living in France who were successfully naturalized. Obtaining naturalization was only prohibitive in that it was expensive—most of those who could pay were able to obtain the status of naturalized foreigners.

³⁸ Myriam Yardeni, *La conscience nationale en France pendant les guerres de religion* (Paris: Nauwelaerts, 1971).

³⁹ In *La conscience nationale en France*, Yardeni traces what she calls national consciousness in political pamphlets and treatises and identifies the following themes: France as a privileged kingdom in both resources and men that cannot fall into the hands of foreigners (in reference to Spain, Lorraine (where the Guise family originated), Italy, England, and the Turks); the idea of the French as “*le grand peuple*” in that the French people are themselves France’s greatest resource (they have a good character, are patient, obedient, brave, and intelligent) and they have great men who will lead them (the king, the military nobility, jurists, etc.); the French as defined by the French language (for both Protestant and Catholic poets and historians, though less for the later Catholic League with their Spanish influence); and in the guise of Gallicanism and the Gallican Church (here she points out that for both Catholics and Protestants, France was an elected kingdom chosen by God as one apart). While Myriam Yardeni observes that, even if a foreigner, an *aubain*, was naturalized by the king, he was still referred to as foreign in pamphlet literature because he did not speak French, she does not elaborate on what it meant to speak French. See Myriam Yardeni, *La conscience nationale en France pendant les guerres de religion* (Paris: Nauwelaerts, 1971), 47-48. In this case it may well mean a range of languages recognized as such. This is backed by the scholarly-supported interpretation of the Ordinance of

older religious one in the seventeenth century, forged in response to the wars and expressed by Henri IV and his supporters, and characterizes it as fully-formed and modern.⁴⁰ More recently, Arlette Jouanna reinforces Yardeni's conclusions in her article, "*Être 'bon Français' au temps des guerres de Religion: du citoyen au sujet.*" Jouanna traces the roots of this new secular national identity as being personified in the king instead of in Gallican principles by the so-called *politiques* authors during the wars. In these pamphlets, being a "*bon Français*" means avoiding civil and religious conflict and violence, in opposition to a "*mauvais Français*" who does not put peace first.⁴¹ Jouanna argues that this new national sentiment is secular, but also describes it as stunted during the period of absolute monarchy and only able to reach its potential the eighteenth century.⁴² The conception of citizenship that relied upon liberty of conscience that emerges from my research confirms that this position was both theorized by and advocated for by those referred to as *politiques*; toleration was seen as a middle way. However, my dissertation also shows that, although this citizenship was no longer equated with the Gallican Catholic Church,

Villers- Cotterêts in which the French vernacular did not refer to one dialect, but to all local dialects at the expense of Latin.

⁴⁰ Yardeni, *La conscience nationale*, 331-32.

⁴¹ Arlette Jouanna, "*Être 'bon Français' au temps des guerres de Religion: du citoyen au sujet,*" in *Conflits politiques, controverses religieuses: essais d'histoire européenne aux 16e-18e siècles*, in the series *Recherches d'histoire et de sciences sociales* 96, Ouzi Elyada and Jacques Le Brun, eds. (Paris: EHESS, 2002), 21-32.

⁴² I do not doubt that years of war and conflict between Protestants and Catholics led to changing ideas about the role of religion and the stability of the state, although one could argue that, given the very Catholicity of France after the wars that culminates in the revocation of the Edict of Nantes in 1685, arguing that religious identification with the idea of being French lessened in importance is questionable (it seems a bit like calling the Edict of Nantes a pioneering document for the modern notion of religious toleration, which it was not). In addition, given that most of the arguments for belonging to France before the wars rely upon being the subject of the French king (who was also the head of the French church in Gallican terms), in combination with the work that has been done on the dual nature of kings in the medieval period, it seems unlikely that what emerges in the early seventeenth century is necessarily "modern," though it may indeed be different.

that did not make the practice of citizenship secular. That is one reason Calvinists were never satisfied with it. Catholics and Protestants in France shared sense of a citizenship defined by politico-theological public sphere.

Methodology and Sources

This dissertation is a conceptual history of liberty of conscience during the French Wars of Religion. It explains how the practice of implementing liberty of conscience and the actions rejecting it as a legal marker of the boundaries of the French polity describe the practice of citizenship in a politico-theological public sphere in sixteenth-century France. At the same time, the use of liberty of conscience to draw the boundaries of the polity revealed the legal, political, and theological basis of royal power. Far from being a universally accepted or defined concept, liberty of conscience exposed the Gallican structure of sovereign power and citizenship as it was expressed and formed through its contested use, and, above all, the ways in which the boundaries of the polity relied upon the giving or denying of liberty of conscience once a united Gallican Catholic France fractured, mirroring the larger fracturing of Christendom in Europe. I have not written a history of the examination of individual consciences, nor of the theological basis for liberty of conscience, but an explanation of how the concept was used and contested in the re-drawing of the boundaries of the French polity.

The topic of this dissertation grew out of the impossibility of finding one definition of liberty of conscience in the historical sources. Applying the analytical and theoretical methods of intellectual history of the Cambridge School, by which via Quentin Skinner texts of political theory are understood as “speech acts” of specific authors, liberty of conscience would be defined in terms of the intention of the author of a text. While historical analysis certainly favors

contextualization in the history of ideas, for my purposes, there is validity to the critique that this method is overly narrow for understanding the logic of liberty of conscience and its many contested uses and interpretations.⁴³ Instead, I conceived an analytical approach to methodology with a theoretical grounding in order to construct a spatially-grounded map of the history of liberty of conscience as a concept through the matrices of practice. This approach to conceptual history is indebted to Pierre Bourdieu's work on both the logic of practice and spatiality, which I have applied as analytical tools. Bourdieu's "theory of practice as practice" describes the objects of knowledge as constructed, and defines this process of construction as "the system of structured, structuring dispositions, the *habitus*, which is constituted in practice and is always oriented towards practical functions."⁴⁴ While this interpretation of structuralism can be criticized for being overly deterministic or falsely limiting human choice, for my analytical purposes, determining structures through practice is useful primarily because, in Bourdieu's words, "the conditionings associated with a particular class of conditions of existence produce

⁴³ See Quentin Skinner, "Meaning and Understanding in the History of Ideas," *History and Theory* 8, no. 1 (1969): 3-53 and *Visions of Politics*. Vol. 1, *Regarding Method*. Cambridge: Cambridge University Press, 2002. While J.G.A. Pocock offers a different methodological strain in the Cambridge School, whereas instead of Skinner's synchronic "speech acts" he allows for diachronic "languages." While this is useful in conceptualizing the genealogy of concepts, that is not the task laid out in this dissertation. It is perhaps worth noting that Skinner's focus on "political" thought, liberty of conscience as a concept separated from the exercise of worship as applied by the French monarchy is not mentioned in his discussion of toleration and religious liberty, despite a nice summary of the history of not forcing consciences in the period, in *The Foundations of Modern Political Thought, Volume II: The Age of Reformation* (Cambridge: Cambridge University Press, 2010; original 1978), 241-254. For critiques of Skinner's methodology, see Robert Lamb, "Quentin Skinner's Revised Historical Contextualism: A Critique," *History of the Human Sciences* 22, no. 3 (2009): 51-73. For recent engagement with the history of the Cambridge School and the thought of both Skinner and Pocock, see Anabel Brett and James Tully, eds., *Rethinking the Foundations of Modern Political Thought* (Cambridge: Cambridge University Press, 2006) and D.N. DeLuna, ed., *The Political Imagination in History: Essays Concerning J.G.A. Pocock* (Baltimore, Md.: Owlworks, 2006).

⁴⁴ Pierre Bourdieu, *The Logic of Practice*, translated by Richard Nice (Stanford, Ca.: Stanford University Press, 1990; original 1980), 52.

habitus, systems of durable, transposable dispositions, structured structures predisposed to function as structuring structures, that is, as principles which generate and organize practices and representations that can be objectively adapted to their outcomes ...objectively 'regulated' and 'regular' without being in any way the product of obedience to rules, they can be collectively orchestrated without being the product of the organizing action of a conductor."⁴⁵ In the context of my dissertation, this means that I have taken the responses to the implementation of liberty of conscience, which are varied, to build a picture of the *habitus*, or accepted practice, of the linked concepts through which liberty of conscience were debated: private/public, religious/political, sacred/secular, Christian/heretic, subject/citizen, citizenship/sovereignty, sovereign/tyrant. The resulting *habitus* is a shared understanding of a politico-theological public sphere within which conflict took place as its boundaries were forcibly re-negotiated. This approach is particularly helpful because the mapping of the concept of liberty of conscience is not purely theoretical; it is grounded in the drawing of practical boundaries between private and public spaces, and the different ways in which these contested boundaries led to conflicts over not just physical space, but the presence and absence of French Calvinists in an integrated politico-theological public sphere in which political and religious practice were entwined and mutually self-referencing.

Bourdieu's conception of spatiality can be used as an analytical tool for conceiving of the often-violent conflicts over presence/absence in the politico-theological public sphere. For Bourdieu, agents in social space are defined oppositionally, or in the sense of their relation to one another. A social space is thus defined "by the mutual exclusion (or distinction) of the positions that constitute it, that is, as a juxtapositional structure of social positions." On the one hand, this is a productive way of thinking about Old Regime corporatism, which is both socially

⁴⁵ Ibid., 53.

hierarchical and functionally defined by privileges granted by the sovereign authority. Where this theory becomes analytically useful in relation to the conceptual history of liberty of conscience is in the connection that Bourdieu draws between physical and social space. In this understanding, the “inhabited (or appropriated) space” acts as a “symbolization of social space.” “Social space,” Bourdieu adds, “translates into physical space, but the translation is always more or less blurred: the power over space that comes from possessing various kinds of capital takes the form in appropriated physical space of a certain relation between the spatial structure of the distribution of goods and services, private or public.” Thus, without social space, one is without social existence.⁴⁶ For my analytical purposes, I have replaced Bourdieu’s focus on economic capital with an understanding of capital in terms of liberty of conscience as the various permutations of the public exercise of religion, without which sixteenth-century French subjects felt they had neither social space nor true religion.

Since limiting my methodological approach or source base only created a partial definition or picture of the concept, I chose to build a larger map of how this concept was used by combining a variety of approaches. This can be conceived of in visual terms in a comparison to the building of a topical Geographic Information Systems Map, in which different layers of data are visually compiled in order to create an interpretive and comparative frame. The first layer of my conceptual map is the data from a monarchical legal and institutional perspective, while the second layer is how liberty of conscience as a legal concept was actually implemented. A third layer of the map is the response to the implementation of liberty of conscience; this comprises of the rejection of the policy and its implementation in specific cases by Protestants

⁴⁶ Pierre Bourdieu, “Site Effects,” in Pierre Bourdieu et al., eds., *The Weight of the World’: Social Suffering in Contemporary Society*, translated by Priscilla Parkhurst Ferguson (Stanford: Stanford University Press, 1999; original 1993), 124.

and their interpretations of what liberty of conscience should entail. Yet another layer of my conceptual definition of liberty of conscience consists of Catholic rejection of liberty of conscience as a boundary marker for French citizenship and the justification of this rejection. And, finally, I have included in my conceptual definition the new theoretical basis that developed in order to stabilize this regime of limited toleration that relied upon royal power and the boundaries of the household as the boundaries of citizenship. The resulting conceptual map of these various approaches serves as a working definition of liberty of conscience. It reveals the concept of liberty of conscience as contradictory, and which, when used to define its relationship to religion, property, citizenship and sovereignty as its constituent parts, makes it possible to talk schematically about the configurations and reconfigurations of this family of interrelated concepts in Old Regime France.

While a localized or biographical study of one place, sub-group, or person will likely bring to light individual motivating factors, such as economic or social pressures, for the choices that French subjects made during the Wars of Religion, in this dissertation I apply a variety of investigative approaches in order to construct a larger conceptual map of liberty of conscience: its application, its rejection, its theoretical defense. I specifically do so not from a religious or political perspective; I attempt to reflect the ways in which these two categories are not distinct in the sources. I examine the legal basis for liberty of conscience combined with an institutional history of the French monarchy and royal power, but I also examine the organizational history of various assemblies in conjunction with that royal power, specifically national Estates General and Protestant General Assemblies. I also interpret evidence in response to the implementation of liberty of conscience by both Catholic and Protestant subjects from the perspective of cultural history, drawing from a variety of sources to construct a picture of the beliefs and ideas of

various groups in their responses to royal policy about liberty of conscience and the inter-related concepts of which it is composed. I further combine this approach in a comparative context with that of intellectual history in relation to the theoretical definitions of these concepts. This variety of approaches reflects my varied source base.

This method is grounded in my source base. Monarchical edicts and their official interpretations serve to establish the legal basis for and parameters of liberty of conscience, and royal letters offer more context. In some instances, I refer to records relating to the implementation of edicts compiled by local magistrates for royal officials. I examine manuscript and printed letters, appeals, remonstrances, manifestos, poems, and pamphlets, or *libelles*, often addressed to the king and to fellow subjects in order to unearth the ways that liberty of conscience were rejected by French subjects. Both those in print and in manuscript were meant to circulate, and printed pamphlets were often copied into manuscript, and vice versa.⁴⁷ I also use *cahiers de doléances*, which were lists of grievances and directions of deputies to the Estates General, and *procès-verbaux*, or the official records of proceedings, for the Estates General, as well as printed accounts of their proceedings. The *cahiers* and Estates General proceedings are in many ways another form of pamphlet literature, as they regularly made it into print. The language of appeals, pamphlets, and *cahiers* are often similar because both Huguenot and Catholic League leadership circulated proposals or language they wanted their proponents to use. Likewise, I consult *cahiers*, instructions to deputies, and *procès-verbaux* for the Reformed General Assemblies, in addition to some Reformed synodical records. These complaints and proceedings allow me to construct a matrix of practice for the history of the idea of freedom of

⁴⁷ On the nature of these sources and their transmission, see Tatiana Debaggi Baranova, *À coups de libelles: Une culture politique au temps des guerres de religion (1562-1598)* (Geneva: Droz, 2012).

conscience by engaging with these different groups and their resistance or support of both the king and the position advocated by their like-minded fellow citizens.

Argument Abstract

In chapter one of this dissertation I argue that the monarchy used its power over the prosecution of Calvinists as heretics in its secular courts in order to then prevent them from being tried as heretics. Their toleration was facilitated through a limited liberty of conscience within the household and granted separately from worship, which was restricted. The result of this toleration was that French citizenship no longer required Catholicity. In chapter two, I establish the new conception of citizenship disaggregated from the boundaries of the Church upon which liberty of conscience relied; I then use the conflicts about the implementation of liberty of conscience to establish a working conception of Gallican politico-theological citizenship that was shared by Catholics and Protestants who opposed liberty of conscience. In chapter three I establish that the monarchy's new conception of French citizenship based on liberty of conscience, which relied upon the absolute powers of the monarchy, had become the position of moderates, or *politiques*, and was itself theorized by Jean Bodin. Debates over toleration in the 1576 Estates General demonstrate both the prevalence of these arguments and the centrality of property in the various solutions presented for dealing with the question of Calvinist citizenship. I establish the parameters of two different conceptions of citizenship in chapters two and three, 1) the politico-theological Gallican citizenship that corresponds with an organized French church and 2) the citizenship mediated through the boundaries of the household based on the king's universalization of the right to liberty of conscience; in chapters four and five I respectively present failed Catholic and Protestant attempts to resist the conception of citizenship mediated

through liberty of conscience in the royal edicts of toleration and their corresponding alternative conceptions of citizenship. In chapter four, I establish the Catholic League's rival conception of citizenship that develops directly to refute liberty of conscience, 3) a vision of communal citizenship as a unified confraternity whose boundaries corresponded to those of the kingdom based upon the defense of corporate liberties and the defense of the faith. Finally, in chapter five I demonstrate that, after accepting with Henri IV's conversion that the politico-theological public sphere would remain Catholic, the Reformed Church's final attempts to escape the confines of liberty of conscience presented an alternative solution, 4) a two-pronged conception of Gallican citizenship based on Reformed institutional and religious equality, in which the kingdom of France contained two separate politico-theological public spheres with the king at their head, one bounded by the Reformed Church and the other by the Catholic Church. Both of the alternative conceptions of citizenship that formed in opposition to the monarchy's solution of the limited toleration of conscience in a Catholic politico-theological public sphere were thwarted by the institutions of Gallicanism, yet also ultimately shaped it. In the end, Henri IV relied upon the same logic of royal absolute power as did Catherine de Medici and Charles IX in 1563, but the war with the League re-confirmed the Catholicity of the crown and the kingdom, and the Reformed Church's attempts to create a dual Gallican, yet Calvinist, politico-theological public sphere by mirroring Gallican institutions reinforced and strengthened the power of the monarch upon which this conception both figuratively and relied.

Argument Summary

Liberté de conscience is an idea that has a history, and it happens to be a history that is defined by its relationship to the development of the state. In this dissertation, I argue that the

monarchy instituted a limited idea of liberty of conscience starting in 1563 in order to avoid granting French Protestants the full legal privileges of a *corps* - a rights-bearing association characteristic of old regime societies – and officially recognizing their church. In the end, the monarchy's limited toleration separated the freedom of an individual's conscience from the right of a church to assemble for worship. This royal policy of not forcing consciences was in opposition to both full toleration of a second religion in France and continuing to persecute Calvinists as heretics. The idea that conscience could be free while worship was limited, however, was strongly rejected by the majority of Protestants to whom it was granted, and it also had real implications for the accepted understanding of what constituted both religion and citizenship French society.

In this dissertation, the problem of toleration and the implementation of the edicts of pacification is seen through the battle over where the boundaries of conscience ended and began, which correlated with a debate about French citizenship, but also about what was and was not proper religion. They reveal that these two things are interrelated: to be a French citizen meant having access to a range of Gallican institutions, from various types of assemblies to the French Church itself. Calvinists wanted their own church as well as continued access to the politico-theological public sphere created by these Gallican institutions, and the battle over Calvinist presence and absence and their public visibility in Catholic France was consistent both during and between the recurrent civil wars.

Toleration and the risk of pluralism was seen by many French subjects, Catholic and Protestant, as a direct threat to the polity. Liberty of conscience was used to try and get around the problem of pluralism by bounding conscience in the household; I show that this dialectic between sovereignty and private property instantiated in the household was both the logic of

liberty of conscience and that of logic for the basis of citizenship through the household in Jean Bodin's 1576 *Les six livres de la République*. By juxtaposing this new theoretical argument with Bodin's role in the debates over liberty of conscience and property in the 1576 Estates General, I demonstrate the centrality of liberty of conscience in both defining French citizenship in a plural France and its deep connection to the practice of absolute royal power.

By rejecting the mapping of a rational/irrational dichotomy onto a political/ religious one, Catholic League rhetoric and resistance in individual towns can be seen as the rejection of the private/public boundary of conscience that de-Catholicized French citizenship and the re-drawing of that boundary around their communal *corps* and, ultimately, the kingdom. Conversely, French Calvinists fought to be included as full members of the polity, which meant equal access to the politico-theological public sphere, as evidenced in the Reformed General Assemblies that negotiated with Henri IV after his conversion to Catholicism in 1593. While these assemblies have historically been studied as instances of proto-democratic or representative institutions, that was not their logic. Because their ability to participate relied upon the king's sufferance, Protestant institutional resistance to limited liberty of conscience had the obverse effect of its intention; forms of resistance offered by these subjects and their institutional self-organization during civil war not only mirrored, but strengthened the role of centralized monarchical institutions in the kingdom.

I use conscience to explore the contested development of boundaries: between who was and was not French in a historically Catholic kingdom; between what did and did not constitute the public sphere in a system of corporative privilege; between what was and was not religion in a society that did not distinguish religion from worship. While many histories of the civil wars focus on the differences between Catholic and Protestant identity, my work demonstrates that

French subjects shared a concept of an ideal polity, and that this ideal was decidedly not religiously plural. I conclude that the battle over the boundaries of conscience resulted in strengthening the monarchy from the bottom up, while freedom of conscience itself, long seen as the hallmark of nascent individual rights in the 1598 Edict of Nantes, was really a rejection of religious pluralism imposed on French subjects from the top-down.

Chapter Structure

The analysis of the sources related to liberty of conscience are organized in roughly chronological order within the narrative of the civil wars. In chapter 1, I outline the development of the monarchy's first use of *liberté de conscience*, and its first appearance in France, from 1559 to 1563. The context and legal basis for the monarchy's new use of liberty of conscience was the monarchy's existing power to persecute heretics and try Church cases in secular courts. Catherine de Medici essentially used this legal prerogative to achieve the opposite, declaring that French Calvinists would not be pursued as heretics and forbidding secular courts from trying cases of heresy. In addition to the existing royal power over heresy, I argue that the logic the monarchy used in order to make the conceptual move required by its definition of freedom of conscience relied upon the royal prerogative to grant and defend privileges to corporate groups. It used this in order to declare that all French subjects now had the formerly noble privilege of *liberté de conscience* in their homes. This "democratization" of a noble privilege by applying it to all French subjects turned it into something else entirely, making the limited toleration of conscience universal to all quality of French Calvinists by stipulating that it was accorded to all French subjects. While in practice this meant only Calvinists, since Catholics did not need liberty of conscience, Jews were considered foreigners, and all other Christian sects were still

considered heretics, this manner of granting liberty of conscience as a universal right to the entire *corps* of the kingdom avoided directly recognizing French Calvinists as a legal entity. The effect was still revolutionary; liberty of conscience removed the requirement that French citizens had to be Catholic.

Chapter two establishes how the contested implementation of liberty of conscience in the edicts of pacification can be used to set the parameters for an understanding of Gallican French citizenship in practice through a politico-theological public sphere, in which the polity shared the boundaries of a true church. Calvinists did not want to be quietly tolerated, but to experience their faith through this paradigm, and Catholic objections to toleration were framed precisely in these same terms. The limited concept of liberty of conscience in the edicts was insufficient for Protestants, threatening to Catholics, and dangerous from a religious perspective for both. This chapter covers the Protestant and Catholic reaction to the monarchy's use of freedom of conscience starting in 1559 and ending before the watershed of the Saint Bartholomew's Day Massacre in 1572, after which Protestant resistance is framed as resistance to the tyrant, Charles IX, who supposedly orchestrate this violence. In this chapter, I put these reactions of freedom of conscience into the context of the history of toleration and coexistence, by showing the logic of protestant and Catholic rejection of its implementation. Protestant and Catholic pamphlets and appeals to the king reveal the ways in which this severing of worship from its public role in forging and maintaining community was seen as threatening. Fears of atheism and sedition resulted from the unwanted removal of the religious to the private sphere. Protestants argued against this separation as loyal French citizens who sought to protect the kingdom from sedition. For many Catholics, the presence of a rival church was itself seditious and threatening. In these

responses, the real consequences for the French polity of a religious freedom that allowed for non-Catholic French citizens are ever present.

Chapter three serves as the culmination of the first two chapters of the dissertation. It shows that fourteen years after it was first instituted, the monarchy's logic of a limited liberty of conscience protected by the boundaries of the household was an integral part of the debate over citizenship and was tied to the dialectic between sovereignty and the protection of private property. I connect the practice of liberty of conscience to its theorization by demonstrating that Jean Bodin attempted to stabilize the already-existing royal paradigm in his 1576 *Les six livres de la République*. I argue that Bodin was theorizing an existing logic of royal power and consequent citizenship that was not bounded by the Catholic faith. Instead, Bodin's theoretical defense of a sovereign with absolute power to make law was dependent not just on the obedience of subjects, but on a corporative definition of citizenship bounded by the household, just like that instituted by the monarchy with its use of liberty of conscience. This *politique* position is exemplified in practice by Bodin as deputy to the third estate during the 1576-1577 Estates General. The Catholic League formed in opposition to the *politique* position, and in response to the 1576 Peace of Monsieur, the only edict of pacification that did not mention liberty of conscience because it allowed the nearly universal exercise of the Reformed faith. The League ensured that no Protestants were represented in the 1576 Estates General, and Henri III took up their call for the assembly to vote in favor of the forced Catholic reunification of France. The debates in the third estate over this policy reveal that what was at issue was the boundaries of French citizenship, and property was central to the various solutions that were proposed to this problem.

In chapter four, a newly-resuscitated Catholic League developed in opposition to the Protestant Henri de Navarre becoming the heir to the throne. This new League accomplished what its earlier incarnation had failed to do, gaining the legal revocation of liberty of conscience for French Calvinists in its attempts to restore a Catholic polity and outlaw Protestantism in France. While the League nobility enacted this policy militarily, the municipal arms of the League enforced it on a local level. In contrast with the *politique* use of liberty of conscience, the logic of forcing consciences and extirpating heretics of the Catholic League was based less on royal power to act absolutely and more on its role in protecting the communal and noble liberties of French subjects. Their often-violent rhetoric and action combined with League public piety and communal oaths demonstrates the conception of a unified public/private politico-theological sphere. This chapter is framed by the 1585 Edict of July forced onto Henri III by the Catholic League, by which all protestants were legally required to convert or leave the kingdom, and the 1588 Edict of Union confirming it after the League took over Paris, and subsequently other towns in France. I explain the Leaguers' rejection of the private/public internal boundary of conscience as a possible boundary for French citizenship as a rejection of the boundary between the private and the public as described in the previous two chapters. The League is in the end undermined by its non-Gallican relationship with Spain and its refutation of the Salic Law, the royal law of succession, in its rebellion against the eventual Protestant King Henri IV. The League's fate is sealed with the conversion of Henri IV and the subsequent dissolution of the illegal 1593 League Estates General, formed to find a replacement king. While in the end the League was not able to eliminate French citizenship for Protestants, their rebellion led to a renewed commitment to the Gallican Catholic nature of French kingship and its related Catholic politico-theological public sphere.

In chapter five, French Calvinists negotiate with their now-converted former Protector of the Reformed Faith Henri IV through their National General Assemblies at Mantes in 1593 and then again in Sainte-Foy in 1594. Protestants still did not favor the *politique* version of the monarchy's limited liberty of conscience, and they were certainly opposed to the *ligueur* position that they could not exist in France. Their last hope for full participation in French citizenship as *concitoyens* and official recognition of their Church on par with that of the Catholic faith was now their former co-religionist Henri IV. Despite some gains, negotiations in 1593 and 1594 saw Henri IV retain the logic of limited liberty of conscience as he culminated his victory over the Catholic League and the consolidation of his Catholic support with his re-entry into formerly League-occupied Paris in 1594. French Calvinists, meanwhile, still sought full citizenship in its religious and political incarnations, but in a parallel politico-theological sphere for themselves, with their own Gallican institutions and representation in royal courts. Protestant deputies are instructed to tell the king that liberty of conscience is not enough. Despite the non-hierarchical nature of Reformed ecclesiology, the Gallican organizational structure of their assemblies mirrored the hierarchically organized system of local and provincial assemblies that were common in sixteenth-century France. These assemblies set the stage for the assemblies that would undertake the negotiations for the 1598 Edict of Nantes. In spite of their efforts, the recently Protestant Henri IV embraced the very distinction between liberty of conscience and the free exercise of religion in the Edict of Nantes that had been offensive to his co-religionists from the start. Protestant assemblies and Gallican institutions underlay a shared understanding of sovereignty and citizenship; this institutional structure was what remained after a generation of war and a developing confessional divide had left two distinct cultural confessions in France.

Chapter One

Liberty of Conscience and the Crisis of Toleration

Introduction

In his role as observer in the *Essays*, Michel de Montaigne devoted an entire essay to the monarchy's granting of *liberté de conscience*. Written and revised from 1578 to 1580, the essay, "Of freedom of conscience," uses the historical example of the Roman Emperor Julian the Apostate to illustrate the dangers of liberty of conscience. The bulk of the essay is spent listing the many virtues of this emperor who was used a common trope for a tyrant by Montaigne's contemporaries. Montaigne posits that Julian was never really an apostate at all, but a secret pagan in a Christian empire biding his time until he could restore paganism to its original primacy. Exploiting the disagreements in Constantinople about Christian doctrine, Julian cunningly advised the various factions to follow the doctrine they *believed* to be true, thereby ushering in a form of Christian doctrinal pluralism. Montaigne argues that Julian's goal was to prevent the Christians from uniting against him by encouraging factionalism, with the hope that they would instead destroy themselves. While he acknowledges that the French monarchy's use of liberty of conscience was meant to prevent more conflict, Montaigne points out that it had the opposite effect. Drawing a parallel between the results of religious toleration in France and the Roman emperor's nefarious intentions, he bitingly notes that it is "worthy of consideration, that Emperor Julian uses, to kindle the trouble of civil dissension, that same recipe of freedom of conscience that our kings have just been employing to extinguish it." Montaigne further observes that the development of religious factions paradoxically undermines the primacy of disagreements over religious truths by making them seem less important, or to "relax them through facility and ease, and to dull the point, which is sharpened by rarity, novelty, and

difficulty.” Whether the reader is supposed to interpret this implied theological ecumenism as a possible good is left unsaid, in typical Montaigne fashion, but he concludes the essay on an orthodox note by excusing the French monarchs’ policy of toleration. Toleration, he explains, was the result of circumscribed circumstances: “I prefer to think, for the reputation of our kings’ piety, that having been unable to do what they would, they have pretended to do what they could.”¹

Montaigne was right; Catherine de Medici and her royal sons, unable to continue prosecuting French Calvinists as heretics, did what they could. The monarchy combined two principles that had become integral to the practice of monarchical sovereignty by the mid-sixteenth century in order to make the conceptual move required by its definition of liberty of conscience: the secularization of the prosecution of heresy in royal courts earlier in the century, and the royal prerogative to grant and defend privileges to corporate groups. In 1540, François I decreed in the Edict of Fontainebleau that all royal officers had the power to investigate heresy in France, thereby expanding the jurisdiction of royal courts over that of canonical courts in the name of heresy prosecution and paving the way for the institutionalization of extraordinary legal procedures.² This legal precedent allowed the monarch to direct his sovereign courts to decide who was and was not a heretic, while actively drawing boundaries around religious orthodoxy

¹ Michel de Montaigne, *The Complete Essays of Montaigne*, translated by Donald Frame (Stanford: Stanford University Press, 1957), Book II, Chapter 19, 509. I have verified that in all of the original editions Montaigne uses the phrase *liberté de conscience* in the title and in the body of this essay. Frame translated it to freedom of conscience, as quoted above. Biancamaria Fontana, who has several chapters about Montaigne and freedom of conscience in her book, *Montaigne’s Politics: Authority and Governance in the Essais* (Princeton: Princeton University Press, 2008), is mistaken when she writes that he does not use the phrase itself in the essay; see page 66.

² Tyler Lange, *The First French Reformation: Church Reform and the Origins of the Old Regime* (Cambridge: Cambridge University Press, 2014), 250, 208-09.

and French citizenship at the same time. After the death of Henri II, Catherine de Medici took this power of the prosecution of heresy that had been incorporated into royal courts and turned it around in response to growing civil unrest by decreeing that Calvinists were no longer to be prosecuted for heresy at all. In doing “what it could,” the monarchy’s new policy of toleration was not meant to usher in an era of pluralism. While toleration in modern parlance has a positive connotation, the opposite was true in the sixteenth century. For early modern Europeans, to tolerate meant “to suffer, endure, or put up with something objectionable.” Instead of a virtue, it was the result of necessary pragmatism.³ In the case of France, the Queen Mother and the young king pragmatically decided not to force consciences. In doing so, they redrew the boundary of French citizenship, disaggregating it from its formerly assumed Catholicity. Forced toleration failed to prevent war, but the monarchy returned to this formula of liberty of conscience repeatedly throughout the civil wars until it was finally enshrined in the 1598 Edict of Nantes. This chapter chronicles the development of the monarchy’s first use of *liberté de conscience*, and its first appearance in France, and establishes the different ways it was interpreted and used at the start of the civil wars and in the royal edicts of pacification. In the wake of the first civil war in 1563, the monarchy employed a novel and largely unwelcome limited interpretation of liberty of conscience in its first edict of pacification that radically separated it from the exercise of religion. As Montaigne later observed, the legal implementation of liberty of conscience led to “civil dissension” and decades of war over both its meaning and its implementation. Counter-intuitively based on the king’s legal authority as protector of the Gallican Church and his legal prerogative to grant privileges, the monarchy’s limited liberty of conscience radically redrew the

³ Benjamin J. Kaplan, *Divided by Faith: Religious Conflict and the Practice of Toleration in Early Modern Europe* (Cambridge, Massachusetts: Harvard University Press, 2007), 8.

boundaries of French citizenship and, as Montaigne had hinted, threatened the definition and boundaries of the Gallican Church.

Before Toleration: Protestantism as Heresy and Sedition

That the monarchy turned to *liberté de conscience* as an alternative to prosecuting religious heterodoxy as heresy was both novel and unprecedented. Calvinists in the realm of Henri II (r. 1547-1559) were certainly pursued as heretics, and heresy was a serious crime. Since the Fourth Lateran Council in the early thirteenth century, condemned heretics had their goods confiscated and were then turned over to the secular authorities for “due punishment.” This often meant death. The Lateran decree was only marginally less severe against rulers who tolerated heretics; it insisted that secular authorities must cleanse their territory of convicted heretics. If they did not, their vassals were absolved of their obligations of fealty and the land of the offending magistrates could be confiscated. In addition, supporters or defenders of heretics who did not rescind this support after one year of excommunication were reduced to a state of infamy, meaning that they lost their legal standing in a process that could be characterized as civil death. This included the withdrawal of offices and honors, rendering them unable to serve as witnesses, write a will, receive an inheritance, dispense justice, or to exercise any public function, until, finally, they were denied Christian burial.⁴ In 1252 Pope Innocent IV’s papal bull *Ad extirpanda* regarding the Inquisition explicitly authorized torture and acknowledged death by fire as an acceptable punishment for heretics.⁵ The severity of punishments for both

⁴ *The Disciplinary Decrees of the Ecumenical Council*, translated by H.J. Schroeder (St. Louis: B. Herder Book Co., 1937), 242-43.

⁵ Edward Peters, *The Magician, the Witch, and the Law* (Philadelphia: University of Pennsylvania Press, 1978), 160. See also Lucien Romier, *La Conjuration d’Amboise: L’Aurore Sanglante de la Liberté de Conscience, Le Règne et la Mort de François II* (Paris: Librairie

convicted heretics and those who tolerated or defended them is evidence of just how seriously the Church took charges of heresy, and to what degree lay rulers and their Christian subjects were expected to prevent it.⁶

In response to the disturbances in France that resulted from religious reformation, French persecution of heretics increased with the Edict of Fontainebleau in 1540. This edict was the result of François I's (r. 1515-1547) frustration with the spread of heresy; the parlements, or royal courts of justice, were now ordered to pursue heretics relentlessly, in contrast to the slower church courts, and to do so with the help of all the king's subjects acting as informants.⁷ Thus, this edict for the first time called for secular, not just ecclesiastical, courts to pursue protestant heretics. The king decided to use his "secular power" in order to "purge [these] false diabolical errors" from the kingdom.⁸ The edict included the provision that before clerics could be tried

Académie, 1923). Romier references volume 3 of Charles Cocqueline's *Bullarium Romanum* for the relevant papal bull (295-296). Also see Julien Havet, "L'hérésie et le bras séculier au moyen âge," *Bibliothèque de l'École des Chartes* (1880) 41:488-517 and Paul Viollet, *Histoire du droit civil français*, 3rd ed. (Paris: 1905), 373.

⁶ On heresy and its nature in the Middle Ages, see R. I. Moore, *The War on Heresy: Faith and Power in Medieval Europe*, rev. ed. (London: Profile Books, 2014). Moore's argument is that, contrary to the conceptions of ecclesiastical and lay rulers, there was in fact "no European-wide heretical movement." Instead, there were pockets of believers in different parts of Europe who fell into heresy, but were not connected. These heretics were viewed, however, as a threat, "part of a single movement, a sinister, even satanically directed conspiracy" (333). This helps to explain the seriousness with which heresy was treated.

⁷ Monter, *Judging the French Reformation*, 86. According to Monter, this transition from ecclesiastical to secular courts for trying heresy had already taken place at least ten years earlier in Austria, the Low Countries, and England (85). See also Lange, *The First French Reformation*, chap. 4.

⁸ *Edict qui enjoind expressément à tous baillis, sénéchaux, procureurs, avocats du roi, etc., sous peine de suspension et privation de leurs offices, de rechercher et poursuivre les luthériens, et de les livrer au jugement des cours souveraines* (June 1, 1540) in François-André Isambert, et al., eds., *Recueil general des anciennes lois françaises, depuis l'an 420 jusqu'à la Révolution*, 29 vols. (Paris, 1821-1833), 12:676-681. Hereafter the Edict of Fontainebleau. "...à nos cours souveraines, qu'autres nos juges et commissaires, pour en ce leur donner toute ayde, faveur et support, et autrement y procéder de nostre puissance séculière, selon l'exigence de la cas: de sortie que nostredit royaume peut estre purgé desdits faux diaboliques erreurs" (676). Before the

and executed they had to be stripped of clerical office, but it also mandated that the criminal chambers of the royal courts, the parlements, could themselves determine whether or not arrested clerics should be transferred to a canonical court. In practice, zealous *parlementaires* did condemn clerics as heretics both before and after the 1540 Edict.⁹ The imperative to extirpate heretics was not only the purview of the parlements, however. At the risk of being stripped of their privileges, the Edict of Fontainebleau also required that all *seigneurs* refer cases of suspected heretics discovered in their own jurisdictions to the king's courts. Additionally, they were to report the names of all subjects known to have protected heretics, who were to be tried for the crimes of sedition and disturbing the public peace. *Lèse-majesté* against both God and king was inherent in the crime of heresy; all the king's subjects, lay and ecclesiastic, were likewise at risk of this crime if they did not root out heretics and deliver them to the king's justice, "just as each must run to extinguish a public fire."¹⁰

Even though heresy was equated with *lèse-majesté*, heretics were not tried by the royal courts for the secular crime of sedition, but for the religious offence of heresy. That was the legal move the monarchy made with the 1540 Edict; the secular sword was being used to defend the faith. Within five years there was an increase in heresy cases in French parlements, and,

establishment of the French Reformed Church, quasi-Protestants, and some self-identified Catholics in favor of reform, were referred to as Lutherans.

⁹ Edict of Fontainebleau, *Recueil général* 12:678; Lange, *The First French Reformation*, 208-209.

¹⁰ Edict of Fontainebleau, *Recueil général* 12:679-80. "Défendons aussi à tous nos subjects, soient de l'estat séculier ou ecclésiastique, attendu que tels erreurs et fausses doctrines contiennent en soy crime de lèze majesté divine et humaine, sedition de people, et perturbation de nostre estat et repos public, de recepter, favoriser ou supporter lesdits coupables, leurs adhérents, alliez et complices, ny leur bailler confort ou aide, directement ou indirectement, mais tantost et incontinent qu'ils en seront advertis, les révéler à justice, et de tout leur pouvoir aider à les extirper, comme un chacun doit courir à esteindre le feu public. Et ce sur peine d'estre déclarez avoir encouru envers nous crime de lèze majesté..." (680).

eventually, an increase in death sentences. By 1544, every fourth trial in the Parlement of Paris was a heresy trial.¹¹ Of the 585 decisions from the Parlement of Paris from 1555 to 1562, most people accused of heresy agreed to declare their obedience to the Catholic Church and to perform an *amende honorable* - a public ceremony of humiliation followed by an oath of obedience. In contrast, there were only thirty-five banishments. The accused could either submit to the judges or choose to forfeit his or her life, which, though rare, did occur and was enough of a threat to sway many people to relent. This underlines the fact that, prior to the 1560s, there was no official acknowledgement that Protestantism as a church existed in France. Instead, people were accused of heresy if they were suspected of being Protestant or if they did not follow Catholic doctrine.¹² Possible Protestants were not recognized as such; they were simply condemned as heretics.

Despite the growth of Calvinism in France in this period, by 1555 successful heresy prosecutions had actually decreased. William Monter's extensive study of heresy cases in regional parlements reveals that only thirteen heretics were publicly executed per year in the period from 1555-1558, a decrease from sixteen per year from 1550-1554, although Henri II

¹¹ Monter, *Judging the French Reformation*, 87. Monter's data shows that in the late 1520s, the Parlement of Paris executed one heretic per year. A decade later, all the French parlements averaged four or five per year and public burnings were taking place across France. From 1540 to 44, these numbers doubled. Monter points out that this is still a small number compared to other parts of Europe when you take the large population of France into account.

¹² Sylvie Daubresse, e-mail message to author, May 14, 2014. See also Sylvie Daubresse, *Le parlement de Paris, ou La voix de la raison (1559-1589)*, Travaux d'Humanisme et Renaissance (Geneva: Droz, 2005). Daubresse writes that it would have been "absolutely impossible" to use the idea of *liberté de conscience* as a defense against charges of heresy in this time frame. Professor Daubresse is in the process of transcribing parliamentary records and constructing a database that categorizes the cases and pronouncements of the Parlement of Paris. I want to thank her for sharing these results of her research with me.

continued to declare increasingly hostile edicts against heretics.¹³ Monter points to the counter-intuitive fact that, while both Protestant sources and royal edicts indicate that the prosecution of heretics increased after 1555, it actually declined according to judicial records. This decline coincided with an increase in the number of French Protestants and the organization of their illegal churches. According to Monter, this decline was the direct result of the royal courts willfully failing to implement royal decrees, often because many of their number were themselves sympathetic to Protestants.¹⁴

Henri II continued to insist that French magistrates enforce his edicts against heresy, especially those directed at disrupting the flow of Calvinist pamphlets and the influx of Calvinist preachers to France. His edicts grew ever more severe; in the 1557 Edict of Compiègne, he mandated the death penalty for heretics who denied the Catholic Eucharist, for those who had books printed in Geneva, for iconoclasts, for Protestant preaching, and even for attending a Protestant gathering, whether in public or in private.¹⁵ The king succeeded; there was one last increase in heresy persecution from 1557-1559 by the Parlement of Paris before the start of the civil wars. Inspired by the Edict of Compiègne, it began in 1557 with a famous Catholic raid on a large group of worshipping Protestants on the rue St. Jacques, and ended in 1559 with the execution of a member of the Parlement. This judge, Anne du Bourg, had spoken out in the Parlement of Paris against prosecuting Protestants for heresy, only to then be tried for heresy himself. He was publicly hanged and burned before Christmas in 1559. Du Bourg became the

¹³ In addition to the Parlement of Paris (whose jurisdiction included the regions surrounding Paris), there were provincial parlements in Bordeaux, Grenoble, Dijon, Rouen, Toulouse, Aix-en-Provence, and Rennes.

¹⁴ Monter, *Judging the French Reformation*, 157-158, 160.

¹⁵ *Édit qui porte peine de mort contre ceux qui publiquement ou secrètement professent une religion différente de celle catholique* (July 24, 1557) in Isambert, *Recueil general*, 13:494-497. Hereafter the Edict of Compiègne.

most famous martyr leading up to the wars and, as a prominent member of Parlement, demonstrates the extent to which Protestantism had become entrenched in France. That his case was actually unique and not widely emulated is emblematic of the end of the crown's policy to persecute heretics that coincided with the unexpected death of Henri II in a jousting accident in the summer of 1559.¹⁶ The monarchy's use of *liberté de conscience* must be understood in the context of its policy of toleration in the face of the spreading heresy and the development of a second church in France.

The Crisis of Pluralism: Royal Edicts on the Eve of Civil War

On June 18, 1561, the chancellor of France, Michel de L'Hospital, delivered a speech to the Parlement of Paris. In it, he characterized the persistent difference of religious opinion in France as a disease for which they had long sought a cure:

...the illness that has reigned in this kingdom for thirty or thirty-five years is the result of religion; such a disease has been difficult to treat with effective medicine because, as the doctors say, a long-standing illness is not easily cured. We have waited a long time to recover from it.¹⁷

After decades of attempting to keep the religious disease of Calvinism from spreading in France by pursuing Reformed Protestants as heretics, the monarchy now pursued a new kind of toleration policy in order to avoid bloodshed and, hopefully, prevent civil war. Henri's widow

¹⁶ Monter, *Judging the French Reformation*, 165, 170. According to Monter, during this time more than thirty executions were ordered by the Parlement of Paris. This is more than the total for all of France between January 1555 and September 1557 (165).

¹⁷Michel de L'Hospital, *Discours*, in *La plume et la tribune*, edited by Loris Petris (Geneva: Droz, 2002), 409. "Scavent le mal qui a regné en ce royaume puis trente ou trente cinq ans à cause de la religion, aquel mal a esté difficile donner bonne medicine parce que ainsi que dient les medecins *inveteratus morbus non facile curatur*. On a longtemps attendu à y remedier. Le mal a gagné sur nous et sur le royaume, tellement qu'il est maintenant malaysé à y pourveoir."

and now the Queen Mother, Catherine de Medici, took up the role she would hold for the rest of her life, negotiating settlements and protecting the reigns of her royal sons. Working with the chancellor, she issued a series of edicts in the name of the king that allowed for some degree of toleration for French men and women who practiced the Reformed faith. L'Hospital's speech to the Parlement was one of many attempts to convince the French judicial system to comply with the king's edicts establishing the political solution of toleration to the religious problem of heresy.

This nascent political solution was being worked out by the monarchy in a series of edicts up to 1562 in response to the crisis of religious pluralism exacerbated by royal dynastic instability. Catherine de Medici's fourteen-year-old son François II (r. 1559-1560) had suddenly become king upon his father Henri II's death in 1559. François's eighteen-month reign nonetheless resulted in an increase in the number of arrests and executions for heresy thanks to the influence of the Guises; François was married to Mary Stuart, the niece of the duc de Guise and his brother, the cardinal of Lorraine. The executions were public and attended by large numbers of Catholic subjects; these spectacles often resulted in popular violence. François died in December of 1560, placing an even younger king on the throne, Catherine's ten-year-old son Charles IX (r. 1560-1574). A weakened crown with a succession of minority kings at its head had little chance of accomplishing a successful campaign against Protestantism, but Catherine de Medici began fostering a faction of moderates to temper the Guises' power during François's reign. The moderates hoped that ending the prosecution of Calvinists as heretics would pave the way for a Church council in which the two faiths could be reunited.¹⁸ As more nobles became

¹⁸ Barbara B. Diefendorf, *Beneath the Cross: Catholics and Huguenots in Sixteenth-Century Paris* (Oxford: Oxford University Press, 1991), 52, 57.

Protestant and aligned themselves with the increasingly organized so-called Huguenot party against the influential Catholic Guise family in a struggle for power, Catherine de Medici chose stability and appeasement over enforced Catholicism.¹⁹

Catherine's first edict of toleration was signed by François II in response to the thwarted Conspiracy of Amboise in March of 1560, an attempt by Protestant nobles to "rescue" the young king.²⁰ Wary of the influence of the Catholic Guise family that essentially took control of the government at Henri II's death, a portion of the nobility dominated by members of the Reformed Church had decided to act. Its organizers presented this plan to French nobles, both those in France and those exiled abroad, as a righteous noble revolt against a foreign power, referring to the Guises as the ruling house of Lorraine.²¹ Having been warned of the conspiracy, Catherine de Medici put defenses into place to protect the king. In Paris, however, the atmosphere remained tense. This was one in a series of scares; months before the city had been in a panic due to rumors that Protestants intended to burn it down. When some residents asked for royal permission to arm themselves in defense of a possible threat, it was granted.²² The Queen Mother had this first edict of toleration issued in March in order to defuse and contain the revolt. The edict stipulated that the king would pardon his subjects who had been misled by foreign doctrine, the pernicious influence of books and pamphlets from Calvinist Geneva having "infected part of the population" of the realm. While the terminology of conscience was not

¹⁹ On Catherine de Medici, see Denis Crouzet, *Le haut cœur de Catherine de Medici, Une raison politique aux temps de la Saint-Barthélemy* (Paris: Albin Michel, 2005).

²⁰ B.N., F-46819 (9) (March 11, 1560, n.p.), *Edict du roy, contenant la grace et pardon pour ceux qui par cy devant ont mal senty de la Foy* (Paris: J. Dallier, 1560). Also reproduced in Isambert, *Recueil général*, 14:22-24. See also Romier, *La Conjuración d'Amboise*, 165. For its registration in the Parlement of Paris, see A.N. X^{1A} (1593), fol. 219, 319.

²¹ See Arlette Jouanna, *Le devoir de revolte: La noblesse française et la gestation de l'État modern (1559-1661)* (Paris: Fayard, 1989), especially pp. 123-42.

²² Diefendorf, *Beneath the Cross*, 56-57.

used in the edict, it implied that the reason for tolerating the French population “infected” by Geneva was that their consciences had been mistaken; they were “lacking knowledge and judgement, unable to discern the doctrines.”²³ In this edict, the king acknowledged that while the existing ordonnances required that he seek justice in matters of religion, the punishment of heretics had not prevented the spread of heresy. Instead, a “great number of people, of all sexes, ages, qualities, and vocations” were found conducting worship and baptisms “in the manner of Geneva,” and still others had attended illicit assemblies to hear sermons from preachers trained in Geneva.²⁴ This was a problem for the king, because if he were to punish these subjects according to the rigor of the law, “there would be a marvelous shedding of blood of the men, women, children, and young people in the flower of adolescence,” many of whom had fallen into error by “inducement and subornation, simplicity and ignorance, and others by curiosity more than malice.”²⁵ Having conferred with the Queen Mother and his council, François II declared that the purpose of this edict was to avoid killing his own people. The king here overturned

²³ *Edict du roy contenant la grace et pardon pour ceux qui par cy devant ont mal senty de la Foy* (1560). "A nostre advenement à la couronne nous avons en la pluspart des provinces de nostre royaume trouvé de grans troubles au fait de la religion: tant par la licence des guerres passées, que par le moyen de certains predicans venuz de Genesve... & aussi par une malicieuse dispersion de livres d'heresie, apportez dudict lieu de Genesve, par lesquelz a esté infectée partie du populaire de nostre royaume, qui par faulte de sçavoir & de jugement ne peult pas discerner les doctrines." See Kingdon, *Geneva and the Consolidation of the French Protestant Movement, 1564-1572*. For a more recent description of the development of the French Reformed Church, also see Benedict, *Christ's Churches Purely Reformed*.

²⁴ *Edict du roy contenant la grace et pardon pour ceux qui par cy devant ont mal senty de la Foy* (1560). "Et d'autant que par les proces sur ce faitz se congnoist que grand nombre de personnes de tous sexes, aages, qualitez & vacations [sic] se sont cy devant trouvées es cenes & baptesmes qui se sont faits en nostre royaume à l'usage de Genesve, & autre grand nombre s'est trouvé aux sermons qui en assemblées illicites se sont faitz par les predicans de Genesve..."

²⁵ *Ibid.* "...si lon venoit à faire la punition selon la rigueur de droict, & de noz ordonnances, seroit faicte une merueilleuse effusion de sang d'hommes, femmes, filles, jeunes gens constituez en fleur d'adolescence, dont les aucuns par inductions & subornations, autres par simplicité & ignorance, & autres par curiosité plus que par malice, sont tombez en telz erreurs & inconveniens."

previous royal policy, forbidding royal judges from “putting any question to our subjects” regarding “crimes or cases concerning faith and religion.” In addition, he pronounced a pardon for all prior convictions based on religion.²⁶ This edict did not accord liberty of conscience or offer to tolerate the Reformed Church; it ends with the admonition that all those thus pardoned must now “live henceforth as good and Catholic,” faithful to the Church, its institutions, and its commandments, “as well as our other subjects.” Significantly, however, it did not require abjuration. The 1560 edict established toleration by not allowing French Calvinists to be questioned as heretics, but it also assumed that they would live as Catholics and obey the mandates of the Church.²⁷ While knowledge of the conspiracy and a desire to separate the political motives of the disgruntled nobility from the crime of religious error undoubtedly influenced the crown’s decision to issue this edict, it remarkably prevented the persecution of Calvinists as heretics. The edict was also unprecedented in its assertion that pity for a king’s subjects and a desire not to shed blood should overshadow the crime of heresy.²⁸

The fear that the Huguenot nobility would protect the French Reformed Church with force had proven to be a valid one. Catherine de Medici sought to protect the regency of the minor king by creating a balance between the noble factions across the confessional divide with

²⁶ Ibid. “...que pour raison des crimes & cas quelzconques concernans le fait de la foy & religion, ne sera faicte cy apres par noz juges (pour le regard du passé) aucune question à noz subjectz, de quel que qualité qu’ilz soyent, en jugement ne hors jugement.” “De tous lesquelz crimes & cas concernans le fait de la foy & religion, nous avons par ces presentes faict pardon, remission & abolition generale de tout le passé, à tous noz subjectz...”

²⁷ Ibid. "Et moyennant ce seront les coupables desdictz crimes & cas susdictz tenez de vivre doresnavant comme bons & catholiques, vrais fideles & obeissans filz de nostre mere sainte Eglise, & garder les institutions & commandemens d’icelle, ainsi que noz autres subjectz."

The king here also refused to pardon the potential conspirators who conspired against the crown under the pretext of religion.

²⁸ Romier, *La Conjuraton d’Amboise*, 168. The Edict of Ecoen (June 2, 1559) was the last to deal with heresy as a crime before the civil wars (147).

the Edict of Romarantin in May of 1560. In many ways this edict was a follow-up to the edict of toleration issued just a few short months before.²⁹ Whereas the previous edict had prevented secular courts from questioning French subjects about religion, in the Edict of Romarantin the king specifically rescinded the secular courts' jurisdiction over heresy, returning it to "the prelates of our kingdom, as natural judges of this crime." Prelates were asked to take up residence in their diocese and encouraged to "extirpate errors and heresies by their good manners, example of good and holy living, prayers, praise, preaching, and persuasion, bringing back to the path of truth those who are in error." This distinction is important to note: while secular courts were no longer to try heretics, canonical courts retained that power, as their mandate did not come from the king. Thus, the Edict of Romarantin forbade royal courts from pursuing any crimes of heresy, but left them the ability to act against heresy on directions from the Church.³⁰ At the same time, the king also explicitly outlawed all illicit assemblies and public displays of force in order to prevent anyone under the "pretext of religion" from taking up arms "presuming to plant by military force the new opinions that they hold in religion," as those who planned the Conspiracy of Amboise had intended. All those who were found in illegal assemblies were to be guilty of "lèse-majesté" and declared "enemies and rebels," and would be

²⁹ *L'édit de Romarantin* (May, 1560) reproduced in Isambert, ed., *Recueil général*, 14:31-33.

³⁰ *Ibid.*, 31-32. "Avons par notre édit irrévocable délaissé, et délaissions l'entière cognoissance de tout crime d'hérésie aux prélats de nostre royaume, comme naturels juges d'iceluy crime, et ainsi qu'ils l'avoient anciennement: les admonestans et exhortans de faire résidence en leurs diocèses, vaquer soigneusement à la réduction et constitution de la sainte Eglise, extirpation d'erreurs et hérésies par leurs bonnes mœurs, exemple de bonne et sainte vie, prières, oraisons, preschemens et persuasion, réduire ceux qui sont en erreur à la voye de vérité...interdisant à nos cours de parlemens, baillifs, sénéchaux, et autres juges de n'entreprendre aucune cognoissance desdits crimes d'hérésies, et ne s'en mesler aucunement, sinon, entant qu'ils en seroient requis par les juges d'église..."

punished as such.³¹ Despite these proscriptions, French Calvinists chose to interpret this edict to mean that an illicit assembly was one with nefarious intent; they did not stop meeting for worship. The uncertainties connected to what would and would not be tolerated, combined with irregular enforcement, meant that in practice there was no clear understanding of what was permitted under the Edict of Romarantin. Both Calvinists and Catholics interpreted the royal acts in ways that were favorable to them.

Despite the uncertainties of its implementation, with the 1560 Edict of Romarantin the monarchy inadvertently opened up a way for the explicit granting of liberty of conscience by legally removing heresy trials from the jurisdiction of the secular courts and returning them solely to the jurisdiction of the Church, reversing the 1540 Edict of Fontainebleau.³² While the Edict of Fontainebleau declared all heretics guilty of *lèse-majesté*, yet tried heretics in royal courts as heretics, the 1560 Edict of Romarantin no longer prosecuted Protestants guilty of heresy, but instead called for them to be tried in secular courts for *lèse-majesté* if they attempted

³¹ *L'édict de Romarantin*, 32. "...qu'aucuns de nos sujets, sous espèce et prétexte de religion, ont prins les armes, et se sont soulevez pour troubler l'estat et repos de nous et de nos sujets, cuidans planter par force d'armes les nouvelles opinions qu'ils tiennent en la religion, dont les uns auroient prins la hardiesse de venir jusques en nostre maison, avec si mauvaïse et damnable intention..." "Avons prohibé et défendu, prohibons et défendons toutes assemblées illicites et forces publiques; declarant ceux qui auront fait, ou qui se trouveront en telles assemblées, nos ennemis et rebelles, et sujets aux peines qui sont establies contre les criminels de lèze majesté..."

³² As a demonstration of the sea change that took place after the death of Henri II, in the *mercuriale* of the Parlement that Henri II called on June 10, 1559 to attempt to enforce the 1557 Edict of Compiègne that called for the death penalty of those that denied the Catholic Eucharist, the *parlementaire* Paul de Foix called for heresy cases to be moved to Church councils instead of the secular courts. For this, he was arrested along with his colleagues that had also espoused views on toleration. The king's death did not prevent him from being tried; he was convicted and sentenced to a one-year ban from the Parlement after retracting his statement. See Malcolm C. Smith, "Paul de Foix and Freedom of Conscience," *Bibliothèque d'Humanisme et Renaissance*, vol. 55, no. 2 (1993), 302. This was the same *mercuriale* at which Anne du Bourg offended the king with his defense of French Calvinists; his fate, as we know, was much worse. He was burned in December of 1559.

to assemble without the king's permission for worship.³³ That the return of heresy trials exclusively to ecclesiastical courts was a necessary condition for the monarchy's use of liberty of conscience is more than just a case of historical irony; it reveals the inherently contradictory nature of religious liberty. The innovation of having secular courts try heretics in the 1540 edict had changed the trials themselves and, also inadvertently, served to limit the reach of both secular and ecclesiastical authorities in practice. While ecclesiastical courts had examined the accused's conscience and looked for internal evidence of mistaken beliefs, civil magistrates were not equipped for this kind of questioning. Instead of examining consciences, they looked for exterior signs of heresy or denunciations from witnesses. Although this 1540 shift stemmed from the monarchy's desire to increase the efficiency of heresy trials, the result was that, rather paradoxically on both a legal level and in practice, conscience was considered an internal quality outside the reach of royal courts.³⁴ This removal of conscience from heresy trials was the conceptual pre-condition for the assertion that a person's conscience was outside the reach of the law, and thus a necessary step in the monarchy's conception of *liberté de conscience*. Furthermore, while the 1560 royal pardoning of prisoners for crimes of heresy was an unprecedented step in the kingdom of France, the possibility that there would be no prosecution for religious "opinions" was not so far from this earlier legal shift. Henceforth, whether or not heresy was punished as heresy would depend on whether or not tolerance was more propitious for maintaining the public peace; this was the next unexpected step that would be taken by Catherine de Medici. The Queen Mother built upon the royal jurisdiction over heresy to use

³³ Lange, *The First French Reformation*, 207. Lange points out that heresy was not legally transformed into sedition until 1560; before that, the crime against the faith was given precedence.

³⁴ Romier, *La Conjuration d'Amboise*, 147.

liberty of conscience in the edicts of pacification to ostensibly place matters of religious opinion into the private sphere and outside the realm of governance, while simultaneously regulating worship outside of the private sphere as either legal or illegal public assembly. In this way, liberty of conscience served to guarantee Protestants the right to their opinions and to their property, while simultaneously limiting their right to worship and to exercise their religion by instituting a shift from prosecuting French subjects for heresy to prosecuting them directly for sedition.³⁵

The Politics of Religious Liberty and the Policing of the Public

The role *liberté de conscience* came to play in the later edicts of pacification was not inevitable. It could even be called surprising. In his 1966 investigation into the origin of the phrase and the different contexts of its use, Joseph LeCler determined that “*liberté de conscience*” as a general principle did not exist in Europe in 1560, and he could find nothing to predict that it would become a central phrase in France in such a short time.³⁶ A more recent local study by Lionel Bartolini of French-speaking Neuchâtel in Switzerland identifies in 1541 the concept that would develop into the phrase *liberté de conscience* by 1562.³⁷ The small

³⁵ The rising problem of heterodox preachers, both Catholic and Protestant, were another problem for the monarchy, being seen as directly inciting unrest. Even as the monarchy tried to control them, however, if they could be deemed non-seditious many of them were able to gain a recognized status as preachers in France. See Éric Durot, “Le prédicant, hérétique et séditieux. De l’édit de Compiègne (1557) à l’édit de janvier (1562),” *Revue historique* 2009/1 (no. 649): 39-64.

³⁶ Joseph LeCler, “Liberté de conscience,” 385. See also Benedict, “Un roi, une loi, deux fois,” 65-93.

³⁷ Lionel Bartolini, “Liberté de conscience dans le vocabulaire français: une genèse romande (1530-1560),” in *La Suisse occidentale et l’Empire: actes du colloque de Neuchâtel des 25-27 avril 2002* (Lausanne: SHSR, 2004). These documents are from the local administration of the chatelaine of Landeron. This case-study is also described by Bartolini in “Autonomie des

jurisdiction of Landeron refused to convert to Protestantism with the rest of Neuchâtel, yet within this Catholic jurisdiction, the town of Cressier became Protestant. As the authorities of Neuchâtel pressed Landeron's Catholic magistrates to allow the Protestants of Cressier to live in "liberty of their consciences," Bartolini acknowledges that the Catholic magistrates interpreted this to mean that they should "respect the confessional choice" of this minority group and "not force them to attend mass."³⁸ The Protestants, however, wanted a stronger *liberté de conscience*, or, Bartolini says, "what we would today call liberty of worship."³⁹ Aside from references to conscience in the writings of the early reformers, Bartolini cannot find any specific origin point for the phrase being transmitted to Neuchâtel. Instead, he sees this early application of *liberté de conscience* in a juridical and political context as the result of the prolonged confessional crisis that took place there.⁴⁰

In Reformation theology, one's conscience was both free and bound. As Luther famously conceived of it, a Christian had no choice but to follow the dictates of his or her conscience: "The very highest of worship of God is this: that we ascribe to him truthfulness, righteousness, and whatever else should be ascribed to one who is trusted. When this is done, the soul consents to his will." Luther equated "faith" with "Christian liberty;" the freedom of a Christian meant he was free to serve his neighbors. In other words, he still had worldly responsibilities, but he did them for their own sake, not to earn salvation. This made Christians

communautés et liberté de conscience: l'argumentation des confédérés et de leurs alliés face à un îlot confessionnel (1531-1561)." *Traverse: Revue d'histoire* 7 (2000): 56-66.

³⁸ Bartolini, "Liberté de conscience," 109. "Les catholiques veulent s'en tenir à une application minimaliste de la liberté de conscience. Ils promettent de respecter le choix confessionnel de la minorité réformée et s'engagent à ne plus la contraindre à assister à la messe."

³⁹ Ibid. "Au contraire les réformés revendiquent, au-delà de la stricte liberté de conscience, ce que nous appellerions aujourd'hui la liberté de culte."

⁴⁰ Ibid., 116.

both technically free from worldly influence, while also literally bound by God.⁴¹ This approach to conscience and liberty is recognizable in Jean Calvin's writings, as well: "Our consciences have not to do with men but with God only. Hence the common distinction between the earthly forum and the forum of conscience," and yet "we see how the law, while binding the external work, leaves the conscience free."⁴² Calvin defined conscience as follows:

As when men, with the mind and intellect, apprehend the knowledge of things, they are thereby said to know, and hence the name of science or knowledge is used; so, when they have, in addition to this, as sense of the divine judgment, as a witness not permitting them to hide their sins, but bringing them as criminals before the tribunal of the judge, that sense is conscience.

Calvin agreed that the Christian conscience was both free and bound: "But however necessary abstinence [of meat consecrated by idols] may be...as prescribed by the Lord, conscience ceases not to retain its liberty. We see how the law, while binding the external work, leaves the conscience free."⁴³ Given the role of conscience and the particular understanding of Reformed liberty, part of the reason that French Calvinists did not explicitly ask for liberty of conscience

⁴¹Martin Luther, *On Christian Liberty*, translated by W.A. Lambert (Fortress Press: Minneapolis, MN: 2003), 15-16. The passage continues, "Is not such a soul most obedient to God in all things by this faith? What commandment is there that such obedience has not completely fulfilled? What more complete fulfillment is there than obedience in all things? This obedience, however, is not rendered by works, by faith alone."

The possibility he left open for disobeying magistrates who constrain one's conscience was famously rescinded by Luther once the German peasants attempt to put these ideas into practice when they revolted in 1524-25.

⁴² Jean Calvin, *Institutes of the Christian Religion*, vol. 2, translated by Henry Beveridge (London: James Clarke & Co., 1962), Chapter X, Book IV.3, 415 and Book IV.4, 415-16.

Calvin also wrote that, while Christians had a duty to obey secular law (if it is just), they did not have a duty to obey ecclesiastical laws that are wrong (in other words, that did not agree with Reformed theology), (Chapter X, Book IV. 5, 417). While Luther's writings over time restricted more and more the possibility of resistance to magistrates, Calvin to some extent, and his intellectual heir Théodore de Bèze even more, over the course of the French civil wars allowed for the possibility that French Protestants have the right to reject the secular magistrates who attempt to constrain the worship of their faith. Of course, both Calvin and de Bèze were exiles from France.

⁴³ *Ibid.*, 416.

was that the freedom of a Christian's conscience implied obligation. It did *not* make a Christian free from worldly duties, while the conscience itself was a purely spiritual conception. The monarchy's conception of *liberté de conscience*, on the other hand, directly implied that it was a liberty in relation to other people in a worldly, not a spiritual, sense. This liberty in relation to others was the worldly result of the spiritual understanding that conscience, by definition, cannot be forced.

In the struggle of rulers to determine how to respond to polities in which multiple Christian groups now claimed to be the true faith during the Reformation, *conscience* by the 1560s had developed a political aspect. Despite its usage having been identified in a few places outside of France, however, in 1560 when the monarchy was issuing edicts of toleration that could arguably be said to have granted a form of *liberté de conscience*, the phrase itself was not mentioned. Certainly, the general pardon of heretics that was issued in 1560 was not meant to be a permanent aspect of royal policy. It was an effort to stop the escalation of conflict in a period of growing crisis. The sheer numbers of French subjects from all backgrounds who at that point could have been indicted for heresy was far too large to make prosecution practical or useful for maintaining public order. In the records of first Estates General held since 1484, which met from December of 1560 to January of 1561 in Orléans, the claim that consciences should not be forced served to foreshadow the development of liberty of conscience in France.⁴⁴ Responding to the chancellor Michel de L'Hospital's reminder to the assembly that France was to have "one faith, one law, one king," Jacques Bienassis, a representative of the clergy and the Vicar General of Tours from the Abby of Bois-Aubry, declared that, "regarding will, indeed regarding conscience and regarding religion, use of force and of power has no place..." Since consciences could not

⁴⁴ LeCler, "Liberté de conscience," 386.

be forced, the Estates should, he urged, consider tolerating two religions in France in order to ensure that Protestants had religion, even if it was mistaken. Otherwise, the risk was too great that Protestants would have no religion at all, leading to the dreaded evil of atheism. It was better that they be Christians “of some sort” than “without God, without religion and without conscience.”⁴⁵

This same language is found in an argument for a two-church solution echoed in an anonymous pamphlet written by a moderate Catholic in the same year, *Exhortation aux Princes et Seigneurs du Conseil privé du Roy, pour obvier aux seditions qui semblent nous menacer pour le fait de la religion*, or *Exhortation to the Princes and Seigneurs of the King's Privy Council, in Order to Prevent the Seditions that Seem to Threaten Us because of Religion*. The pamphlet's author maintains that he is not a Protestant sympathizer, but a citizen who wants public peace and, “according to God,” he pleaded, “you can't force our consciences with blows of the sword!”⁴⁶ This language of conscience and its political implications were no accident. The monarchy itself inaugurated this turn to the irrevocability of conscience when it forbade the secular courts from continuing to pursue heretics on the basis that French Calvinists had been misled or did not understand doctrine. Heresy was, by definition, a choice that required

⁴⁵ Ibid. "De vouloir, en fait de conscience et de religion, user de force et d'autorité, cela n'a point de lieu..." and "Il vaut mieux sans comparaison qu'un homme soit chrétien en quelque sorte, bonne ou mauvaise, que non pas qu'il soit athéiste, c'est-à-dire sans Dieu, sans religion et sans conscience." Quotations used by LeCler from a reproduction found in J. Mayer, *Des États Généraux et autres Assemblées nationales* (Paris: 1789), 234-235.

⁴⁶ LeCler, "Liberté de conscience," 387 and fn. 45. See *Exhortation aux Princes et Seigneurs du Conseil privé du Roy, pour obvier aux seditions qui semblent nous menacer pour le fait de la religion*, in D.-F. Secousse, ed., *Mémoires de Condé*, vol. 2 (London, 1743), 613-636. "Je ne suis pas l'avocat des protestants, je suis un petit citoyen révérent Dieu et le craignant... Toute mon étude, après Dieu, est de désirer le repos du public, l'entretien de notre roi en sa grandeur, et la conservation de tous en vos états et honneurs. Pour Dieu, Messeigneurs, ne forcez à coups d'épées nos consciences!" (634).

punishment if the accused refused to acknowledge his error and abjure. Conscience, on the other hand, was an individual's understanding of God's will. Even if the individual was mistaken, under this new legal categorization of Protestants it was outside the scope of secular authorities to determine innocence or guilt on theological matters.

The Estates General failed to produce a solution to these divisions in France. Catherine de Medici's attempts to forge a moderate path did not stop both Catholics and Protestants from viewing each other as heretics. While they did not have permission to worship publicly, in the wake of the monarchy's edicts of toleration French Calvinist assemblies for worship increased. After a series of arrests, the Parlement asked the king for more authority with which to address the growing problem. The monarchy again tried to prevent civil unrest while pursuing its moderate agenda in an edict issued on April 19, 1561.⁴⁷ This edict in many ways foreshadowed the edicts of pacification yet to come. In it, the king equated the use of derogatory terms such as "*Papistes*" or "*Huguenotz*" with acts of sedition to be punished accordingly; no one was to be injured or provoked for religion. Iconoclasts were forbidden from breaking images or crosses; no one could post inflammatory placards, spread *libelles*, break into temples, or incite debate. The edict stipulates that "breaking into homes, to seek out or trouble others, under the pretext of the preceding Edicts prohibiting illicit assemblies, or other occasions" was prohibited. Everyone enjoys liberty in his home, and only magistrates had the power to police illicit assemblies. The edict also released all religious prisoners, and allowed for the return of Protestant exiles and the

⁴⁷ *Edict du Roy Très Chrestien* (April 19, 1561), in *Mémoires de Condé*, vol. 2, 334-335. Nicolas Le Roux interprets this edict as granting de facto *liberté de conscience* to French Calvinists. See Le Roux, *Les Guerres de Religion* (Paris, 2009), 542. He does not define what he means by liberty of conscience, however.

reclamation of their goods, as long as they lived thereafter as Catholics.⁴⁸ After the edicts of the year before that focused on the evils of illegal assemblies, this was a startling about face. It reflects Catholic vigilante enforcement of the provision against illegal assemblies; incidents in which Calvinist worship in homes was violently disrupted were not uncommon, especially in Paris. Before this edict could even be enacted, Protestants responded to groups of Catholics attempting to disrupt worship inside private homes with armed resistance; there were multiple casualties. The Parlement put security procedures in place to address the growing violence, and released orders on April 26 and 28 that equated illicit assemblies with *lèse-majesté*, echoing the earlier royal edicts. In this instance, however, city officials that opposed to Catherine de Medici and Charles IX's moderate stance interpreted these orders to mean that they could again persecute Calvinists; the cycle of violence continued.⁴⁹

Despite its failure, the April 1561 edict's focus on removing religious libel from the public, as well as the protection of homes from mob action, was an important precursor to the monarchy's use of liberty of conscience. It drew a boundary around the home in order to protect Calvinists from Catholic violence, even if Catholics believed that Calvinists were assembled for worship inside. This forced toleration and the enforcement of public peace was meant to allow

⁴⁸ *Edict du Roy Très Chrestien*, in *Mémoires de Condé*, vol. 2, 334-35. "...vous enjoignant procéder sommairement contre les délinquants, de façon que punition exemplaire s'en ensuyve contre les séditieux; lesquels Nous entendons estre ceulx qui par ces mots de *Papistes* & de *Huguenotz*, ou aultres semblables, s'entre-irritent l'ung l'autre abbatent Imaiges Croix, attachent Placards, sement Libelles diffamatoyres, forcent Temples, esmouvent noyses & débatz; & semblablement ceulx qui s'efforcent piller & saccaiger maisons...deffendons pour ceste cause, très-expressément & sur les mesmes peines, à tous nos dictz subjects, violer ou enfreindre la seureté & honnesteté, liberté, dont ung chascung doibt jouir, & se retirer en sa maison & domicile...sans qu'il soyt loysible à aulcung de nos dictz subjects...entrer ès dictes maisons, pour les rechercher ne troubler, soubz prétexte des Edictz prohibitifz précédéants prohibitifz d'Assemblées illicites, ou aultres occasions ; ce qu'ilz laisseront faire à nos Juges & Officiers..."

⁴⁹ Diefendorf, *Beneath the Cross*, 57-58.

time for the two churches to be reunited, a goal the monarchy still pursued. That the Church was in need of reform was not just the judgment of Calvinists, and the representatives of the French crown decided that, if the pope could not heal the Church, they would take the lead and heal the Gallican Church on their own.⁵⁰ Catherine de Medici called a colloquy of Catholic and Huguenot leaders at Poissy in order to do just this. On September 1, 1561, several days before the colloquy began, L'Hospital declared to the assembled prelates that "conscience is of such a nature that it cannot be forced, but must be taught, and cannot be subdued or violated, but persuaded by true and sufficient reasons, and the self-same faith being only forced, it is no longer faith."⁵¹ The royal basis for tolerating conscience was not merely political; the problem of forcing consciences and the fear of false conversions to the true faith should not be underestimated.

Like the Estates General of 1560 and of 1561, the Colloquy of Poissy failed to reunite the two faiths. Despite these failures, calls for both Estates General and councils continued throughout the period, though they would continue to be unable to prevent civil war.⁵² After the failure of the Colloquy of Poissy to reunite the French Church in late 1561, the monarchy called a parliamentary *mercuriale*, or plenary session, in January 1562 to tackle the problem of toleration. In the tracts written in December of 1561 in anticipation of this assembly, many

⁵⁰ See Alain Tallon, *Conscience nationale et sentiment religieux en France*.

⁵¹ Michel de L'Hospital, in Pierre J. S. Dufey, ed., *Œuvres*, vol. 1, (Paris: 1824), 471. "...la conscience est de telle nature qu'elle ne peult estre forcée, mais doit estre enseignée, et n'estre point domptée ny violée, mais persuadée par vrayes et suffisantes raisons, et même la foy seule être contraincte, elle n'est plus la foy." Quoted by LeCler, "Liberté de conscience," 388.

⁵² The national Estates General met in 1560 (Orléans), 1561 (Pontoise), 1576 (Blois), 1588 (Blois), and 1614 (Paris). Note that the Estates General held in Paris in 1593 was called by the Catholic League, not the monarchy. The changes that occurred in the governing of France after the wars of the sixteenth century included the disappearance of the national Estates General. The Estates in 1614 under Louis XIII was the last one called until 1789.

parlementaires did not advocate for toleration, but there were exceptions.⁵³ In particular, a tract by Paul de Foix refers to “*liberté de religion*” in giving historical examples of ancients allowing toleration, including the apostate Emperor Julian. De Foix explains how Christians fought for this liberty when they were the minority in Rome, and how they subsequently argued for it again when heretical sects threatened their supremacy, knowing that “true religion” would prevail. He goes on to argue for the usefulness of this toleration in France, saying that French Protestants are looking for “freedom of one kind or another.”⁵⁴ Malcom Smith highlights the importance of de Foix’s use of *liberté de religion* in a positive sense, as opposed to the more negative *tolerance*, noting that de Foix “appears to be one of the first, if not the first, to use the term ‘*liberté de religion*’ in France.”⁵⁵ This term is used by de Foix to mean the full exercise of religious liberty; if Catholics and Protestants could not be reconciled, then, he argues, the king must allow the practice of the Reformed faith.⁵⁶ Perhaps even more importantly, in a memorandum to the king attributed to de Foix and presented in Parlement on June 23, 1561, he acknowledges that many

⁵³ LeCler’s previously quoted 1966 study does not mention the tracts written by *parlementaires* in December of 1561 for this assembly.

⁵⁴ Paul de Foix’s memorandum, *De monsieur de Foix à la Royne mere du roy sur le mesme subject*, has been transcribed and printed by Malcom Smith; the original document reference is B.N., MS Français, 4766, fol. 24r-33v. See pp. 309-315 in Malcolm C. Smith, “Paul de Foix and Freedom of Conscience,” *Bibliothèque d’Humanisme et Renaissance*, vol. 55, no. 2 (1993): 301-315. Other manuscripts written by *parlementaires* for this *mercuriale* are extant, such as one by Estienne de La Boëtie and Arnaud de Ferrier. See La Boëtie, in Malcolm Smith, ed., *Mémoire sur la pacification des troubles* (Geneva: Droz, 1983). Du Ferrier’s text can be found in the same manuscript as the de Foix document, B.N., MS Français, 4766, fol. 24v-29r. See Smith, “Paul de Foix,” fn. 19 and 20.

⁵⁵ Smith, “Paul de Foix,” 307. From the memorandum: “...car ceux qui cuident la religion nouvelle estre la vraye, demandent liberté d’ung costé et d’autre, cognoissans que c’est le plus qu’ilz pourroient obtenir....Toutefois les empereurs chrestiens et catoliques, encores qu’ilz usassent volontiers du conseil de ces saints personnages, pourvoyans au repos de la republicque ont souventesfois permis liberté de religion” (311).

⁵⁶ *Ibid.*, 308. From the memorandum: “Ainsy, Madame, non de mon gré mais par la necessité...je suis contraint en second lieu d’estre d’avis de leur permettre leurs assemblées publicques...” (314).

want to see those with “other opinions” about religion banished from the kingdom, but that there are also many who see the good in “allowing to each his freedom in his religion in order to assemble and to pray.”⁵⁷ The advocates for toleration, in the spirit of earlier Erasmian humanism, were to find their arguments opposed by those who encouraged the more limited toleration of not forcing consciences. The line between these two positions would invariably be drawn by the restrictions placed on Calvinist worship.

These arguments undoubtedly influenced the 1562 Edict of January. That the monarchy even called for an assembly to hear these opinions was the result of increasing pressure; the crown’s shift from viewing French Protestants as heretics to seeking reconciliation with them was more urgent than ever. The Huguenots were very organized and, despite their illegality, were not hidden from public observation. Protestant sources from the period claim that there were at least 2,150 Reformed churches in France by 1561-62. Although the most recent and comprehensive review of the evidence and related historiography establishes that there were at most 650 functioning, organized Protestant Reformed churches in France in the years 1561-1562, the threat that the monarchy felt from the Reformed Church in France was based on the belief that there were many more. The larger number found in the contemporary sources was likely a purposeful exaggeration, signatures having been collected on a national scale by the organization

⁵⁷ *Advis donné au Roy en l’Assemblée tenue en la Cour de Parlement à Paris, sur le faict de la Religion, le vingt-troisieme jour de Juin, MDLXI*, in *Mémoires de Condé*, vol. 2, 409-423. "Aucuns dirent qu’il faut exterminer par glaive, par feu ou autre espèce de mort, ceux qui tiennent autres opinions en la Religion que celle de nos peres: & ceux qui approchent de cest advis, disent que du moins il les faut bannir & chasser du Royaume. Il y en a qui trouvent bon de laisser à un chacun sa liberté en sa Religion, pour s’assembler & prier..." (411). Malcolm Smith attributes this memorandum to Paul de Foix; it is not signed. See Smith, “Paul de Foix,” 305, fn. 17.

of the Reformed Church as prompted by its deputies at court.⁵⁸ The Protestants in 1562 sought to convince the king that they were a force that could not be ignored. That they were able to do so was due in large part to an organized synodical structure and an organization that elected deputies to represent local churches on different levels, including the court.⁵⁹

Within and through this structure, Protestants do not appear to have framed their requests to the king for religious liberty in terms of *liberté de conscience* before the edicts of toleration were promulgated. Despite the fact that Reformed churches were illegal, they held a national synod on May 25, 1559, in the midst of Henri II's attempts to increase the prosecution Calvinists for heresy. While the French churches had met in previous years, this was an unprecedented prominent national gathering. In the records from this 1559 synod, while delegates referenced conscience, they did not talk about seeking *liberté de conscience*; the phrase does not even turn up. There are responses to questions about what can and cannot be done in good conscience, and it was decided that no *fidèle*, or one of the faithful, could appear in front of the civil or Catholic Church courts without first protesting that the judges had no jurisdiction over "that which belongs to conscience."⁶⁰ *Liberté de conscience*, in any permutation, does not appear in the records for the next national synod in 1560, held after Henri II's death, nor again in 1562.⁶¹ Liberty of conscience was also not prominent in a public petition to the king, and another similar

⁵⁸ Philip Benedict and Nicolas Fornerod, "Les 2,150 'églises réformées' de France de 1561-1562," *Revue historique* 2009/3 no. 651: 553-554.

⁵⁹ On the organization of the deputies and their role, see Philip Benedict and Nicolas Fornerod, "Les députés des Églises réformées à la cour en 1561-1562," *Revue historique* 2013/2, n. 666: 289-332.

⁶⁰ Jean Aymon, *Tous les synodes nationaux des églises réformées de France, auxquels on a joint des mandemens roiaux, et plusieurs lettres politiques, sur ces matières synodales* (A La Haye: Charles Delo, 1710), 12 (second pagination). "C'est pourquoi il n'est pas licite à aucun fidèle d'appeler aucune personne en jugement par devant eux ni de leur répondre, sans faire protestation de ne les tenir pour juges touchant ce qui appartient à la conscience."

⁶¹ *Ibid.*, 13-31.

petition to Catherine, which was presented by Admiral Coligny for the Protestants in 1560 and read aloud in the Assembly of Fontainebleau.⁶² In this petition, neither conscience or liberty of conscience are asked for, but the need for temples and public worship are.⁶³ In 1561 and 1562, deputies from the Protestants presented requests to the king or to meetings of estates seeking permission to have temples.⁶⁴ In one representative petition, from June 11, 1561, the Protestants protest that they just want to serve God “from the peace of our consciences.”⁶⁵ To do so plainly requires that they be allowed to worship publicly:

And because, Sire, we are not able in sound conscience to participate in the ceremonies that men have introduced in the Church, and yet not being able to remain without any exercise of piety and religion, that it please your majesty to allow us to be assembled to hear the pure preaching of the scriptures from the mouths of the ministers that God has sent to teach us...⁶⁶

They cannot exercise their religion “in good conscience” in Catholic services; they require to hear the word of God from their own ministers. This requires temples, which the petitioners request so that they will no longer be accused of holding seditious secret assemblies. There are also far too many of them to be contained in private homes for worship.⁶⁷ It is likely that this

⁶² N. M. Sutherland, *The Huguenot Struggle for Recognition* (New Haven, CT: Yale University Press, 1980), 116.

⁶³ *Au Roy and A la Roine Mere du Roy* (1560), in *Memoires de Condé*, vol. 2, 645-8.

⁶⁴ Benedict and Fornerod, “Les 2,150 ‘églises réformées’ de France de 1561-1562,” 538, 542.

⁶⁵ *La Requête présentée au Roy le II. Juing 1561. Par les Députez des Eglises esparses parmi le Royaume de France*, in *Mémoires de Condé*, vol. 2, 370. “...qu’il est question du Service de Dieu, de sa gloire, de l’authorité de sa Parole, du repos de nos consciences, & de nostre Salut.” Petition mentioned in Sutherland, *Huguenot Struggle*, 352.

⁶⁶ *La Requête présentée au Roy* (1561), in *Mémoires de Condé*, vol. 2, 372. “Et parce, Sire, que nous ne pouvons en saine conscience communiquer aux Cérémonies que les hommes ont introduictes en l’Eglise, & cependant ne pouvons demourer sans quelques exercices de piété & Religion, qu’il plaise à Vostre Majesté permettre que nous soyons assemblez pour ouir la pure Prédication de l’Evangile par la bouche des Ministres que Dieu nous a envoyez pour nous enseigner...”

⁶⁷ *Ibid.* “...nous ne pouvons en saine conscience communiquer aux Cérémonies que les hommes ont introduictes en l’Eglise, & cependant ne pouvons demourer sans quelques exercices de piété & Religion, qu’il plaise à Vostre Majesté permettre que nous soyons assemblez pour

petition heavily influenced the edict of toleration in January 1562 known as the Edict of January.⁶⁸

Toleration Codified: The 1562 Edict of January

The crown again attempted to prevent conflict from becoming all-out rebellion by issuing the Edict of Saint-Germain in January of 1562. Known as the Edict of January, this edict was the result of the work of Catherine de Medici and the royal chancellor Michel de l'Hospital.

L'Hospital had a hand in both the 1560 edict of toleration after the Conspiracy of Amboise and the Edict of Romarantin, but since the colloquy had failed to produce a religious compromise, Catherine's next move was to form a judicial one. The Edict of January was the result of Catherine's and L'Hospital's attempts to find a way to compromise with the French parlements in order to make the toleration of Calvinists a real possibility. In January of 1562, two members of each parlement were summoned by L'Hospital to approve this edict of toleration. He was able to secure enough votes to pass it, although not by a majority.⁶⁹ The opening lines of the Edict of January reflect L'Hospital's plea to the *parlementaires* for religious toleration: the cause of the daily trouble and sedition that worsened with each day in the realm was "the malice of the time and diversity in the opinions that reign about religion."⁷⁰

ouir la pure Prédication de l'Evangile par la bouche des Ministres que Dieu nous a envoyez pour nous enseigner...& puisse fermer la bouche à ceux qui calomnient nos Assemblées secrettes, qu'il vous plaise, Sire, nous accorder des Temples, ou autres lieux publics...aussi ayant esgard à nostre grande multitude, laquelle ne peut plus estre contenuë dedans les maisons particulieres." The requests of this petition regarding public worship are similarly worded, though even more insistently, in a petition that follows from November or December of 1561. See *Memoires de Condé*, vol. 2, 575-8.

⁶⁸ Sutherland, *The Huguenot Struggle for Recognition*, 354.

⁶⁹ Monter, *Judging the French Reformation*, 177, 218.

⁷⁰ *Édit de janvier* (January 17, 1562), n.p. in *L'édit de Nantes et ses antécédants*, Bernard Barbiche, ed., Éditions en ligne de l'École des chartes (Élec),

The twenty articles of the Edict of January are extraordinary in that they recognize French Protestants as a group, even if not a Church, designating them the *Religion prétendue réformée*, guaranteeing the retention of their rights and privileges instead of prosecuting them as heretics. While the privileges they were granted were very limited (the edict did not allow them to worship in towns, to assemble at night, or to raise arms), it did allow “for the consideration of assemblies that they make by day outside of the aforementioned towns in order to make their sermons, prayers and other exercises of their religion.” The Edict of January does not explicitly acknowledge liberty of conscience. Instead, it allows the exercise of religion. While conscience is not mentioned once in the edict, sedition appears fifteen times. Its provisions on sedition apply to all French subjects, “of any religion, estate, quality and condition,” and includes the provision that protecting a person accused of or condemned for sedition is punishable by a fine or banishment. The edict draws a stark line between sedition on the one hand, and religious practice and permitted public assemblies that are regulated by the government on the other. It also identifies when and where assemblies can take place, and requires all assemblies, whether for Protestant synods or for worship, be approved by the king’s magistrates. Calvinists even have to show “rules for the exercise of [their] religion” to the king’s officers. The 1562 edict specifies that no minister can preach any doctrine contrary to the word of God according to the Council of Nicaea and canonical books of the Old and New Testament so that “new heresies” are avoided. These same preachers are also prohibited from speaking against the mass or the Catholic Church, and from using insults and invectives that could “excite people to sedition”

<http://elec.enc.sorbonne.fr/editsdepacification>. Accessed September 2014. Preamble: “Charles, par la grace de Dieu roy de France, à tous ceulx qui ces presentes lettres verront, salut. L’on sçait assez quelz troubles et seditions se sont dès pieça et de jour en jour suscitées, accreues et augmentées en ce royaume, par la malice du temps et la diversité des opinions qui regnent en la religion...”

instead of to devotion.⁷¹ The idea of a Gallican Church headed by the French king had been integrated into the various justificatory stories of monarchical authority since the time of Saint Louis. The oath taken by the king at his coronation included the provision that he would not fail to *exterminer* all heretics from the kingdom, as well as serve as the defender of the Catholic faith.⁷² French Catholics saw the Edict of January as a royal approbation of the Reformed Church in France, and reacted strongly against the possibility of becoming a religiously plural realm. Charles IX tried to convince his Catholic subjects that this was not the case, issuing a supplementary declaration that toleration was only temporary, but even then the king had to repeatedly order the parlements to register the edict in order to make it law.⁷³

Despite the monarchy's attempts to prevent conflict by designating sites of Calvinist worship far enough outside of towns that it might not offend Catholics, this did not solve the problem. On March 1, 1562, the duc de Guise and his troops killed a group of French

⁷¹ *Édit de janvier* (January 17, 1562). Article 3: "Et neantmoins, pour entretenir noz subjectz en paix et concorde en attendant que Dieu nous face la grace de les pouvoir reunir et remectre en une mesme bergerie, qui est tout nostre desir et principale intention, avons par provision et jusques à la determination dud. concile general, ou que par nous autrement en ait esté ordonné, sursis, suspendu et supersédé, surseons, suspendons et supersedons les defenses et peines apposées tant aud. edict de juillet que *autres precedens, pour le regard des assemblées qu'ilz feront de jour hors desd. villes pour faire leurs presches, prieres et autres exercices de leur Religion; defendant sur les susd. peines à tous juges, magistratz et autres personnes, de quelque estat, qualité ou condition qu'ilz soient, que lorsque ceulx de lad. Religion nouvelle yront, viendront et s'assembleront hors desd. villes pour le fait de leurd. Religion, ilz n'aient à les y empescher, inquieter, molester ne leur courir sus en quelque sorte ou maniere que ce soit.*" Emphasis added.

⁷² Romier, *La Conjuraton d'Amboise*, 145. For the Catholicity of the French monarchy, see Dale Van Kley, *The Religious Origins of the French Revolution: From Calvin to the Civil Constitution (1560-1791)* (New Haven, Conn.: Yale University Press, 1996).

⁷³ Monter, *Judging the French Reformation*, 218. Monter explains the transition from prosecuting heresy to sedition from the judicial perspective, as well as how royal policy created a judicial crisis, in chapter 8. See also Nancy Lyman Roelker, *One King, One Faith: The Parlement of Paris and the Religious Reformations of the Sixteenth Century* (Berkeley: University of California Press, 1996).

Protestants clandestinely worshiping in a barn in Vassy. While it is unclear who started the fighting, or whether or not the massacre, as it became known, was what Guise had intended, it provided the justification for war that the Huguenot prince de Condé had been looking for.⁷⁴ The Reformed Church was well-organized with a cadre of noble supporters who protected worship and often provided occasions for it within their jurisdictions. These noble Huguenots, more than any other factor early in the wars, ensured the survival of the Reformed Church through force.⁷⁵ This is exactly what the prince de Condé, the head of the Huguenot army, was prepared to do, and the French Reformed Church consequently held a national synod at which it requested that

⁷⁴ Stuart Carroll, “‘Nager entre deux eaux’: The Princes and the Ambiguities of French Protestantism,” *Sixteenth Century Journal* 44.4 (December 2013): 986. While in the past the Guises were blamed for purposefully inciting civil war, current scholarship shows that at the start of the wars, although they did not advocate for the toleration of a Protestant church, they were in the camp that called for a Catholic reformation of the Church and were part of a nobility in which confessional boundaries were not in any way solidified. See Stuart Carroll, *Martyrs and Murderers: The Guise Family and the Making of Europe* (Oxford: Oxford University Press, 2006), ch. 6; Alain Tallon, *La France et le Concile de Trente* (Rome: Ecole Française de Rome, 1997); Luc Racaut, “The Sacrifice of the Mass and the Redefinition of Catholic Orthodoxy during the French Wars of Religion,” *French History* 24 (2010): 20-39.

⁷⁵ The interpretation of sixteenth-century French religious reform and the civil wars as purely political conflicts fostered by the nobility in revolt against the king, a product of the height of traditional political history, has been proven vastly inaccurate, both because it did not take religious motivations or the religiosity of the nobility seriously, and because it did not take into account the urban and popular aspects of reform. For recent studies of the nobility during the wars, see Stuart Carroll, *Blood and Violence in Early Modern France* (Oxford: Oxford University Press, 2006) and *Noble Power during the French Wars of Religion: The Guise Affinity and the Catholic Cause in Normandy* (Cambridge: Cambridge University Press, 1998); Robert R. Harding, *Anatomy of a Power Elite: The Provincial Governors of Early Modern France* (New Haven: Yale University Press, 1978); Raymond Mentzer, *Blood and Belief: Family Survival and Confessional Identity among the Provincial Huguenot Nobility* (West Lafayette, IN: Purdue University Press, 1994); Nancy Lyman Roelker, “The Role of Noblewomen in the French Reformation,” *Archive for Reformation Research* 63 (1972): 168-95; Brian Sandberg, *Warrior Pursuits: Noble Culture and Civil Conflict in Early Modern France*, series *Johns Hopkins University Studies in Historical and Political Science*, 128 (Baltimore: Johns Hopkins University Press, 2010).

Condé raise troops for the protection of Protestants from the Guises. The series of religious and civil wars known as the Wars of Religion had begun.

Condé had successfully taken Orléans for the Huguenot army by early April. In the coming weeks, two pamphlets were published in Condé's name, the first a call to arms by Protestants, and the second a covenant or an oath of this Protestant military association.⁷⁶ While the Edict of January did not use the phrase *liberté de conscience*, it did allow for limited worship, and the promises of this edict are referred to as being equivalent to preserving *liberté de conscience* in Condé's *Traicté*: "[We desire] to conserve the poor faithful of this kingdom in the *liberté de conscience* that it has been pleasing to the king to permit them by his edicts."⁷⁷ Not all Protestants, however, favored toleration or supported the 1562 Edict of January. They were not trying to become a second church any more than Catholics wanted them to be one. Leading up to the beginning of civil war in 1562, French Calvinists still hoped that the Gallican Church of France would accept the French Reformed Church's confession of faith, which they had named the Gallican Confession in 1559, and that France would become a Protestant kingdom. In the meantime, French Protestants sought guarantees from the king that they would be allowed to organize their church and worship according to their 1559 confession of faith. They were in many ways seeking more extensive privileges as a corporate group, hoping to extend to their church the rights practiced by the Protestant nobility on their own lands. Protestants hoped for a privilege for their freedom of worship because the awarding of privileges was how status and rights were determined in sixteenth-century France. Once a group was recognized as such with

⁷⁶ Philip Benedict, "Pour quoi luttaient les protestants en 1562? Sur la dissémination et réception des "Déclarations" du prince de Condé," in Gabriele Haug-Moritz and Lothar Schilling, eds., *Médialité et interprétation contemporaine des premières guerres de Religion* (Boston: Walter de Gruyter GmbH, 2014), 24.

⁷⁷*Traicté d'association faicte par monseigneur le prince de Condé*, n.p, (1562).

its own privileges, it had legal standing to demand the exercise of this privileges from the monarchy.⁷⁸ This is why Protestants would fight throughout the civil wars to be recognized in royal documents as the French Reformed Church instead of being referred to as the so-called Reformed religion in its various permutations. It is a fight they would never win.

Despite their doctrinal differences, French Catholics and Protestants both understood that the Kingdom of France should be united by one French church. Not only did Protestants not want to be a tolerated second religion in France, but from the start, heresy was a topic in the national synods; Calvinists were just as worried about heresy as Catholics.⁷⁹ Throughout the wars, Protestants often proved to be just as resistant to tolerating Catholics in the territories they controlled as were their Catholic *concitoyens*.⁸⁰ Just as some Catholics favored toleration for

⁷⁸ Fanny Cosandey, ed., *Dire et vivre l'ordre social en France sous l'Ancien Régime*, Recherches d'histoire et de sciences sociales, 105. (Paris: École des Hautes Études en Sciences Sociales, 2005), 20. See Roland Mousnier, "Les concepts d' 'ordres' d' 'états', de 'fidélité' et de 'monarchie absolue' en France de la fin du XV^e siècle à la fin du XVIII^e," *Revue Historique* vol. 47.2 (April-June 1972): 289-312. Mousnier's influential work on the history of French society as a society of *ordres* has since been combined with that of his critics, who argued instead that early modern France was really a society of *corps*, in an acknowledgment that, in fact, it was both. A lot has been written about the social structure of France under the *ancien régime*, but Cosandey summarizes the key points of this historiographical debate on pp. 18-20. See also F. Olivier-Martin, *L'organisation corporative de la France d'Ancien Régime* (Paris: Sirey, 1938) and É. Lousse, *La société d'Ancien Régime. Organisation et représentation corporatives*, vol. 1 (Louvain: Desclée De Brouwer, 1943). See also William Sewell, "Etat, Corps and Ordre: Some Notes on the Social Vocabulary of the French Old Regime," in H. U. Wehler, ed., *Sozialgeschichte Heute: Festschrift für Hans Rosenberg zum 70 Geburtstag* (Göttingen: Vandenhoeck and Ruprecht, 1974), 49-68; David Bien, "Offices, Corps, and a System of State Credit: The Uses of Privilege under the Ancien Regime," in Keith Michael Baker, ed., *The Political Culture of the Old Regime* (Oxford: Pergamon Press, 1987), 89-114; Mark Potter, "Good Offices: Intermediation by Corporate Bodies in Early Modern French Public Finance," *The Journal of Economic History*, 60 (3), 2000: 599-626.

⁷⁹ For example, see the records of the first national synod (1559) in Aymon, *Tous les synodes nationaux*, 8-9 (second pagination). In the *Faits spéciaux*, articles 4 and 5, the synod discussed whether or not those who propagate heretical views should be punished as heretics by the Church and denied Holy Communion; they recommend that an intransigent heretic should be shunned by the faithful (*retranché de la compagnie des fidèles*).

⁸⁰ Benedict, "'Un roi, une loi, deux foi,'" 70-71, 77.

Protestants while others demanded they be tried as heretics, there was no consensus among the members of the new faith of the French Reformed Church as to what their public status should be.

Stuart Carroll has identified this absence of clear confessional boundaries in a schism in the midst of the inchoate Protestant party between the Protestant nobility, the majority of whom opposed the toleration of the Edict of January, and the rest of the church. The 1562 Edict of January did not contain the language of liberty of conscience because it was a document that advocated for the policy of toleration spearheaded by the Queen Mother, Michel de l'Hospital, and other moderate Catholics.⁸¹ The Protestant nobility's objections to this toleration are illustrative of the ways that *liberté de conscience* came to embody a more limited conception of toleration that was articulated in opposition to public worship. While Carroll identifies three prominent Protestant nobles among the sixty-nine signatories to the declaration in defense of the 1562 Edict of January and its policy of toleration in April of 1562, the majority of the Protestant princes, members of the nine dynastic princely families in France, opposed it.⁸² As the fact that later edicts of pacification dealt with the nobility separately demonstrates, these princes were members of an elite *corps* at the top of French society. This split in the Protestant camp between those who favored toleration and those that did not resembles the same split among the Catholics that emerged after the failure of the Colloquy of Poissy to heal the rift between the churches. This divide was not exclusively between hardline, ultra conservative Catholics and moderates. For many moderate Catholics, toleration implied the abandonment of their goal to achieve

⁸¹ Carroll, "Nager entre deux eaux": The Princes and the Ambiguities of French Protestantism," 989.

⁸² Ibid., 992. On those that defended the Edict of January, see David Potter, "The French Protestant Nobility in 1562: The 'Association de Monseigneur le Prince de Condé,'" *French History* 15 (2001): 307-28.

concord above all else by reforming the Gallican Church and reuniting the faiths.⁸³ Tellingly, it was the faction of Catholics that opposed toleration who advocated for the alternative of *liberté de conscience*, especially the Guises. During the short reign of the young François II and before the ascendancy of Catherine de Medici and Michel de l'Hospital after François's death, the Guises had control of the monarchy, buttressed by the marriage of the young king to Mary Stuart, daughter of the Scottish Queen Marie de Guise. In the pursuit of public order, the Guises were favorable to *liberté de conscience* combined with the promise of Gallican church reform.⁸⁴ In the wake of the Edict of January, advocates of toleration essentially faced off against those, both Catholic and Protestant, who favored *liberté de conscience*.⁸⁵

Protestant nobles turned to an exclusive version of *liberté de conscience* as a way to defend their own preexisting privileges as nobles, often at the expense of non-noble Protestants. These princes already had chapels on their own lands that were not under the king's jurisdiction, thereby eliminating any need for them to seek the monarch's permission to hold worship services. As Carroll observes, "liberty of conscience was a concept that conformed much better to aristocratic ideals of individual autonomy than the humanist discourse of toleration." One of the examples Carroll offers of a Protestant noble for whom this was the case is Henri-Robert de

⁸³ Carroll, "'Nager entre deux eaux': The Princes and the Ambiguities of French Protestantism," 991, 994-95.

⁸⁴ Ibid., 996. See also Carroll, *Martyrs and Murders*, chapter 6 and Malcom Smith, "Early French Advocates of Religious Freedom," 39. Smith claims that the first use of the term *liberté de conscience* was in Scotland in 1559 in a document that declared a truce between Marie de Guise and the rebellious Scottish Reformers, as a temporary measure put in place until they were able to reconcile their differences. Interestingly, as Lionel Bartolini points out in "Liberté de conscience" fn. 31, the Guise family, who ruled the duchy of Lorraine, intervened several times in the 1540s on behalf of Catholics in Neufchâtel. This is where Bartolini found evidence of an early use of *liberté de conscience*.

⁸⁵ Carroll, "Princes and the Ambiguities of French Protestantism," 1003.

La Marck, duc de Bouillon.⁸⁶ Bouillon did not join the prince de Condé and the Protestants at the outbreak of war in 1562. Instead, he put down a Protestant rebellion in Caen that October, and, despite the mistrust of some of his fellow Catholic nobles, Bouillon negotiated a settlement with the monarchy on behalf of the Protestants of the city of Caen that allowed each Protestant *habitant* “the liberty to live in private, following the light of his own conscience,” on the condition that all Protestant ministers left Caen on pain of death.” According to de Thou, this settlement was received with applause by the Calvinists when it was published on November 3.⁸⁷ Similar compromises were made by the Queen Mother in negotiations in the months leading up to the end of the first civil war, though the conditions for worship varied with the conditions of negotiating surrender. In December of 1562, for instance, the Protestants of Dieppe returned to royal obedience and were granted “the liberty to assemble in secret, and to hear the sermon in private homes,” as long as they did so in small groups to avoid “trouble and disorder.”⁸⁸

Thus, while royalist French Protestant princes advocated for their own right to worship, they negotiated limits on the rights of non-noble Protestants to do so while using the language of *liberté de conscience* found in Catholic opposition to toleration before the first civil war. This

⁸⁶ *Ibid.*, 997-1003.

⁸⁷ Jacques Auguste de Thou, *Histoire Universelle de 1543 jusqu'en 1607* (London, 1734), 4:440-441. “Ils obtinrent, à sa sollicitation, & ils regarderent comme une très-grande grace, la liberté de vivre en particulier, suivant les lumieres de sa conscience, à condition que tous les pasteurs ou ministres sortiroient de la ville. L’Edit que le Roi donna sur ce sujet, fut reçu avec l’applaudissement des Protestans...” Partially translated and quoted by Carroll in “Princes and the Ambiguities of French Protestantism,” 1003; see fn. 80 and 81. Carroll writes that the Protestants of Caen had already appealed to the king that that “they be left to live [according to] the liberty of their conscience,” but this wording is not in the de Thou passage he cites so I could not verify that they used this language.

⁸⁸ De Thou, *Histoire Universelle*, 4:440. “...tout ce pays rentra sous l’obéissance du Roi, après avoir obtenu de la Reine la liberté de s’assembler en secret, & d’entendre le sermon dans des maisons particulieres; à condition néanmoins de se partager, & de ne pas se trouver tous ensemble, pour éviter toute occasion de trouble & de désordre.”

transition to tolerating consciences instead of worship was a part of negotiating the peace; something was certainly better than nothing from the perspective of rebel Protestant towns facing royal armies. In all likelihood the strong opposition to a more general toleration of Reformed worship, combined with the failure of the monarchy's attempts to enforce its edicts, led to a change in royal policy and the ascendancy of the limited liberty of conscience model for tolerating French Calvinists. For the rest of the civil wars, this limited liberty of conscience dominated the edicts of pacification, starting with the Edict of Amboise in 1563. The monarchy first used the phrase *liberté de conscience* in this edict, and it was after this that it appeared in national Protestant synodical records for the first time at the synod held in Lyon on August 10, 1563. Although Protestant noble princes had been using this phrase in conjunction with those who opposed toleration, it was thus used by Protestant synods only after the monarchy took it up in 1563, and then only in direct reference to the king having granted it in responding to a question about the rights of former Catholic priests who had abjured and become Reformed. Requests that conscience be left undisturbed can be found in subsequent Protestant appeals, especially from individuals who are concerned for their safety. For example, this language is echoed in the request of a minister accused of taking up arms against the king sent to Catherine de Medici. The minister writes that he promises not to preach without the king's permission, provided that "one promised to allow him to live in his home in safety and without bothering his conscience."⁸⁹ But when Calvinist appellants refer to *liberté de conscience*, they overwhelmingly do so in reference to a broader religious liberty and, before 1563, while Protestants were certainly concerned about the liberty of their consciences, only a select group of

⁸⁹Aymon, *Tous les synodes nationaux*, 37, 43. "...quoiqu'il promettoit de ne point prescher jusqu'à ce que le Roi le lui eût permis, pourveu qu'on lui promît de le laisser vivre dans sa maison en seureté & sans lui gêner la conscience..."

nobles directly sought *liberté de conscience*, and this liberty was specifically framed in opposition to a wider freedom of worship.

The Limits of Liberty and the Democratization of a Noble Privilege

Civil war had begun in France by April of 1562, and it ended with the first of many edicts of pacification that would follow: The Edict of Amboise. Issued on March 19, 1563, little more than a year after the Edict of January, the Edict of Amboise was a very different document from the pre-war edicts.⁹⁰ It was the first to explicitly grant liberty of conscience as the cure for the “disease” of religious pluralism that threatened France. This formula of *liberté de conscience* was used in all but one of the eight royal edicts of pacification issued from 1563 to the Edict of Nantes in 1598 that officially ended each of the eight civil wars. Five of them contain the terminology of liberty of conscience directly, and two of the remaining three begin with the statement that they are affirming the provisions of a previous edict that *does* refer to *liberté de conscience*. Significantly, the short-lived 1576 Peace of Monsieur, in which a constrained Henri III (r. 1574-1589) conceded to nearly all of the Huguenots’ demands, is the only edict that does not separate conscience from worship.⁹¹ Instead, it grants French Protestants nearly unlimited freedom of worship (only excepting the environs of Paris and the king’s court), and therefore does not mention conscience at all. Even when it specifies that Calvinists in Paris and the court are not to be pursued as heretics, it does not use the terminology of conscience, but of practice.

⁹⁰ *Édit d’Amboise* (March 19, 1563), n.p, in *L’édit de Nantes et ses antécédants*, <http://elec.enc.sorbonne.fr/editsdepacification>. Accessed September 2014. Note that original copies of the Edict of Amboise are dated 1562; this is because in 1563 after it was issued Charles IX decreed that the French calendar would no longer start on Easter, but on January 1. I use the updated dates to reduce confusion.

⁹¹ *Paix de Monsieur. Édit de Paris dict de Beaulieu* (May, 1576), n.p, in *L’édit de Nantes et ses antécédants*, <http://elec.enc.sorbonne.fr/editsdepacification>. Accessed September 2014.

Uniquely to all of the other pacification edicts, including the Edict of Nantes, the 1576 Peace of Monsieur specifies that Calvinists who live in places without the exercise of religion “cannot be examined for what they do in their homes related to the aforementioned religion.”⁹²

In its ten articles, the 1563 Edict of Amboise mentions conscience four times. While its opening lines mirror those of the Edict of January, blaming the troubles, seditions, and tumults in the realm on the “diversity of opinions” regarding religion, it includes the important phrase “and the troubling of their consciences” (*et scrupule de leurs consciences*). This edict also makes provisions for the exercise of Reformed religion, and details the pardoning of Condé and other prominent Calvinist nobles, but the addition of conscience completely changed the implications of toleration. Once conscience was legally separated from worship, French Calvinists could be tolerated as citizens, but their access to worship was also legally restricted. In practice, this meant that instead of persecuting Protestants for heresy, the civil authorities could now prosecute them for sedition for the same actions. This use of conscience also made a link between conscience and each person’s home or *seigneurie*, putting each person’s religious opinion in something like a private sphere where it could not be touched, even though its relegation to this sphere was itself an assertion of power over such opinions by the monarchy. That this was a fundamental change cannot be doubted; it was common to search homes for heretics in the earlier period, and as late as September 4, 1559 under the influences of the Guises, Catholic popular action against heretics had been encouraged by new laws that stipulated the death penalty to all those found at illicit assemblies and the razing of residences used for this purpose. Anyone who did not reveal the existence of secret meetings in homes was also subject to the death penalty; those who turned others in to the authorities were granted immunity and a share of

⁹² Ibid. See Article 4.

the property of those who were condemned.⁹³ The designation of the home as a place where religious opinion was free was in sharp contrast to this recent policy of pursuing heretics in their homes and having them razed to the ground.

In the 1563 Edict of Amboise, the religious privileges that the nobility claimed were a part of their jurisdiction are specifically recognized. Those with rights of jurisdiction and “*plain fief de haubert*” are specifically allowed “to live in their homes, where they are residing, in liberty of their consciences and exercise the religion that they call Reformed with their families and subjects, freely and without any constraint.” All other nobles are accorded liberty of conscience and worship “in their homes, for them and their families only” as long as they do not themselves live under the jurisdiction of a noble with *plein fief*, “in which case they are not able to exercise the aforementioned religion in those places, if it is not by the permission and grant of liberty of their aforementioned *seigneurs* with high justice, and none other.”⁹⁴ While all policies of religious toleration varied by place in post-Reformation Europe, in order to understand what was unique about the 1563 Edict of Amboise, it is helpful to draw some parallels and distinctions between it and the religious peace that became the legal standard for toleration in the Holy

⁹³ Sutherland, *The Huguenot Struggle for Recognition*, 82; Diefendorf, *Beneath the Cross*, 53. Diefendorf notes that in most cases, confiscated properties were actually sold and the profits applied to charity (195, fn. 19).

⁹⁴ *Édit d'Amboise* (March 19, 1563). Article 1: "Que doresnavant tous gentilzhommes qui sont barons, chastellains, haultz justiciers et seigneurs tenans plain fief de haubert et chacun d'eulx puissent vivre en leurs maisons, esquelles ilz habiteront, en liberté de leurs consciences et exercice de la Religion qu'ilz disent reformée avec leurs familles et subjectz, qui librement et sans aucune contraincte s'y voudront trouver, et les autres gentilzhommes aians fief aussi en leurs maisons, pour eulx et leurs familles tant seulement, moiennant qu'ilz ne soient demeurans es villes, bourgs et villages des seigneurs haultz justiciers autres que nous, ouquel cas ilz ne pourront esd. lieux faire exercice de lad. Religion, si n'est par permission et congé de leursd. seigneurs haultz justiciers et non autrement."

Roman Empire, the 1555 Peace of Augsburg.⁹⁵ While the individual princes and city-states in the Empire had an autonomy separate from the Emperor that was markedly different from the territorial kingdom of France, the general principle of the Peace of Augsburg that each territorial ruler could determine the faith of the territory under his jurisdiction, later coined *cuius regio, eius religio* (whose realm, his religion) helps explain the French solution. In the Edict of Amboise, the nobility were directly granted the liberty of their consciences and the liberty to exercise their religion in their households, but, much like the *cuius regio, eius religio* formula of the Peace of Augsburg in terms of the hierarchies of jurisdiction, the noble with the highest claim of jurisdiction could determine the religion that could be practiced in his territory. The Peace of Augsburg, however, could only be applied to sovereign rulers, of which the Holy Roman Empire contained many. Also differently than *cuius regio, eius religio* was that French Protestants did not have the legal power to prevent Catholics in their *seigneuries* from practicing their faith; the provisions for conscience, despite the universalizing rhetoric in the Edict, were only intended to tolerate, in the sense of the phrase “to suffer,” the presence of Calvinist French subjects. Catholic *seigneurs* with high justice retained the prerogative to determine if Protestant worship would be tolerated in the households of lesser nobles under their jurisdiction, but not vice versa. Access to worship was only granted selectively to non-noble Calvinists in the outskirts of

⁹⁵ The 1555 Peace of Augsburg’s provisions varied in practice depending on the type of polity to which they were applied; what follows is an abbreviated synthesis of its provisions for purposes of comparison. The literature on this peace and its variations is vast; for a useful discussion of these variations in the context of coexistence in the Holy Roman Empire in relation to the rest of Europe, see Benjamin J. Kaplan, *Divided by Faith* (2007). Kaplan identifies three main methods of toleration in post-Reformation Europe: *cuius regio* (whose realm) *cuius patronatus* (whose patronage), and communal choice (see pages 99-171 for details and specific examples). City-states in the Holy Roman Empire did become bi-confessional, such as Augsburg itself. Patronage rights, or the rights to choose a pastor of a church, could be translated into choosing the faith of that church. This was not applied in the Holy Roman Empire or France, but it was elsewhere in Europe (153).

specified towns, making more explicit the separation of conscience from worship. The provisions of conscience were also different from the *cuius regio, eius religio* formula in that the 1555 Peace of Augsburg's answer to not forcing consciences was granted through the right to emigrate, the *jus emigrandi*. The Edict of Amboise, however, maintains French subjects in their households in its provision that separates conscience from worship in the kingdom. Even though worship is restricted, in the language of the 1563 Edict of Amboise all (Calvinist and Catholic) French subjects are granted a royal privilege that amounts to the freedom of religious thought: "And nevertheless each person will be able to live and remain everywhere in his home without constraint, being examined or molested, nor forced or constrained because of his conscience."⁹⁶ Calvinist subjects that left the kingdom were accorded the right to return, as well as the restoration of their "goods, honors, estates, charges and offices."⁹⁷ Even in Paris, where the exercise of the Reformed faith was still forbidden, Calvinists were now permitted to return to their homes if they had been displaced, and to remain in their homes if they had not. The edict

⁹⁶ *Édit d'Amboise* (March 19, 1563). Article 2: "Que en chacun bailliage, seneschaulcée et gouvernement tenant lieu de bailliage, comme Peronne, Montdidier et Roye, La Rochelle et autres de semblable nature ressortissans neuement et sans moien en noz courtz de parlement, nous ordonnerons, à la requeste desd. de la Religion, une ville aux faulxbourgs de laquelle l'exercice de lad. Religion se pourra faire de tous ceulx du ressort qui y voudront aller et non autrement ny ailleurs. Et neantmoins chacun pourra vivre et demourer partout en sa maison librement, sans estre recherché ne molesté, forcé ne contrainct pour le fait de sa conscience."

⁹⁷ *Ibid.* Article 5: "Et pour rendre les voluntez de nosd. subjectz plus contentes et satisfaites, ordonnons, voulons aussi et nous plaist que chacun d'eulx retourne et soit conservé, maintenu et gardé soubz nostre protection en tous ses biens, honneurs, estatz, charges et offices, de quelque qualité qu'ilz soient, nonobstant tous decretz, saisies, procedures, jugemens, sentences et arrestz contre eulx donnez depuis le trespas du feu roy Henry nostre tres honoré seigneur et pere, de louable memoire, et execution d'iceulx, tant pour le fait de la religion, voyages faictz dedans et dehors ce royaume par commandement de nostred. cousin le prince de Condé, que pour les armes prises à ceste occasion et ce qui s'en est ensuivy, lesquelz nous avons declarez et declarons nulz et de nul effect et valeur, sans ce que pour raison d'iceulx eulx ne leurs enfans, heritiers et ayans cause soient aucunement empeschez en la jouissance de leursd. biens et honneurs, ne qu'ilz soient tenuz en prendre ne obtenir de nous autre provision que ces presentes, par lesquelles nous mectons leurs personnes et biens en plaine liberté."

thus allowed French Calvinists to be unconstrained in their consciences regarding religious opinion in the same way as the rest of their fellow subjects, but it did not include assembly and worship. The exercise of religion remained a privilege that the king can grant and revoke.⁹⁸

Conclusion

Olivier Christin writes that the 1563 Edict of Amboise and its predecessor “have often been misjudged as an admission of weakness on the part of the monarchy in the face of the rise of intransigence and violence.” On the contrary, Christin claims, neither edict was issued against the king’s will, and that it was “a free decision that he and his council conceded these measures of pacification.” The edicts instead served to distinguish two domains, one for religious affairs and one for temporal affairs. The hope was that this would allow time for Protestants and Catholics to resolve their theological differences. In the meantime, this solution meant that the monarchy did not have to force a religious solution onto the kingdom and could, instead, institute “precise rules” for temporal affairs. This division did, however, create even more avenues of uncertainty for French subjects.⁹⁹ As Christin acknowledges, *liberté de conscience* and *consciences* do not appear in the earlier Edict of January, and it is a mistake to assume that they

⁹⁸ *Édit d’Amboise* (March 19, 1563). Article 4: "Entendons aussi que la ville et ressort de la prevosté et viconté de Paris soient et demourent exemptz de tout exercice de lad. Religion, et que neantmoins ceulx qui ont leurs maisons et revenuz dedans lad. ville et ressort puissent retourner en leursd. maisons et jouir de leursd. biens paisiblement sans estre forcez ne contrainctz, recherchez ne molestez du passé ne pour l’advenir pour le faict de leurs consciences. Toutes villes seront remises en leur premier estat et libre commerce et tous estrangiers mis et renvoyez hors cestuy nostre royaume le plus tost que faire se pourra."

⁹⁹ Olivier Christin, “From Repression to Pacification: French Royal Policy in the Face of Protestantism,” in Philip Benedict, Guido Marnef, Henk van Nierop, and Marc Venard, eds., *Reformation, Revolt and Civil War in France and the Netherlands 1555-1585*, Proceedings of the colloquium, Amsterdam, 29-31 October 1997 (Amsterdam: Royal Netherlands Academy of Arts and Sciences, 1999), 209-210.

were implied. The monarchy chose to use *conscience* in the 1563 Edict of Amboise and would not have done so lightly, for it had real consequences; in the legal world of the old regime “nothing mattered more than written substantiation.”¹⁰⁰ So what does conscience do in the second edict that makes it so different from the first? The anonymous pamphlet *Exhortation aux Princes et Seigneurs de Conseil privé du Roy* warned the king in 1561 that if Protestants were allowed to live freely in France, then the crown had no choice but to allow them to assemble for worship. Liberty of conscience, in other words, required liberty of cult.¹⁰¹ In the edict, however, conscience and worship are not made equivalent, and the crown avoids acknowledging a second church in France. Indeed, *conscience* separates religion from worship in the Edict of Amboise, making it easier for the king and his council to defend themselves, at least in theory, from the charge that pacification meant establishing two churches. Conscience cannot be forced or controlled, but public assemblies can, and this is where the regulation of worship comes in. If public worship does not follow the rules that have been established for it, it then falls into the possible category of sedition, and is prosecutable.

This shift in policy, and the logic that made it possible, was the equivalent of the democratization of a noble privilege, which implicitly took what had been an extraordinary private law for one subset of French citizens and made it the equivalent of a civil right belonging to all citizens. The monarchy did this by applying the idea of *liberté de conscience* propagated

¹⁰⁰ Ibid., 211. While Christin rightly points out that these edicts have often been misunderstood and that the use of *liberté de conscience* was a deliberate choice in the Edict of Amboise, he does not go on to work out what it meant for different groups at the time or how it was used by the monarchy and the implications of this. It is worth noting that the young Charles IX was acting in concert with the Queen Mother and the regency council; these early edicts of toleration and pacification were not the work of the king alone.

¹⁰¹ LeCler, “Liberté de conscience,” 387. See also *Exhortation aux Princes in Mémoires de Condé*, vol. 2, 623-24.

by royalist Protestant nobles to all French subjects. In this permutation, liberty of conscience was used by the nobles to argue that their privileges gave them religious freedom in their households, which included the people and property over which they held suzerainty. This noble privilege was then separated by the monarchy from a broader right to the exercise of religion that could have included public worship for all French subjects, making a distinction between the freedom of consciences and that of worship. This claim of monarchical authority upon which this move was based was made possible because, while nobility was hereditary, it was also not dependent solely on birth. Further, nobility could be derogated through the actions of a noble family.

Debates about the criteria for ennoblement and the role the king played in this process had been prevalent since the fifteenth century. Noble identity was itself a “product of historical change.” The boundaries of nobility were especially fraught in the sixteenth and seventeenth centuries, as the monarchy’s creation of new offices for sale led to a growing nobility of the robe, or political nobility, alongside the already existing nobility of the sword. Jurists, since Bartolus in the fourteenth century, had grappled with whether or not nobility was an inherent or an accidental quality (*originarius* or *accidentalis*), and they had consistently “placed the nobility within the civil law rather than natural law, with the result that the idea of nobility was historicized and relativized.”¹⁰² The development of the nobility of the robe in the parlement

¹⁰² Robert Descimon, “The Birth of the Nobility of the Robe: Dignity versus Privileges in the Parlement of Paris, 1500-1700,” Orest Ranum, trans., in Michael Wolfe, ed., *Changing Identities in Early Modern France* (Durham, NC: Duke University Press, 1997), 96. According to Descimon, “the distinction between customary ennoblement and legalized ennoblement that developed in March 1600 as a result of the *édit des tailles*, which defined who had to pay the *tailles*, was a remarkable historiographical accomplishment, and is the point of departure for our current reflections on the subject” (96). Descimon objects to the term nobility of the robe, preferring the phrases political nobility or civil nobility.

reveals the contradictory claims during this period that nobility was both a dignity, or inherent, and a privilege, which only the king could grant. According to Robert Descimon, the monarchy succeeded in fusing the idea of noble office with that of the noble order, or personal nobility, by the end of the seventeenth century. This culminated in what he calls a “gradual nobility” that was established over time with royal privilege as its basis. Royal privilege held sway as “the dominance of the law (as opposed to custom) as the organizing principle for social cohesion, which no longer depended on the autonomy of each corps and college, asserted the generalized power of the king, the great arbiter of society.” Royal actions and fiscal policy had succeeded in giving real weight to the legal concept that “the king alone can ennoble in France.”¹⁰³

In a parallel development, the monarchy used the concept of *liberté de conscience* in the edicts of pacification in this same manner. Taking the noble privilege that allowed for freedom of worship in noble households and turning it into a royal declaration that all French subjects had the right to their own religious opinions in their individual households was an assertion that such a noble privilege was reliant upon the king’s will. It was also a declaration that the king alone was the guarantor of who was or was not a French subject, not an individual’s relationship or belonging to a specific corporate group. The monarchy, in short, unprecedentedly asserted in the 1560s that being French was solely arbitrated by a subject’s relationship to the king and was not dependent on religious status. Gallican identity was thus separated from the Catholic Church, in just the way that the Protestants had hoped. Historians have rightly pointed out that the monarchy did not seek to approve a second church in France, and that toleration did not mean acceptance. What the monarchy did do, however, was just as threatening to Catholics as it was to Protestants who sought legal recognition. In effect, it turned Catholics, for the first time, into

¹⁰³ Ibid., 95-96 and 115-116.

a corporate group by no longer making being Catholic the default status for belonging to the French kingdom. It used the pre-existing monarchical power over heresy to set legal limits on what could and could not be prosecuted as heresy, and it attempted to enforce this in the legal system and the public sphere within which French subjects were forced to negotiate with the monarchy, but removed theological conflict from legal claims regarding pacification. At the same time, the monarchy continued to limit Protestant access to the public sphere and to police Protestant worship, maintaining wherever it could Catholic dominance and a Catholic public. All of these boundary negotiations re-shaped what it meant to be a French citizen in the public realm in a kingdom where the Catholic Church was, both theoretically and physically, the locus of civic life. The royal use of *liberté de conscience* as an antidote to religious pluralism in 1563 would have far-ranging consequences as both French Protestants and Catholics fought against it throughout the recurring civil wars that were to follow, but the monarch's asserted role as "the great arbiter of society" would unarguably prevail.

Chapter Two

Liberty of Conscience and the Practice of Gallican Citizenship

Introduction

During the period of pacification between the years 1563 to 1567, the monarchy created a *corps* of royal commissioners for the implementation of the Edict of Amboise. At the same time, Catherine de Medici and Charles IX undertook an extensive royal tour with the court in order to establish the king's authority. Both of these developments were undertaken with the goal of establishing peace, but during this longest-lasting and by all accounts most successful period of pacification before that of the Edict of Nantes in 1598, the problem of France's "two faiths" persisted. The model of toleration represented by the monarchy's use of a limited liberty of conscience was instrumental in Calvinist refusal "be pacified," as it were. In its early modern negative sense, tolerance and intolerance were not opposites; toleration implied both bigotry and discrimination.¹ The idea of toleration in relation to Protestant reform and pluralism in France is "always pejorative."² French Calvinists were not asking to be tolerated; they were asking to be allowed to live as French citizens within what they understood to be the true church. The limits of toleration explain why Protestants insisted that their rights as citizens and their consciences required the public presence of their worship; they would not settle for the limited liberty of

¹ Alexandra Walsham, *Charitable Hatred: Tolerance and Intolerance in England, 1500-1700* (Manchester: Manchester University Press, 2006), 5. See also Benjamin J. Kaplan, *Divided by Faith: Religious Conflict and the Practice of Toleration in Early Modern Europe* (Cambridge, MA: Harvard University Press, 2007), 8. Kaplan points out that in early modern Europe 'toleration' meant "to suffer, endure, or put up with something objectionable." He identifies 'toleration' as the "peaceful coexistence with others who adhered to a different religion," while specifying that peaceful does not mean without conflict (8-9). This chapter is about what those conflicts reveal about the failures of toleration, not the practice of toleration itself.

² See 'tolérance' in Anne Conscon, Bruno Maes, and Isabelle Paresys, eds., *Dictionnaire de l'Ancien Régime* (Paris: Armand Colin, 2004), 281.

conscience offered by the monarchy. Protestant claims were coupled with Catholic insistence on the absence of Calvinists in this public sphere and the refusal to accept a second faith in France. The monarchy's attempts to bind the liberty of Calvinist consciences within the sphere of their households, in a private, domestic space, while limiting their public presence proved unacceptable to French Calvinists, however, who continued to insist that the liberty of their consciences required access to their Church. In the end, it was the status of French Calvinists as *concitoyens*, fellow citizens, that made their Church a direct threat to both the Gallican Church and the French kingdom; the battle over liberty of conscience reveals that both citizenship and royal authority were delimited by the adage, "*un roi, une loi, une foi.*"

The period of pacification between the 1563 Edict of Amboise and the second civil war was the longest period of peace during the Wars of Religion. This does not mean that the implementation of toleration was not marked by conflict; on the contrary. By tolerating Calvinists as heretics, the liberty of conscience in the 1563 Edict of Amboise radically redefined the boundary of French citizenship. It disaggregated it from Catholicity and instead aligned the bounds of Reformed citizenship with the boundaries of conscience. The bounding of Calvinist conscience, however, worked both ways. While Reformed consciences were protected in the household, Calvinists were not permitted to act as their consciences dictated in the public sphere. The restrictions placed on their access to a Church, combined with monarchical insistence that the public remained Catholic, led Calvinists to resist the limitations placed on their public presence. Correspondingly, Catholics continued to insist that Calvinists be absent from this same public. These conflicts, which often emerged over literal physical space, serve as an access point to the practice of citizenship in early modern France. This citizenship can be understood as participation in something like a politico-theological public sphere, in which the 'theological'

implies an integration of the understanding of the political sphere within a larger religious context. In other words, the public was not made up of two spheres, the political and the religious, side-by-side; the nature of Gallican theology was such that the governing of France and one's participation in its Gallican institutions were integrated into a comprehension of God's will and the place of the French Church within the whole of Christendom. French Calvinists were deeply concerned not just with their access to worship, but with maintaining their access to the wealth of political and religious assemblies that made up these Gallican institutions in sixteenth-century France. In addition to local, regional, and royal courts, from the local to the national level there were assemblies of notables, clergy, estates, and towns, not to mention guilds and the various ecclesiastical hierarchical bodies that included canonical courts. Even if the French Reformed Church had rejected the Catholic ecclesiastical hierarchy, centralized church organization and decision-making was a key component of its existence.³ While individual churches were radically equal in the French Reformed ecclesiology, they met in hierarchically ordered local, regional, and national synods.⁴ While the Reformed Church did allow for collective government that was unique, these structures were used during the wars as the equivalent of both French civil and Gallican Catholic Church assemblies: for instance, pastors met in regional or national assemblies, through which they wrote remonstrances or petitions to the king or his agents in order to have their privileges enforced. Further, the local consistory was a part of the French Reformed Church's structure.⁵ The public and communal nature of the

³See Glenn S. Sunshine, *Reforming French Protestantism: The Development of Huguenot Ecclesiastical Institutions, 1557-1572*, Sixteenth Century Essays and Studies vol. 6 (Kirksville, MO: Truman State University Press, 2003), 53. For an in-depth discussion of French Reformed organizational structure and its assemblies, see chapter five.

⁴ *Ibid.*, 27.

⁵ Benedict, *Christ's Churches Purely Reformed*, 283-285. The organization of the French Reformed Church and its assemblies is discussed more fully as the topic of chapter 5.

Calvinist consistory disciplinary system arguably required Church governance to become even more public and transparent. Reformation in this sense was not the Lutheran removal of the church between man and God; it meant making the church more immediate to people's daily lives by removing its hierarchical distance. These battles over presence and absence in this dynamic and complex politico-theological public can be construed as a battle over the boundaries of French citizenship itself. Could French Calvinists, as tolerated heretics with their own ecclesiology, retain their rightful place as citizens in a Gallican France?

In the course of the civil wars, the answer was often, no. After the initial period of pacification ended, civil war again broke out again in 1567; in 1568, France faced the end of the second war and the start of the third.⁶ The brief period that followed the official culmination of the second war saw the renewal of the 1563 Edict of Amboise in the Peace of Longjumeau, in which Reformed French subjects were recognized as *concitoyens* and guaranteed the liberty of their consciences with limited toleration of their church. Months later, however, civil war had resumed, and Charles IX decreed in the Edict of Saint-Maur that two religions would no longer be tolerated in France.⁷ In his Catholic kingdom, Charles IX's subjects were to be united under the "true religion," and "any exercise of another religion other than the Catholic and Roman" was now forbidden. Calvinist ministers were given fifteen days to leave the kingdom, but, despite chronicling the history of toleration for his subjects who followed "the so-called religion," Charles still insisted that they "not have their consciences examined, on the condition

⁶ The first civil war ended in 1563, and the second began in September of 1567 and ended in March of 1568, only to resume again in August. The third war did not end until August of 1570.

⁷ *Paix de Longjumeau. Édit de Paris* (Paris, March 23, 1568) and *Édit de Saint-Maur* (Saint-Maur-des-Fossés, September 1568), in *L'édit de Nantes et ses antécédants*, <http://elec.enc.sorbonne.fr/editsdepacification>. Accessed September 2014.

that there be no exercise of any except the Catholic and Roman religion.” Charles IX thus offered his Protestant subjects a choice: they could either persist in their Reformed faith and be tried as heretics, or they could accept the internal liberty of their consciences while outwardly acquiescing to the Catholic faith and its provisions under the guidance of Catholic prelates, “waiting for divine inspiration...to return and reunite themselves with us and our other subjects in the union of the holy Catholic Church.”⁸

Unsurprisingly, Reformed French Calvinists were not content with an even more restricted concept of *liberté de conscience*, in which they were free not to be burned as heretics, but expected to eventually abjure and return to the Catholic Church. In 1568, Eloi Gibier, a printer in the city of Orléans sympathetic to French Calvinists, printed an anonymous pamphlet that offered a different vision of the French kingdom. The Huguenot figurehead the prince de Condé had been a patron of Gibier since the first Civil War; he published numerous pamphlets defending the Huguenot position and the plight of French Calvinists.⁹ The *Exhortation à la paix* offers a plan for instituting a “happy peace” in the kingdom based on freedom of conscience and the recognition that France now had two faiths. “What empire,” the author asks, “have we over the conscience of another? God alone reserves this power. When it pleases him to unite us in one faith and religion, this he will do.” There are “two forms of religion” in France, and they

⁸ *Édit de Saint-Maur*. Article 2: “Et neantmoins n'entendons et ne voulons que ceulx de lad. Religion pretendue reformée soient aucunement recherchez en leurs consciences, pourveu qu'il n'y ayt exercice d'autre Religion que de lad. catholique et romaine, esperans que cy après, par inspiration divine et par le bon et grand soing que nous aurons à tenir la main que tous evesques et pasteurs de l'Eglise de nostred. royaume s'employent et facent leur debvoir, nosd. subjectz de lad. pretendue Religion pourront retourner et se reunyr avec nous et noz aultres subjectz à l'unyon de la saincte Eglise catholique.”

⁹ Philip Conner, *Huguenot Heartland: Montauban and Southern French Calvinism During the Wars of Religion* (Aldershot: Ashgate, 2002), 205. See also Louis Desgraves, *Éloi Gibier, imprimeur à Orléans (1536-1588)* (Geneva: Droz, 1966).

both need to be recognized by the king, as well as governed by the rules of their faith so that all that remains is to ensure that each faction is properly policed within those rules. In this way, it will be possible to “maintain all that is required for the society of mankind, living under the same king, and under the same political laws.” This requires that all are treated equally, and that “we enjoy an equal liberty and favor of our religions.”¹⁰

Debates over *liberté de conscience* and Calvinist public worship offer a different perspective on the successes and failures of pacification during this period that both enhances and provides a framework for understanding the work of pacification on the local level accomplished by the commissioners. Jérémie Foa’s extensive study of the commissioners and the implementation of the edicts reveals that Catholic *plaintes* were overwhelmingly about *meubles*, or moveable goods; the next closest category was that of *culte*, or worship. In contrast, Protestant *plaintes* were even more overwhelmingly dominated by *culte*, followed distantly by financial affairs and *meubles*, and then, close behind, by baptisms and burials. From both Protestants and Catholics, however, the appeals about *culte* were about Calvinist access to worship and preaching, making this the most contentious issue overall.¹¹ Foa argues that, in

¹⁰ *Exhortation à la paix* (n.p., 1568). “Quel empire avons nous sur la conscience d’autrui? Dieu seul s’est reserve ceste puissance. Quand il luy plaira nous unir tous en une mesme foy & religion, cela se fera... Nous avons deux formes de Religion, receuës en France. Il ne reste que prescrire certaines reigles à l’une & à l’autre, & que chacun de son costé y obeisse, nous entresupportans, & gardans tout ce qui est requis pour la societé des hommes, vivans sous un mesme Roy, & sous mesmes loix politiques: Que l’un ne s’attribue point plus d’avantage que l’autre: que nous jouyssions d’une egale liberté & faveur de nos Religions: qu’elles ne soyent point distinguees par lieux & personnes: que nous soyons egalement recognees & honorez: que tous noms de part, de factions & divisions cessent entre nous, tous conseils, toutes entreprises, pour nous prevaloir les uns contre les autres. Par ces moyens nous pourrons establir dans ce Royaume une heureuse paix...” A second copy of this pamphlet was printed in Orléans in 1568 that identifies the printer as Eloi Gibier.

¹¹ Jérémie Foa, *Le tombeau de la paix: Une histoire des édits de pacification (1560-1572)*, (Limoges: PULIM, 2015), 157-158. On the commissioners and pacification, see also Jérémie Foa, “‘Reconcilier les cueurs des subjects cy-devant divisez.’ Les commissaires des édits

implementing the peace, the royal commissioners were charged with making judgments regardless of religious faith, thereby “separating the body of citizens from the body of the faithful, and so desacralizing the political public sphere.”¹² I agree with Foa’s use of this conception of the *corps mystiques* from Reinhart Koselleck to describe the kingdom of France; the separation of the boundaries of citizenship from the boundaries of the Catholic Church through liberty of conscience did break the bonds of the mystical body of the French people by redrawing the boundaries of citizenship outside those of the Gallican Church. Foa’s articulation of a desacralized political public sphere is in accord with Koselleck’s comprehension of a developing absolutist state.¹³ Foa more-than-convincingly shows in his own analysis that the structuring of appeals to the king’s peace commissioners followed the parameters of the Edict of Amboise and were stripped of their theological circumstances, reasoning, and content. However,

de pacification au temps des premières guerres de Religion,” in *Les Affrontements religieux en Europe* (Paris: PUPS, 2009), 61-88; Penny Roberts, “The most Crucial Battle of the Wars of Religion? The Conflict over Sites for Reformed Worship in Sixteenth-Century France,” *Archiv für Reformationsgeschichte* 89 (1998): 247-67; and Penny Roberts, *Peace and Authority during the French Religious Wars c. 1560-1600* (New York: Palgrave Macmillan, 2013).

On the scale, type, and form of appeals during the Wars of Religion, see W. H. Huseman, “The Expression of the Idea of Toleration in French During the Sixteenth Century,” *Sixteenth Century Journal* 15 (1984); Penny Roberts, “Huguenot Petitioning during the wars of religion” in *Society and Culture in the Huguenot World, 1559-1685* (New York: Cambridge University Press, 2002), 62-77; and Tatiana Debbagi Baranova, *À coups de libelles: Une culture politique au temps des guerres de religion (1562-1598)* (Geneva: Droz, 2012).

¹² Foa, “Reconcilier les cœurs des subjects cy-devant divisez.” “En distinguant le corps des citoyens du corps des fidèles, la Couronne désagrège l’unité du corps mystique de la cité. Il s’ensuit bon an mal an une désacralisation de la communauté publique...” Foa is careful to distinguish desacralization from secularization; God was not removed in this explanation, but the contingency of political constructions was recognized. He quotes Arlette Joanna, “L’Edit de Nantes et le processus de sécularisation de l’Etat,” in *Paix des armes, paix des âmes*, (Actes du colloque de château de Pau, 8-11 octobre 1988) (Paris: Imprimerie Nationale, 2000), 481-489 to make this point.

¹³ Foa cites Reinhart Koselleck [*Le règne de la Critique*], noting in fn. 72 that this is an example of Koselleck’s explanation for the political structure of absolutism. In English, see Reinhart Koselleck, *Critique and Crisis: Enlightenment and the Pathogenesis of Modern Society* (Cambridge, MA: MIT Press, 1988; orig. 1959).

my complementary analysis shows that in practice the public sphere could not be clearly divided religiously or politically and was far from secularized. The public sphere, as a concept usually defined by the mythology of the Enlightenment as the result of the individual rejecting the political constrictions of the absolutist state, is conceived of as a sphere between the private sphere and the state in which the individual both participated and oversaw government through the creation of and participation in “public opinion.”¹⁴ In these terms, the public sphere is secular, rational, and political. The conflict over the implementation of liberty of conscience, however, shows that in sixteenth-century France, there was an intrinsic connection between religious presence in the public sphere and the identification of the polity. Referring to the work of H  l  ne Merlin, Roger Chartier identifies the ontological origination of the “public” not in the Enlightenment, but in this earlier model in which “the public is to begin with the *respublica*, the mystical and political body of the kingdom in its indivisibility.”¹⁵ Using this conception, it is possible to understand the conflicts over the presence or absence of French Calvinists in the physical public space of the kingdom to construct a “public” that was not solely the *corps*

¹⁴ See Jurgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* (MIT Press, 1999; orig.1989; German 1962).

¹⁵ On the politico-theological public sphere in sixteenth-century France and an argument that the language of the public sphere in the absolute state of the later seventeenth century retains this logic, see Roger Chartier, “14 - La querelle du ‘public’,” in *Le jeu de la r  gle. Lectures* (Bordeaux: Presses Universitaires de Bordeaux, 2000), 107-112. Chartier here discusses H  l  ne Merlin’s *Public et litt  rature en France au XVI   si  cle* (Les Belles Lettres, 1994): “Contre la vision sociologique ou ‘substantialiste’, H  l  ne Merlin soutient que le public, loin d’  tre une r  alit   pr  alable    l’oeuvre, est toujours construit par les mod  les d’identification que cell-ci propose. Contre la these qui fait de la sphere litt  raire des Lumi  re la matrice de l’espace politique moderne, elle montre que l’ordre des engendremnts est inverse. La notion de ‘public’ que manient, au XVII   si  cle, toutes les argumentations critiques et toutes les pol  miques litt  raires vient, en effet, du vocabulaire th  ologico-politique. Les public, c’est d’abord la *respublica*, le corps mystique et politique du royaume en son indivisibilit  . Lorsqu’il s’  tablit dans le monde des lettres, le concept maintient un lien durable avec la ‘pens  e ontologique du politique’ qui lui a donn   sa signification premi  re” (108).

mystique as a theoretical conception. Instead, it was a living, breathing practice that can be thought of as a form of citizenship defined in these politico-theological terms. The practice of pacification and the way that toleration functioned in regard to liberty of conscience shows that desacralization is exactly what did not happen; instead, it is what was feared. The flood of Catholic and Protestant petitions during peacetime were dominated by whether or not French Calvinists would be allowed in the polity with full participation in this politico-theological public sphere within which French citizenship and royal power were framed. The incommensurability of the possibility of *un roi, une loi, deux fois* lay at the heart of the real problem posed by the existence of non-Catholic French *citoyens*.¹⁶

Liberté de Conscience in the 1563 Edict of Amboise: Consequences for Citizenship

The monarchy's use of *liberté de conscience* specifically separated freedom of conscience from freedom of worship for the first time in the 1563 Edict of Amboise, using the arguments of a few Protestant nobles that their noble privileges implied they could act in full liberty of their conscience on their estates. When the monarchy "democratized" this privilege by declaring that all French subjects, regardless of rank, status, or station, had liberty of conscience in their homes, this also meant that nobles could worship in whatever way they pleased on the lands under their jurisdiction. Non-noble subjects, however, did not have jurisdictional privileges, and so were not accorded the right to worship in their homes. Thus, by declaring that subjects could not be pursued in their homes for matters of conscience, the monarchy implicitly created a sphere in the household outside of the reach of authorities, both religious and secular,

¹⁶ Philip Benedict, "Un roi, une loi, deux fois," 65-93.

for individual consciences. However, this use of *liberté de conscience* also created a separate *liberté de culte* in which all non-officially sanctioned religious assemblies could be treated like illegal assemblies in general, putting them under the umbrella of seditious acts. In the edicts, this separation of liberty of conscience from the exercise of religion was an attempt to control the incursion of the French Reformed Church into the Catholic public sphere. This use of *liberté de conscience* was radical in its attempt to avoid making religious doctrine the primary criteria for being French. Conscience was inviolable precisely because it was an individual's understanding of God's will; this is why forcing consciences was problematic. But, in opposition to a broader toleration of Reformed worship, royal policies of pacification tried to enforce the protection of conscience as a general rule in such a way that it limited liberty of conscience and was not always recognizable to the French Calvinists for whom it was granted. *Liberté de conscience* was not meant by the monarchy to grant individual rights to French subjects, but by removing religious opinion from the public sphere and giving all French subjects *liberté de conscience*, it built upon and expanded the idea that the household was protected and that even non-noble French subjects had access to this private sphere. It also recognized the citizenship of French Reformed subjects while still trying to limit the public reach of their religion.

Liberté de Conscience in the 1563 Edict of Amboise: Consequences for Religion

The idea of the secular and the religious are not self-evidently opposites in the context of the sixteenth century. In the wake of the breakup of European Christendom, freedom of conscience developed as one response to the desperate need to find a new justification for claiming belonging to a larger community in a Europe that, while it had not been actually homogenous before, could no longer claim to be so once the fantasy of a united Christendom

finally fell apart. The French monarchy's appropriation of the idea of liberty of conscience that took shape in a series of edicts on religion beginning in 1559 is one facet of this larger story. As its critics pointed out, the monarchy's use of the term was not benign. The unintended consequences of this limited use of liberty of conscience had radical implications for what was understood to be religion in the sixteenth century; for the maintenance of social order and governance; and for the potential of all French *citoyens* to have a right to privacy, not only in their minds and hearts, but in their homes. These radical implications were rejected as dangerous by Catholics, certainly, but they were also rejected by French Protestants. While the differences between French Calvinists and Catholics were real, what they shared as French subjects is also discernable. Their mutual patterns of resistance to the crown in this period demonstrate how much they had in common, even if their religion and espoused ideology were at times contradictory.¹⁷

The *liberté de conscience* of the 1563 Edict of Amboise by implication pushed “religion” into the non-public sphere of each Reformed *particulier* in France: the household and lands of the nobility, over which they had their own jurisdiction, or, in the case of non-nobles, the home. While the parameters of conscience prescribed in the Edict of Amboise were directed towards

¹⁷ For literature on national identity, religion, and the French civil war period, see Myriam Yardeni, *La conscience nationale en France pendant les guerres de religion* (Paris: Nauwelaerts, 1971); Arlette Jouanna, “Être ‘bon Français’ au temps des guerres de Religion: du citoyen au sujet,” in Ouzi Elyada and Jacques Le Brun, eds., *Conflits politiques, controverses religieuses: essais d’histoire européenne aux 16e-18e siècles*, *Recherches d’histoire et de sciences sociales* 96 (Paris: EHESS, 2002), 21-32; Raymond Mentzer, *Blood and Belief: Family Survival and Confessional Identity among the Provincial Huguenot Nobility* (West Lafayette, I.N.: Purdue University Press, 1994); Raymond Mentzer, *Blood and Belief: Family Survival and Confessional Identity among the Provincial Huguenot Nobility* (West Lafayette, I.N.: Purdue University Press, 1994); Raymond Mentzer and Andrew Spicer, eds., *Society and Culture in the Huguenot World, 1559-1685* (Cambridge: Cambridge University Press, 2002), Luc Racaut, *Hatred in Print: Catholic Propaganda and Protestant Identity during the French Wars of Religion* (Aldershot: Ashgate, 2002).

French Calvinists, the audacity of this particular political move to both Protestant and Catholic subjects cannot be underestimated. After all, the church and its particular ceremonies, whether Calvinist or Catholic, were central to people's lives, and the conflicts among French subjects were about religion. Even those that may have been prompted by already existing rivalries had been re-conceived in those terms during the religious civil wars. For purposes of peace-keeping and peace-making, however, the monarchy had declared all religious language to be off limits, thus forcing French Calvinists and Catholics to re-phrase, and hence re-frame, their divisions in official appeals for royal justice after the wars. Just like French Catholics, French Protestants desired a public religion; a church that was a part of their daily lives and that anchored their society. In the end, the denial of pluralism upon which the monarchy's ingeniously politicized use of *liberté de conscience* relied did not, however, make religion less important or solve the problem of two competing churches in France. It did not, in other words, transform the public sphere into a secular sphere, and the attempts to keep French Reformed worship out of the politico-theological public sphere and to protect the visibility of Catholic worship also did not desacralize this public sphere. However, this forced, yet limited, toleration left both Calvinists and Catholics concerned about the risks inherent in allowing private religious belief without public instruction in the guise of the church as they debated what was and was not proper religion, all within the context of who was and was not properly French. For, while the monarchy's *liberté de conscience* implied that the conscience of a French subject could not be forced, its corollary was that each *citoyen* must keep his conscience to himself.

The Trouble with Liberty of Conscience

Au Roy. Sur le faict de l'Edict de pacification, an anonymous pamphlet first printed in French in 1563, reveals the very real fears that accompanied the possibility that conscience could be separated from the guidance of an official church.¹⁸ *Au Roy. Sur le faict de l'Edict de pacification* is not a violent diatribe for or against the edicts, but a measured appeal to the way in which the 1562 Edict of January and the 1563 Edict of Amboise are deficient and must be strengthened. The anonymous, though implicitly Calvinist, author identifies this weakness as the limited application of *liberté de conscience*. The pamphlet begins with an acknowledgement that the Europe-wide problem of religious difference over the last fifty years implies “that this sickness, being hidden in the bowels of men, as it is written in your edict of pacification, also requires a medicine that is internal.”¹⁹ Liberty of conscience is presented as the remedy for the disease of religious disagreement:

The troubles only having arisen and been provoked, as it is said in the same place, on the occasion of the qualms of conscience, that is to say of the servitude in which they have been previously detained. The freedom of it, consequently, and with good reason, having been judged the most proper remedy...²⁰

The problem, the author states, is in how to apply this remedy. He rejects the monarchy's idea that freedom of conscience can be applied differently to different groups: since the problem of constraining consciences is universal, the remedy must also be universal. The edicts in question, however, do not permit universal *liberté de conscience*. After the author lists the different groups whose exercise of religion is constrained according to the provisions of the edicts of

¹⁸ *Au Roy. Sur le faict de l'Edict de pacification* (n.p, 1563).

¹⁹ *Au Roy.* “A que ce mal estant cache dans les entrailles des hommes comme il est escrit en vostre Edict de Pacification requiert aussi un remede qui soit interieur.”

²⁰ *Ibid.* “ Les troubles ne ayans este levez et suscitez, ainsi qu'il est dit au mesme lieu, que a l'occasion du scrupule des consciences, c'est à dire de la servitude en laquelle elles estoient au paravant detenues. La liberté dicelle conséquemment, et a bon droict ayant este jugée estre le remède plus propre...”

pacification, he warns that this will lead to other ills in the kingdom. If, for example, Protestants are not allowed access to a larger ecclesiastical governing body through synods, then there can be no way to “expel and purge heresies, vices, and abuses.”²¹ This separation of conscience from ecclesiastical oversight results from allowing *liberté de conscience* “to each in his own home.” It is not enough to be able to worship in a home; worship can only be done correctly under the supervision of ecclesiastical authority. The *liberté de conscience* of the royal edicts is thus dangerous, the author warns, because it does not also permit *liberté de culte*, or freedom of worship:

And as for permitting *liberté de conscience* to each in his *maison*, that each person is not able to be sought out there as a result of it, so far is such a remedy from being useful that, to the contrary, it is even yet the cause of a greater evil than the first. Because it is not enough to introduce a *liberté de conscience* that tolerates the exercise of religion with which one finds fault if by some means the free exercise of it, that one has approved, is not allowed. Exercising it is considered here [to be] not only interior, but also exterior, such that it is not enough that one is able to read and pray in his home, if forthwith exercise in a place proclaimed and of [a] congregation ruled by good discipline and ecclesiastical *police* is not allowed...the true *liberté* consists in a free permission to serve and honor God sincerely, according to the conscience that admonishes each person, instructed by [God’s] word, that which is the only true freedom, very much removed and different from the one that is permitted by the aforementioned edict.²²

By limiting the idea of freedom of conscience from the exercise of religion in order to limit and control Reformed worship and its public presence, the Edict of Amboise turns it into an

²¹ Ibid. “...pour oster et purger les heresies, vices et abus...”

²² Ibid. “ Et quant à la liberté de conscience permis à un chacun en sa maison, sans qu’aucun y puisse estre recherche pour le faict dicelle tant s’en faut que tel remède puisse servir qu’au contraire il est encore cause d’un plus grand mal que le premier. Car ce n’est assez pour introduire la liberté de conscience que de permettre de s’abstenir de l’exercice de Religion que l’on reprove si par mesme moyen l’exercice libre de celle que l’on approuve n’est permis, considerant ici luy en exercice non seulement interieur mais aussi esterieur, tellement que ce n’est assez qu’on puisse lire et prier en sa maison si quant et quant l’exercice en lieu public et d’assemblée regle par bonne discipline et police ecclesiastique n’est permis...la vraye liberté (laquelle) consiste en une permission libre de server et honorer Dieu sincèrement, selon que la conscience admoneste un chacun, instruit par sa parole, qui est la seule vraye liberté bien loingtaine et differente de celle qui est permis par ledit Edict.”

unrecognizable liberty for those who actually want to exercise it. The danger, however, does not stop there. This internalized version of liberty of conscience will allow a “greater and more dangerous monster” to enter a republic: “Atheism, that is to say an ignorance and loathing of God, leading men to live without any exercise of religion and in consequence without any religion.”²³ This promotes evil and is “the source of all disorder and dissolution in republics,” which is why the author finds it “truly unbelievable” that the king’s council would introduce it in his realm.

After his analysis of the edicts of pacification, the pamphlet’s author concludes with two main points for the king to consider: the unequal treatment of his subjects, and the freedom to live privately without fear of being disturbed because of one’s conscience. About the first, he makes the claim that Reformed subjects are citizens, just like their Catholic counterparts, and for that reason require equal treatment for political stability: “it is certain that there is nothing as pernicious in all political administration as the unequal treatment of those who are constituted under it, so that some are able to say that they are not recognized as citizens and subjects with the others.”²⁴ His claim to equality for Reformed French Catholics as subjects and citizens asks the king to view religion in the same way as other corporate differences in the French kingdom. Being of “different faiths” is no different than the distribution of honors, estates and compensation among subjects. Further, religion falls under the republic’s jurisdiction, just like public places, peace, laws, defense from enemies, and justice. Subjects who are not treated equally become discontented and will cause trouble and sedition as they continue to seek the

²³ Ibid., “...Atheisme, c’est à dire ignorance et mespris de Dieu, acheminant les hommes à vivre sans aucun exercice de religion et par consequent sans religion aucune.”

²⁴ Ibid. “...il est certain qu’il n’y a rien tant pernicieux en toute administration politique, que l’inegal traictement de ceux qui sont constituez soubz elle, tel que les uns puissent dire qu’ils ne sont recongneuz pour citoyens et subjects avec les autres...”

freedom of their consciences. For this reason, freedom to exercise religion must be universally recognized as a good and just “public law” in the realm. The author here walks a fine line, arguing that conscience requires public worship based on the avoidance of sedition, and that French Calvinists must have equal treatment for public stability, all while ignoring the conflict and instability in France that was the result of the visibility of non-Catholic worship and non-Catholic subjects.

Referring to what he calls the “hidden and secret” freedom of conscience in the edicts of pacification, the author is certain that “there is neither a republic, realm, nor political administration as barbarous and savage as that which does not recognize that religion is the first and principle foundation of all *police*...”²⁵ While this vision is presented in a very Calvinist form, the author has identified the revolutionary, even if unintended, implication of the monarchy’s use of the phrase *liberté de conscience* in the edicts of pacification. For the author, religion cannot be separated from an organized church, which as he describes it is the basis for society, not just the institutional caretaker of individual faith. Indeed, all legal contracts, including oaths of fealty and marriages, were religious oaths under God. This is what gave them legitimacy and weight. Religion regulated interactions between citizens as members of Christendom. Once it was decided that a group, such as the Anabaptists, was not a part of this community, its adherents were rapidly ejected from it. The real consequences of the breakdown of this social order can be seen in the scale of popular violence during the Reformation and

²⁵ Ibid. “...qu’il n’y eut onques république, royaume ne administration politique tant barbare et sauvage fust elle, qui n’ait cogneu que la Religion soit le premier et principal fondement de toute police...”

throughout the civil wars in France.²⁶ In addition, if the monarchy relinquished the social and moral ties of *police*, it simultaneously weakened its own legitimacy. Overall, the author of this Calvinist pamphlet describes the particular, non-universal liberty of conscience as expressed in the early edicts of pacification as inevitably seditious. In contrast, the pamphlet defines real freedom in a particularly Calvinist way as the “servitude of the flesh and the prevention of doing evil, witnessed in public and in all places equally by a good and decent ecclesiastical *police*, nevertheless under the knowledge and authority of the magistrate.”²⁷ The author rejects that the protection of conscience within the boundary of the household allows for either liberty or religion, and insists that French subjects and citizens must be treated equally with public access to their faith. True religion must have a church; this is the only way a conscience can be truly free.

In Protestant appeals made directly to the king, these same concerns and the need for public worship are prevalent, as they frame their requests in the language of the king’s edicts of pacification, while at the same time chronicling the resistance to the implementation of the edicts. While just a few short years earlier it would have been ludicrous for a French subject to appeal to the king for his or her rights based on freedom of conscience, now, instead of such a request marking someone as a heretic, it was the indication of a *regnicole* following the edicts of the king. One such letter comes from those of the “Reformed religion” in the town of Arles.²⁸

²⁶ On religious violence, see Barbara Diefendorf, *Beneath the Cross* and Denis Crouzet, *Les guerriers de Dieu: La violence au temps des troubles de religion, vers 1525-vers 1610*, 2 vols. (Seysssel: Champ Vallon, 1990).

²⁷ Ibid. “...servitude de la chair, et empeschement de mal faire, tesmoignee en public et en tous endroits egallement par une bonne et decente police Ecclesiastique, sous la cognoissance neantmoins et autorite du Magistrat.”

²⁸ B.N., Nouvelles acquisitions françaises (N.a.f.), 20598, fol. 241r-243r (n.d.). The series Nouvelles acquisitions françaises are copies of original letters from Saint-Germain-des-Prés that were conserved in the Bibliothèque impériale publique de Saint-Pétersbourg. This is

After May of 1563, they were able to return to their homes, thanks to the king's agent Vielleville, the Marshall of France. Their return was based on the promise made to them, and all others professing their religion in Provence, that they would soon be able "to live plainly and peacefully in freedom of their conscience and to have the free exercise of their religion following your edict of pacification."²⁹ Just as they were referred to and granted individually in the edict, these Protestant petitioners refer to their "*liberté de conscience*" and the "*exercice libre de leur religion*" separately. Despite these promises in the edicts, however, they claim that they have "endured many injuries and rebukes implied towards themselves by several seditious people, while hoping to follow the aforementioned promise and several edicts..."³⁰ The next paragraph specifically equates their perceived injustices with their inability to exercise their religion: they need to baptize their children, to marry in their own services, and to bury their dead. If they try to bury their dead in the sepulcher in town, "they are unburied and thrown down from the walls,

part of a collection of manuscripts whose provenance is from French monastic and royal libraries that were acquired during the French Revolution and attributed to the diplomat P.P. Dubrovskii (Dubrowski). It includes 400 documents from the Bastille in addition to the manuscripts from the monasteries of St. Germain des Prés and St. Antoine des Champs. See Patrick Kennedy Grimsted, *Archives in Russia: A directory and Bibliographic Guide to Holdings in Moscow and St. Petersburg* (Routledge, 2016), 725. For details on the history of this collection, see Dominique Varry, "Revolutionary Seizures and their Consequences for French Library History" in James Raven, ed., *Lost Libraries: The Destruction of Great Book Collections since Antiquity* (New York: Palgrave Macmillan, 2004), 181-196 and Tamara P. Voronova, "P.P. Dubrovskii (1754–1816) and the Saint-Germain Manuscripts," *Book Collector* 27 (1978): 469-478.

²⁹B.N., N.a.f., 20598, fol. 241r. "Remostrent tres humblement a vostre dite majeste comme despuys le moys d'aoust en l'année mil cinq cens soixante troys qu'ilz sont rentres en leur maisons par le moyen du seigneur de Vielleville lung de vouz mareschalz de France avec promesse que leur feust faicte et a tous les aultres faisans profecion de la dicte religion au present pays de Provence dans peu de jours vivre plainement et paisiblement *en liberté de leur conscience et avoir l'exercice libre de leur religion* suyvant vostre ecdict de pacification..." Emphasis added.

³⁰Ibid. fol. 241r. "...ilz se sont consensus le moins mal que leur a esté possible en leur dictes maisons et ont enduré beaucoup d'injures et oprobres a eulx inferés par plusieurs sedicieulx, esperans suyvant le dicte promesse et plusieurs edictz..."

things more than barbaric and unworthy of those that carry the name of man.” These horrible acts are the equivalent of sedition, they assert, and are allowed by royal officers who do not heed the king’s edicts and have no regard for public peace.³¹ They ask what will be done about these officers who refuse to recognize that the Protestants have the right to exercise their religion and refuse to enforce the king’s edicts.³²

Members of the Reformed Church of Hostun sent a letter to the king’s lieutenant general in Burgundy, Gaspard de Saulx-Tavannes, in July of 1563 to request that the provisions the king granted to them in the March 1563 Edict of Amboise be implemented.³³ This request acknowledges the king’s separation of conscience from the ability to exercise religion in the edict, even while it appeals for the freedom to worship properly on the basis of the freedom of conscience that they have been granted in the edicts.³⁴ They have been waiting patiently, they write, for a space that is convenient and large enough for their assemblies.³⁵ They are asking for his help because they have been deprived of a pastor and of the preaching of the gospels for a long time, all things that are required for the freedom of their consciences, for “we can no longer

³¹ Ibid. fol. 242r. "...et si on les a voulléu mectre a sepulture dans la dicte ville ont esté desensepvellis et geités des murailles en bas choses plus que barbares et indignes de ceulx qui portent le nom d’homme, prevocantes au denurisant tout ung peuple a sedition et ne provenant telle audace d’aulture part que du support et dissimulation des officiers, esquelz au mespris de voz edictz et sans avoir esgart au reppos public..."

³² Ibid., fol. 242r-243r.

³³ Ostun in sixteenth-century French.

³⁴ B.N., Français, 4636, fol. 21r-21v. (July 20, 1563).

³⁵ Ibid., fol. 21r. "...avoir lieu ou l’assembler des chrestiens qui tiennent la Religion se fit nous a donne argument apres longue attente et patience de vous supplier par cestes treshumblement nous faire ce bien que soyons renduz joyssans du benefice a nous octroye par notre souverain prince. Et ce faisant quil vous plaise assigner place convenable et commode pour la multitude et nombre que nous sumes es faulxbourgs dostun ou conviendroys en toute humilite et modestie Vous assurons que ne voulons marcher plus avant que vostre commandement conforme a celuy dudict seigneur Roy pourtera."

wait or put off the exercise [of our religion] without a great offense to our consciences.”³⁶ Their “adversaries” want to prevent the Protestants from worshipping; their opponents even arrested their minister (*le faire saisie au corps*). This is no longer allowed, they assert, according to the edict of pacification, which states that “no one can be molested or examined for the fact of religion.” They remind Saulx-Tavannes that their minister is under the protection of the king.³⁷ The Protestants then ask the lieutenant general to command the king’s officers to protect their minister and free all religious prisoners.³⁸

Another letter sent on behalf of a minister in 1565 from La Rochelle demonstrates one of the ways that the replacement of heresy with sedition was put to use by Protestants as they sought ways to get around the monarchy’s limited use of *conscience*. Authorities that would have held someone on the charge of heresy now had to do so for reasons that were compatible with the king’s edicts of pacification, but the monarchy had also defined seditious preaching as inciting anyone to violence or to breaking the public peace. Protestants had to defend their access to worship and access to preachers, as well as the preachers themselves, in the face of repeated charges of sedition and incitement. La Rochelle, in particular, had a large Protestant population and became a Huguenot stronghold. The king’s Lieutenant General for Justice in La Rochelle, Jean Pierres, was one among several high-ranking officials who had joined the

³⁶ Ibid. “Et que de votre ayde et faveur sumes si necessitez veu le long temps que sumes demourez deprouvez de pasteurs et privez de la predication de l’evangile que ne pouvons plus retarder ou differer lexercice sans grand offence en nos consciences.”

³⁷ Ibid., fol. 21r. “Jusques a vouloir entreprendre du le faire saisie au corps combien quil soit inhibe et defendu par ledict sur la pacification des troubles molester aucun ny rechercher pour le fait de la Religion. Vous supplions treshumblement luy commander et a tous aultres quilz se contiennent sans attemper a sa personne directement ou indirectement et quil soit mis en la protection et saulvegarde du Roy...”

³⁸ Ibid., fol. 21v.

Reformed church, making La Rochelle a bastion of Calvinist worship.³⁹ In 1565, Pierres wrote to the king to plead for the case of the minister Joachim Du Moulin.⁴⁰ In his opening lines, Pierres acknowledges that La Rochelle in particular has benefitted from the king's edict of pacification by being allowed "to live in freedom of our consciences in religion which is exercised there without tumult."⁴¹ However, the king has been informed incorrectly that the minister Du Moulin spoke against the king and the Queen Mother in La Rochelle in a seditious sermon.⁴² Du Moulin was in La Rochelle and did give a sermon, but, Pierres explains, the king's officers were mistaken about his intent. On May 18, 1565, Du Moulin read a passage in Hebrew from the prophet Isaiah, from the third chapter, where Isaiah threatens to punish the people of Israel for their ingratitude and for their sins. The prophet in the passage uses these words:

³⁹ Louis Delmas, *The Huguenots of La Rochelle: A Translation of the Reformed Church of La Rochelle, an Historical Sketch*, A.D.F. Randolph, trans. (1880), 36.

⁴⁰ B.N., N.a.f., 20598, fol. 373–379 (June, 1565). Original foliation used. Information about Joachim Du Moulin can be found largely because he was the father of the famous exiled Calvinist preacher and scholar Pierre Du Moulin, born in 1568. Joachim was disinherited for joining the Reformed Church, and soon after became a minister. He was arrested in 1584 for leading services in Paris and subsequently banished, after which he reportedly went to Scotland. He was back in France as a minister by 1596 in Orléans. His son, Pierre, was a minister and a prolific author. He claimed that his father left him and his four siblings in the home of a Roman Catholic woman and former servant during the 1572 St. Bartholomew's Day Massacre in Paris, where they were hidden in the bedclothes. When he began to cry, the woman made a scene of dropping some pots and yelling while his sister put his hand over his mouth to silence him until he almost suffocated. They all survived. He later went to London and became a professor and favorite of James I of England. They are also related via another branch of the family to the French jurist Charles Du Moulin (1500-66), who reportedly joined the Protestant congregation in Paris in 1542. See David Carnegie Andrew Agnew, *Protestant Exiles from France, Chiefly in the Reign of Louis XIV: Or, the Huguenot Refugees and Their Descendants in Great Britain and Ireland*, vol. 1 (1886), 129-130.

⁴¹ B.N., N.a.f., 20598, fol. 373 (June, 1565). "Le Seigneur nostre Dieu omnipotent a beny soubz vostre regne en general toute la France d'infinies benedictions avecq le don de paix que nous avez acquise es troubles tres divers et particulièrement vostre ville de La Rochelle, en laquelle nous sentons oultre l'abondance de tous biens nos faveurs eslevées de nous avoir donné *vivre en liberté de noz consciences es religions qui y sont exercées sans tumults* pour ce regard et nous trois ou quatre fois heureux." Emphasis added.

⁴² *Ibid.*, fol. 373, 377.

“children will reign over you and the effeminate will dominate you.”⁴³ Given the fact that King Charles IX was then fifteen years old, Pierres goes to great pains to explain that this passage was referring to ancient young kings, and that Du Moulin also gave examples of young kings that reigned well, such as Josiah, David, Solomon, and even examples from present-day France. Pierres assures the king that he also did not condemn rule by women under the heading of the effeminate. In fact, Du Moulin even named places where women have governed well, such as England, Scotland, Navarre, and France itself.⁴⁴ Du Moulin added that God had given France peace and a king that had granted the inhabitants of La Rochelle the ability to “live in freedom of their consciences.”⁴⁵ He compared their various gifts from God to those given by God to the children of Israel, and warned that if they abused these gifts they would be punished just like the Israelites. Pierres insists that Du Moulin said that if they had bad governors or judges, or even if kings had evil council, they were not to judge this themselves, but to attribute it to their own sins, and not to those of the King or his council. For this reason, Du Moulin told the people that they must do penitence and recognize their sins with humility. In short, writes Pierres, Du Moulin did

⁴³ Ibid., fol. 374. "Et interpreta lors ledict Ministre jusques a cinq versetz du commencement du dict chappitre es lieux ou le prophete menasse le peuple d'Israel de le punir pour son ingratitude et de la confusion qui devoit avenir pour le peche: et parceque le prophete usoit de telz termes: les enfans regneront sur vous et les effeminez vous domireront, il admonesta l'absistance de ne prendre cela au pied de la lectre."

⁴⁴Ibid., fol. 375. "...adjoustant qu'il s'estoit trouvé beaucoup et Roys jeunes d'aage qui avoient regné heureusement, comme Josias, David, Salomon, et encores de present en France, commemorans les benefices qu'avions resentiz jusques a present de vostre regne, et aussi que soubz le nom d'effeminé ne failloit condesmner le gouvernement des femmes par ce qui la eu avoit eu de prudentes dessoubz lesquelles les Royaulmes avoient estez heureusement gouvernez, comme debors, et autres qu'il nomma, et encores de ce temps s'en trouvoit, comme en Angleterre, Escosse et Navarre, et, pour dire le vray, ainsi parloit il, en France."

⁴⁵Ibid., fol. 376. "...qui leur auroit accordé *vivres en liberté de leur conscience...*"
Emphasis added.

not utter any defamatory words against the king or his council, and he asks for the king's clemency.⁴⁶

The explanation Pierres gives of Du Moulin's sermon leaves many questions unanswered. Are we to believe that he did not make the connection between France's young king and his regent, Catherine de Medici, when he spoke about the dangers of being ruled by the young and effeminate? Pierres maintains that the people of La Rochelle were simply exercising their freedom of conscience, which implicitly included the ability to listen to sermons, and that Du Moulin's right to preach is a natural result of this freedom. Pierres is also careful to refute any claim that Du Moulin actively criticized the king's government, insisting that he was just expounding on the Hebrew scriptures and explaining their significance to the residents of La Rochelle. Du Moulin's choice of scripture, however, is an example of the ways that Calvinists also used the uncertain boundaries between heresy and sedition and between private conscience and public worship for their own ends. If he cannot be tried as a heretic, then as long as he can claim that his speech is religious, he has a ready defense against the charges of sedition raised by the king's agents against him. In this instance, the argument Jean Pierres made to the king in Du Moulin's defense that this was religious speech and, hence, protected as the exercise of freedom of conscience in La Rochelle, was effective. Du Moulin was not tried for sedition.

In the discrepancy between the Protestants fight for *liberté de culte*, or the public exercise of religion regulated by an organized church, and the monarchy's limited concessions to worship embodied in an even more limited understanding of *liberté de conscience*, the Protestants demands were actually conservative. While the sacrality of the family and the idea of a godly

⁴⁶ Ibid., fol. 376, 378.

household was central to Calvinist theology, so was its ecclesiology. Synods, consistories, instruction, and sermons were considered necessary, and French Calvinists were not content to keep their consciences at home. They continued to appeal to the monarchy for temples and the free public exercise of religion, and, as the appeals from Catholics to the crown attest, regularly confiscated Catholic Churches when they could.⁴⁷ These demands represent the church's role in the politico-theological public sphere, regulating social and political life for all French men and women, Catholic or Protestant, which for French Calvinists could not be separated from their understanding of religion and citizenship. Most importantly for Protestant petitioners to the king, true religion was not a private affair that one practiced on one's own at home. On the contrary, the monarchy's decision to stop treating Protestants as heretics while attempting to avoid acknowledging the replacement of the Catholic Church with a fully functioning Reformed Church in some of its subjects' lives, and hence a religiously plural society, was to separate the idea of liberty of conscience from that the exercise of religion. A Gallican French Church was necessary for the politico-theological understanding of both the monarchy and the citizenship of the king's subjects; to keep French Calvinists from their Church either indicated that the idea of religion could be separated from that of the church, or that the Reformed Church was simply not a church at all. The latter was the Catholic position: heretics do not have churches. When combined with the policy of not harassing people's consciences regarding their religious beliefs in the safety of their homes, limiting access to an organized church threatened to sever worship from its public role in forging and maintaining community. At the same time, it allowed individuals to follow their consciences without proper religious instruction, which was in conflict

⁴⁷The return of Catholic places of worship to Catholic control was often an article in the edicts of pacification, and Calvinist iconoclasm or seizure of churches or church property was a key element in Catholic polemic and complaints.

with the shared views of proper worship and the place of the church held by both Catholics and Protestants; that it did not end conflict in the politico-theological public sphere should come as no surprise.

The Boundaries of Conscience and of the Polity: Conflict and Resistance to Toleration

The king's Reformed subjects were intent on the necessity of access to an organized church. For them, liberty of conscience could only exist along with the free exercise of their religion. But public worship, no matter how far outside the towns the king designated sites of worship, was hard to keep out of the public sphere. Calvinist rejections of limited liberty of conscience demonstrate that French citizenship was intertwined with French worship; the one required the other. Catholic resistance to the toleration afforded by liberty of conscience reflects this same logic, as well as fear of the demise of the French kingdom that pluralism would entail. The monarchy's insistence that it was not approving a second church in France and its repeated attempts to defend the sanctity of public Catholic space, especially difficult in towns, shows that Catherine de Medici and her sons were aware of the problem that potential Christian pluralism posed for both royal power and unrest in the French kingdom. This paradox - that the king must insist on toleration, while at the same time insisting that France had only one church - is reflected in the king's interpretations of the edicts and their implementation.

While many Catholics were unhappy with the Edict of Amboise from the start, once it was in place it became even more controversial. Within months of issuing the Edict of Amboise, Charles IX and Catherine de Medici faced consternation from Catholics over the permeability of the private/public boundary in relation to the royal declaration that liberty of conscience was permitted in households. In an edict issued on June 14, 1563, the king issued an official

interpretation of liberty of conscience after his Protestant subjects used it in defense of not closing their shops on Catholic holy days.⁴⁸ In this edict offering the royal interpretation of liberty of conscience in the Edict of Amboise, the king reiterated the privileging of Catholic space. The new edict begins by repeating the second article of the Edict of Amboise, in which Protestant worship was allocated to a designated location in the outskirts of one town in each *bailliage* and *seneschaussée* in the kingdom, and that regardless of this, subjects were allowed to remain in their households *librement* without having their consciences forced. The king goes on to say that some of his Reformed subjects “interpreted at their pleasure these words *librement* and *vivre en sa maison*” by keeping their workshops and stores open on Catholic feast days, continuing to work or sell their goods as usual, leading to “several great misfortunes, quarrels, and scandals” between his Reformed and Catholic subjects.⁴⁹ The flashpoint of Protestant infiltration into the Catholic public was exacerbated by the already diffuse nature of the boundary. Workshops and shops, for instance, were in households. French Protestants had interpreted the royal permission that their consciences were to be unconstrained in their homes to mean that they did not have to observe Catholic holidays and rites. The king revised Article 2 with specific instructions that required French Protestants to literally keep their consciences behind closed doors and away from the Catholic public during Catholic processions and feast

⁴⁸ B.N., F-46824 (1) (June 14, 1563, n.p.). *Ordonnance du roy, par laquelle il est defendu a tous ceux de la religion qu'on dict reformée & autres de besongner de leurs mestiers & artz à huis & boutiques ouuerts, les iours des festes cōmandées par l'eglise catholique Romaine, sur peine de punition corporelle* (Paris, 1563). A second copy of this edict was printed in Lyon, under the title *Édict du Roy, contenant ce qu'il veut estre observé ès jours de festes commandées par l'Église catholique* (F-46824 (10), Lyon, 1563).

⁴⁹ B.N., F-46824 (1). “...plusieurs de noz subiectz de ladicte religion interpretās à leur plaisir Ces motz de Librememt viure en sa maison, tiennent leurs ouuroers & boutiques ouuertz les iours des festes commandées par l’Eglise catholique Romaine, y besongnent de leurs artz, vendent & trafiquent tout ainsi que aux autres iours ouurables, dont plusieurs grands inconueniens, querelles & scandales sont des-ia suruenuz entre noz subiectz des deux religions.”

days. Calvinists are instructed not “to work at their trades and crafts on these days or have open shops.” They can “remain in their homes, workshops, and shops most softly and courteously, without giving occasion for trouble or scandal,” but they risk corporal punishment by order of the king’s officers if they continue to disturb the public peace (*le repos public*).⁵⁰

The visible or aural intrusion of Protestants into Catholic public space demonstrated the difficulty in using the boundaries of conscience as the boundary between public and private. As Charles IX’s Reformed subjects continued to push back against their erasure and containment, he continued to respond with follow-up interpretations to the Edict of Amboise, its liberty of conscience, and its implementation. In December of 1563, Charles issued yet another declaration on the correct interpretation of the Edict of Amboise, acknowledging that there had been “many difficulties regarding the interpretation of some articles.”⁵¹ The problem of feast days and the policing of the public is again repeated in this new edict, though near the end of a much longer list of correct interpretations and rules for implementation. Catholic holy days are to be respected, and the prohibition against Calvinists working or opening their shops is repeated.

⁵⁰ Ibid. “Noz vouloirs & intention n’ont point esté comme encores ne sont que es iours de festes commandées, par l’Eglise Catholique Romaine, ceulx de ladicte Religion qu’on dict reformée n’y autres n’ont peü ne puissent aucunement besongner de leurs mestiers & artz à huyz & boutiques ouuertes. Et voulons & nous plaist que à telz iours ilzse contiennent en leurs maisons, ouuouers & boutiques le plus doucement & gratieusement, & sans donner occasion de trouble n’y scandalle que faire se pourra, Sur peine aux contreuenãs d’estre puniz rigoureusement & par corps, selon que par noz Iuges & officiers.”

⁵¹B.N., F-46825 (25) (December 12, 1563, n.p.). *Déclaration et interprétation du Roy sur l’édict de la pacification des troubles pour le fait de la religion* (Paris, 1563). “Nous on faict entendre qu’il s’est offert beaucoup de difficultez sur l’interpretation d’aucuns articles de nostredict Edict...”

They are further instructed not to open their butcher shops on days when Catholics are to abstain from eating flesh.⁵²

Charles IX also clarifies the intention of Article 1 of the Edict of Amboise, which not only gave the nobility liberty of conscience, but also permission to exercise their religion in their households. Essentially an acknowledgment of seigneurial jurisdiction, this article caused repeated problems in the battle over the boundaries of conscience and the public, for households could include all those under a seigneur's jurisdiction, making the scale of worship and its reach far beyond the family. The king's clarification of this article was directed to Catholics who had tried to prevent nobles with multiple residences from exercising their religion when they changed residences, underscoring that in this case the permissions of the nobility were tied to households through the person of the seigneur and his jurisdiction, and not to a physical building or single estate.⁵³

Protestant insistence on access to worship and preaching continued to be a problem beyond the borders of a lord's domain. The king repeated the promise in the 1563 Edict of Amboise that a location would be designated for Reformed worship in each administrative unit of the kingdom. Worship sites were not to be in towns, except those that had established worship before March 7, 1563 when they were taken over by the Huguenot army in the first war.

⁵² Ibid. "Les festes seront gardees, & ne pourront ceux de ladicte Religion besongner, vendre, ny estaler lesdicts jours à boutiques ouvertes. Et les jours maigres, esquels l'usage de la chair est defendue par ladicte Eglise catholique & Romaine, les boucheries ne s'ouvriront."

⁵³ Ibid. "Et quant à ce qu'aucuns ont voulu restraindre ausdicts Gentil-hommes l'exercice de ladicte Religion pour leurs maisons seules ou ils font leur plus ordinaire demeure, comme si ceste liberté estoit attachee à leursdictes maisons, & ne suyvoit leurs personnes: Avons dict & déclaré, disons & declaron, Que quand lesdicts Gentils-hommes se transporteront en leurs autres maisons, ou ils auront haulte Justice, plein fief de haubert, ou simple fief, ils pourront, pendant qu'ils seront & resideront en leursdictes maisons, faire l'exercice de ladicte Religion aux conditions portees par nostredict Edict, & selon que pour la diversité de la nature de leursdicts fiefs il leur est permis par iceluy."

Charles IX insists that the wording of the Edict in Article 3 does not mean that new towns are allowed to establish Reformed Churches of their own.⁵⁴ Paris, as always, is singled out; as stated in the edict, its *manans* and *habitans* of the “so-called Reformed religion” are not able to travel outside of the city to a place of worship. Instead, they are accorded *liberté de conscience* in their homes. The king also recognizes the complaints Protestants continued to make regarding the incommensurability between the separation of conscience and worship. If they have to “satisfy the scruples of conscience” that result from not exercising their religion, then Charles IX offers them the opportunity to move to towns that have an approved site for Calvinist worship.⁵⁵ One group, however, was still denied the liberty of conscience that allowed French Protestants to retain their citizenship: monks or nuns who left their monasteries are ordered to return to them and to the Catholic church, even if they married in the meantime. If they will not do so, they are to be banished from the kingdom.⁵⁶

Policing the assembly of Protestants outside of designated sites of worship was a continual problem for the monarchy; the king clarifies that if Protestant subjects do not have access to an approved place of worship, then parents may take their children to the closest such

⁵⁴ Ibid. “Nous avons déclaré & déclarons, qu’encores qu’il y ait ce mot, *toutes les villes*, ce neantmoins nous n’avons entendu ny entendons que ce soyent autres que celles qui estoient tenues par force durant les troubles, esquelles l’exercice de ladicte Religion se faisoit apertement ledict septieme Mars...”

⁵⁵ Ibid. “Et pour satisfaire aux scrupules de conscience qu’ils pourront avoir de se voir sans exercice de Religion, ils se pourront retirer, si bon leur semble, & mieux l’aiment, es villes des autres Bailliages ou Seneschaussees ou ledict exercice de Religion est permis, pour y resider...”

⁵⁶ Ibid. “Les Religioux & religieuse profez, qui se sont licentiez Durant & depuis les dernier troubles, retourneront en leurs monasteres, pour y vivre selon les constitutions de l’Eglise catholique & Romaine: autrement seront tenus vuidier nos Royaume & pays, & mesmes s’ils sont mariez contre le voeu de leur profession.”

site to baptize them, but only in the company of four or five others.⁵⁷ Charles IX addresses the problem of Protestant burials by suggesting that they be allowed to purchase land for this purpose outside of their towns or villages, limiting the size of the burial party to no more than twenty-five or thirty people.⁵⁸ In Paris and its environs, where no public worship was tolerated, interment is more complicated and risks encroachment into the public. Burial processions were often flashpoints for violence. For this reason, Charles orders that Protestants in Paris be buried in their parishes, but, to avoid conflict, they are to be buried at night with no procession or witnesses.⁵⁹ Strictures on preaching were meant to avoid public conflict and violence; all ministers were forbidden to incite people to take up arms or commit sedition, or to act in any manner contrary to the king's edicts. They must also be French.⁶⁰ Keeping out Genevan preachers was paramount for the monarchy, and, since preachers suspected of incitement could be arrested for violating the peace and punished for sedition, preaching was a dangerous occupation. Such charges could also be used to keep Protestants out of the public; if they had no preachers, it was more difficult to engage in worship. The fear that preaching would lead to sedition or incitement to violence was not limited to Protestant preachers, however; Catholic preaching was also a threat to public peace from the monarchy's perspective. As the ensuing

⁵⁷ Ibid. "Nous permettons quant ausdicts Baptesmes, aux parens & parrains des enfans qui naistront en tous lieux, sans nuls excepter, ou n'y aura aucun exercice de Religion, Qu'ils puissent porter baptizer leursdicts enfans en compagnie de quatre ou cinq tant seulement, au plus prochain lieu ou se fera ledict exercice, soit maison de Gentils-hommes ou autres."

⁵⁸ Ibid. "Et pour le regard desdictes Sepultures, Nous leur permettons en semblable, qu'ils puissent achepter de gré-à-gré un lieu hors des villes, bourgs, & villages ou ils demeureront...le convoy desquelles ils ne feront en plus grand nombre que de vingt ou trente."

⁵⁹ Ibid. "...il aille enlever le corps de nuict, & le porter enterer au cimetiere de la parroisse, sans aucune suyte ny compagnie."

⁶⁰ Ibid. "Et ce sue les peines indictes contre les seditieux & perturbateurs du repos public. Et ne seront receus à prescher pour l'advenir, que Francois, & de nos subjects."

years and conflicts would show, however, this battle over public space went much further than attempts to control incendiary preaching.

The monarchy's interpretations of the Edict of Amboise are an example of the monarchy's attempts to create and enforce a boundary around conscience while attempting to control the public presences of French Calvinists. These clarifications did not solve the problem or prevent future conflicts over the Catholicity of the French public. The battle over public presence and absence of French Calvinists and the resistance to a plural public space reflects a deeply politico-theological conception of both French citizenship and French worship. Even so, while the 1563 royal clarifications of the Edict of Amboise and the Protestant incursions into the public did not eliminate the problems of pacification, pacification did proceed. The period of pacification under the 1563 Edict of Amboise after the first civil war until the outbreak of the second in September of 1567 is the longest and most successful period of peace until the 1590s. Royal commissioners were sent out into the kingdom two by two to implement the edicts, hearing cases and appeals, settling local grievances.⁶¹ The commissioners were chosen for their ability to appear impartial, and the historical record indicates that they were surprisingly even-handed in their judgments. Commissioners were necessary because local jurisdictions did not have the capability to enforce the king's edicts and the numerous petitions that resulted from them.⁶² Each pair of commissioners traveled through their delegated territories to hear cases; this veritable tour of pacification was matched between the first two wars by that of the king.

⁶¹ One hundred commissioners were tasked with implementing the 1563 Edict of Amboise. On the peace commissioners, see Foa, *Le tombeau de la paix* (2015); Jérémie Foa, "Making Peace: The Commissions for Enforcing the Pacification Edicts in the Reign of Charles IX (1560-1574), *French History* 18, no. 3: 256-271; and Penny Roberts, *Peace and Authority during the French Religious Wars c.1560-1600* (New York: Palgrave Macmillan, 2013).

⁶² Foa, "Making Peace," 257; Foa refers to Frank Garrisson, *Essais sur les commissions d'application de l'édit de Nantes* (Montpellier, 1964), 45.

Charles IX and Catherine de Medici took the court on an elaborate royal tour from January of 1564 until May of 1566. They were fêted with royal entries and heard grievances and *plaintes* from their royal subjects in the king's *conseil*; visits often included holding *lit de justice* in the regional parlements. Charles IX's royal presence served to pacify the French kingdom, but his tour was also meant to underscore and enact his position as the Most Christian King. Imagery, ceremony, and language surrounding the royal entries and the court were commensurate with Charles IX as the figurehead of the Gallican Church, and the Catholicity of the court was not only presumed, but mandated.⁶³ The court, like Paris, remained staunchly Catholic. Regardless of where the court was during the duration of the royal tour, Calvinist worship was prohibited when it was present.

In the king's *Conseil privé* held in the town of Valence in 1564, one of the royal commissioners for pacification in Guyenne presented Charles IX with a list of requests from his French Reformed subjects in Bordeaux and its environs regarding the implementation of the Edict of Amboise.⁶⁴ In addition to asking that they be allowed to sing Psalms and hymns in their homes, the French Calvinists of Bordeaux presented Charles IX with twenty-two other articles.

⁶³ Nicolas Le Roux, *Les guerres de religion, 1559-1629* (Paris: Éditions Belin, 2009), 92-97.

⁶⁴ *Articles, respondus par le Roy en son conseil privé, sur la resqueste présentée par plusieurs habitans de la ville de Bourdeaux, & Seneschaulcée de Guyenne, sur le faict de la Religion qu'on dict reformée* (Bordeaux, 1565). "Après avoir fait voir en nostre Conseil privé, les articles cy attachez, ensemble les pieces, qui ont esté produictes pour la verification, & ouy le rapport du Commissaire à ce député. Nous vous mandons & à chacun de vous tresexpresment enjoignons par ces presents, que tout ce qui a esté par nous ordonné sur chacun desdicts articles, vous faictes garder & observer inviolablement..." The king and his court were in Valence, near the Alps in the east of France, from August 22 to September 2, 1564. While the king's secretary, Robertet, signed the document on September 5, 1564, the parlement of Bordeaux resisted publishing the articles and responses as ordered by the king; they were not published until April 30, 1565. It is probably not a coincidence that this is when Charles IX was in Bordeaux; he was there from April 1 to May 3, 1565, and presided over its parlement on April 12.

The Calvinists' specific requests reflect what they understood the boundaries of conscience to be, which included not supporting or participating in Catholic ritual or observance. In the petition, they ask that no one be compelled to supply the bread for the Catholic eucharist, or to give alms to the poor at their temples. The Protestants from Bordeaux seek an exemption from paying dues to the *confréries*, the lay fellowship associations that organized processions on holy days, for instance, and they ask that they be allowed to own or sell books of and about the holy scriptures. The king's response to these varied requests is that "no one will be compelled against the liberty of his conscience, following the Edict of Amboise," adding that anyone who has been imprisoned for these reasons is to be released and have their property returned to them.⁶⁵

Charles IX responds to four additional requests, which included the complaint that Calvinists did not want to take oaths in the name of saints, in the same way: liberty of conscience is guaranteed and consciences are not to be forced. To another eight articles, the king's answer is that the edicts of pacification are to be enforced, and two requests regarding equal access to holding public office and public assemblies are met with the declaration that the king's Protestant subjects should be treated equally to his Catholic subjects "without distinction of Religion."⁶⁶

The petitioners cover all possible avenues by which their consciences could be constrained against the spirit of the Edict of Amboise, likely in response to the civil authorities in Bordeaux, as well as its parlement, neither of whom were eager to enforce it. One article asks the king to annul all "judgements, customs, usages, and statutes" that require the forcing of Reformed

⁶⁵ *Articles, repondus par le Roy en son conseil privé*. "Sur les second, tiers, quart & cinq articles, Nul se sera contrainct contre la liberté de sa conscience, suivant l'Edict. Et si aucuns ont esté contraincts par prison, ou vente de leurs biens seront eslargis, & leurs biens rendus."

⁶⁶ *Ibid.*, Articles 14-15. For example: "Sera proceed par election, sans distinction de Religion, & sans avoir esgard aux iugemens & arrests contraires."

consciences against the “liberty permitted by your edicts;” the king’s now formulaic response is that “each person will remain in liberty of his conscience.”⁶⁷

Some of the articles in the petition reflect the difficulty in using the household as the boundary for a free conscience. The king agrees, for instance, to the plaintiffs’ request that magistrates not be allowed to prevent them from baptizing their children in the Reformed Church. But what could the king do if the household is itself divided? Article eleven hints at the complexities that arose from bi-confessional households, whose problems were often brought before Reformed synods as supplicants sought guidance for how to handle families, the betrothed, or even spouses who remained Catholic.⁶⁸ The petitioners from Bordeaux hint at this larger problem; they specifically ask the king to prohibit *seigneurs*, fathers, husbands and masters from compelling anyone against their will in matters of religion.⁶⁹ It is unclear how the king’s response, again that no one shall be forced against the liberty of their conscience, was to be enforced. The entire use of *liberté de conscience* as a way to allow French Calvinists a private space in which their consciences were unconstrained is based on the premise that consciences in the household are like-minded. They were not; the rupture that arose from bi-confessional households are further context for Jean Bodin’s insistence in the *Six Livres de la*

⁶⁷ Ibid., Article 19. “Et generallyment casser & adnuller tous jugemens, coustumes, usances & statuts, par lesquels les consciences des hommes peuvent estre force, contre la profession de la Religion reformée & liberté permise par vos Edicts.” Response: “Chacun demeurera en liberté de sa conscience.”

⁶⁸ See Barbara Diefendorf, “Houses Divided: Religious Schism in Sixteenth-Century Parisian Families,” in Susan Zimmerman and Ronald Weissman, eds., *Urban Life in the Renaissance* (Newark: University of Delaware Press, 1989), 80-99.

⁶⁹ *Articles, repondus par le Roy en son conseil privé*, Article 11. “Qu’il soit defend aux Seigneurs, peres, maris, & maistres d’user de force ou contraincte pour le fait de ladicté Religion.”

République that in the household, which acts as the unit of citizenship for the kingdom at large, the father as head of household has unlimited power over its occupants.⁷⁰

Royal responses in the petition that vary from the liberty of conscience formula are generally connected to conflicts over Protestants in Catholic space. Both the first and eighteenth articles request that Calvinists be allowed to sing psalms without interference in their homes, and ask the king to annul judicial sentences against psalm-singing. Charles IX agrees, stating that these judgements were made contrary to his edicts. Since singing psalms was a particular marker of French Calvinism, the sound of Protestant singing was seen as an intrusion into Catholic space that often ended in conflict. It was also, for French Calvinists, an integral part of their worship, as well as a tool by which to insist on their public presence.⁷¹ The various decrees regulating Calvinist behavior during Catholic holy days and processions were in part the result of Calvinist insistence on their public visibility. In addition to singing, Protestants repeatedly refused to close their shops, shut their windows, put out the requisite banners, or abstain from other public behaviors that ran counter to Catholic practice or could incite violence by interrupting a holy procession. Even the smell of cooking meat in Protestant homes on Catholic days of fasting could provoke violence. As Jérémie Foa has pointed out, Calvinists were “acting in and on a transitional space” when they would not comply with royal orders such as those that ordered them to shut up shops and windows.⁷² These decrees were a response to the king’s Reformed subjects actively pushing back against the boundaries set by the liberty of conscience proscribed

⁷⁰ Jean Bodin and the role of the father in the household and his theory of citizenship is discussed more fully in chapter three.

⁷¹ See Diefendorf, “The Huguenot Psalter and the Faith of French Protestants,” 41-64. For more context for the public incursion of psalm-singing, see the introduction to this dissertation.

⁷² Jérémie Foa, “An Unequal Apportionment: The Conflict over Space Between Protestants and Catholics at the Beginning of the Wars of Religion,” *French History* (2006): 383.

in the edicts of pacification; where did the private of the household end and the public begin? In the Calvinist petition from Bordeaux, the king's responses to these public incursions is more specific. While he answers that Protestants are not required to hang banners on procession days, which he likens to forcing consciences, psalms must only be sung in the privacy of the home and never in public.⁷³ During regular processions, Calvinists are to be allowed to work behind closed doors in their homes and shops, but never on Sundays and annual holy days.⁷⁴

The majority of the articles in the Protestant petition from Bordeaux ask the king to enforce the Edict of Amboise, but in the articles pertaining to worship, the Protestants seek more. The petitioners, as expected, ask the king to guarantee that they be allowed to travel unimpeded to their royally approved worship sites, but their additional requests reflect the real barriers and active discrimination Calvinists faced when traveling to the sites. They ask for assurance that the gates of the towns be opened for them and that Catholics be required to welcome them in hostels and allow them to buy necessities such as food.⁷⁵ These complaints demonstrate the lengths to which the monarchy went in order to ensure that Reformed worship was as far from the public space of the towns as possible; it was not uncommon for Protestants to travel up to forty-eight km for worship.⁷⁶ Except for the towns where Reformed worship was established before March 7, 1563 and the residences and households of *seigneurs hauts justiciers*, starting with the Edict of Amboise in 1563 French Calvinists were allowed to meet for worship in the suburbs of about seventy-five towns across the kingdom; by the Edict of Saint-Germain in 1570, this would be

⁷³ *Articles, repondu par le Roy en son conseil privé*, responses to Articles 1 and 18.

⁷⁴ *Ibid.*, response to Article 7.

⁷⁵ *Ibid.*, Article 16.

⁷⁶ Pasteur Bonet-Maury, "Les origines de la réforme à Beauvais," *Bulletin de la Société de l'Histoire du Protestantisme Français*, 23 (1874): 134. Cited by Foa, "An Unequal Apportionment," 373.

restricted to twenty-four.⁷⁷ Towards the end of their appeal, the Calvinist petitioners in Bordeaux confirm that they also find travelling to their designated site of worship a hardship. Citing that this has been witnessed by the royal commissioners, the Protestants claim that Saint Macaire, the town designated for their worship, is “the most inconvenient” in the *senechausée* of Guyenne. The petitioners explain that the many of the notable families in Bordeaux are Reformed, and “for this reason and for the inconvenience which can happen through the absence and departure of such a large number of [the king’s] subjects” they ask for “a place that is much nearer, to which they would be able to go and return in one day.”⁷⁸ By present-day calculations, it would take ten hours to walk alongside the Garonne River from the heart of Bordeaux to Saint-Macaire to its southwest.⁷⁹ It would have taken longer for the sixteenth-century petitioners to walk the nearly fifty kilometers, if it was even possible to get there at all. This was not the first time that the Protestants in Guyenne complained about their site for worship; it had long been a problem. An appeal made exactly one year earlier explains that it is not just the distance that made the location of Saint-Macaire an unreasonable choice as the one designated site for the exercise of the Reformed faith in Guyenne. The proximity of the region’s two major rivers, the Garonne and the Dordogne, and their seasonal swelling meant that it was like crossing “two

⁷⁷ Foa, “An Unequal Apportionment,” 372-373. On the contested nature of sites of worship, see Penny Roberts, “The most Crucial Battle of the Wars of Religion? The Conflict over Sites for Reformed Worship in Sixteenth-Century France,” *Archiv für Reformationsgeschichte* 89 (1998): 247-67.

⁷⁸ *Articles, repondus par le Roy en son conseil privé*, Article 21. “A ceste cause & pour les inconveniens qui peuvent advenir pour l’absence & esloignement d’un si grand nombre de vos bon subjects, Il plaira à vostre Majesté, Sire, accomoder les supplians d’un lieu plus proche, auquel ils puissent aller & retourner en un jour.”

⁷⁹ Calculations and distance are from Google Maps, www.google.com/maps. Accessed April 16, 2019. According to Ernest Gaullieur, *Histoire de la Réformation à Bordeaux et dans le ressort du Parlement de Guyenne*, vol. 1 (Paris: H. Champion, 1884), Bordeaux was 51 km from its worship site in Saint-Macaire (548). Google Maps clocks it at 46 km along the Garonne River.

seas” to get to Saint-Macaire from the north.⁸⁰ That the Protestants of Guyenne, with major towns and a parlement in Bordeaux, could not get their worship site changed in the intervening years is telling; Saint-Macaire was likely to have been chosen in the first place precisely because of its inconvenience. The king did not agree to change the location; in his response, he instructs the petitioners to send their request to their governor.⁸¹ This petition from Bordeaux reflects French Calvinists’ refusal to “conduct themselves more modestly” so as not to make their presence known in public.⁸²

Catholic appellants were just as concerned with the enforcement of the Edict of Amboise, but with the opposite goal: they sought to use the edict and liberty of conscience to keep Protestants out of the public. One such example comes from the Catholics of Montauban in Languedoc. Charles IX responded to their written articles on February 6, 1565 when his court was located in nearby Toulouse.⁸³ The Catholic *habitants* and *procureur* of Montauban present

⁸⁰ B.N., MS Français, 15881, fol. 294 (September 6, 1563). “La seneshaussee de Bourdeaux est d’estandue de plus de ung lieux dung endroit et au milieu passent deux maree au bout dicelle et contremont la Riviere de Garonne est assis la ville de Saint Macaire aux faulxbourgs de laquelle se peult f[aire] lexercice de la religion....Ceux de Bourdeaux de Libourne de Bourg grandes paroisses du plat pays dissent quilz sont trop loing et ne peuvent avoir la commodite d’y aller tant pourceque les ungs ont deux mers a passer les autres sont trop loing.” Jérémie Foa, *Le tombeau de la paix* (Pulim: Limoges, 2015), refers to this document and to the Dordogne and Garonne Rivers, but the folio number is fol. 294, not 295 (163). My transcription.

⁸¹ *Articles, repondus par le Roy en son conseil privé*, response to Article 21.

⁸² Instructions from Catherine de Medici to the Maréchal de Montmorency; she feared more violence in Paris if Protestants did not keep to the strictures of the Edict of Amboise. See Catherine de Medici, *Lettres* 2:21 (April 20, 1564) and 31 (May 6, 1564), edited by Hector de la Ferriere and Beguenault de Puchesse (Paris, 1885). Quoted by Barbara Diefendorf, *Beneath the Cross*, 79.

⁸³ B.N., N.a.f., 20598, fol. 205-208. The king’s court was in Toulouse from January 31 to March 19, 1565. It then went to Montauban, from March 20 to 21. The manuscript is dated as the following: “Articles des Catholiques de Montauban responduz au Conseil privé du Roy tenu a Thoulouze le 6 jour de febvrier 1564.” Since Charles IX was there in 1565 and not 1564, it appears that the original author was still using the old dating system, whereby the new year began in Easter instead of January 1; the change was officially made by Charles IX the year

themselves as having “suffered all the violence, cruelties, and tyrannies that one could think of during the civil wars by those of the so-called Reformed religion,” having been “frustrated by the fruit of the [edicts of pacification], against his majesty’s intention.”⁸⁴ The Catholic petitioners are focused on reining in the Protestant inhabitants and magistrates in Montauban, who they claim have reduced Catholics to bondage through dissimulation and the perversion of the Edict of Amboise. According to the appellants, the Protestants plan to “ruin and abolish the Catholic religion and those who follow it.”⁸⁵ The Catholics further complain that their treatment goes against the Edict of Amboise, by which they are “permitted to live according to their Catholic and authentic religion.”⁸⁶ They then request a Catholic lieutenant general for their town, so that they can “have justice and live in liberty and safety.”⁸⁷

before in January of 1564 (new date). The articles are unnumbered. While Toulouse expelled its Calvinists in 1562 and remain staunchly Catholic throughout the wars, nearby Montauban and other parts of Languedoc were overwhelmingly Reformed, serving as the basis for later Huguenot military resistance in the civil wars. See Pierre-Jean Souriac, *Une guerre civile. Affrontements politiques et religieux en Midi toulousain (1562–1596)*, (Seyssel, Champ Vallon, 2009) and Philip Conner, *Huguenot Heartland: Montauban and Southern French Calvinism during the Wars of Religion* (Aldershot: Ashgate, 2002).

⁸⁴ B.N., N.a.f., 20598, fol. 205. “Les habitans de la ville de Montauban suyvant vostre religion catholique et vostre procureur remonstrant tres humblement a vostre ma[jeste] que apres avoir souffrent durant les guerres civiles toutes les extremitez cruaultez et tirannies qu’on pourroit penser par ceulx de la religion pretendue refformée...se voyans frustrez du fruit desdictz edictz contre l’intention de vostre dicte ma[jeste].”

⁸⁵ Ibid. “...les pauvres supp[lians] tenuz comme esclavez le que provient principalement de la conivence et dissimulation que font voz officiers, lesquelz estant tous de la dicte religion pretendue refformée se bandent entierement pour ruyner et mettre a neant ladicte religion catholique et ceulx qui la suyvent...”

⁸⁶ Ibid. “...contraignant par ce moien ceulx de ladicte religion catholique de ce rendre de leur party contre voz edictz par lesquelz leur est permis de vivre selon leur religion catholique et antienne.”

⁸⁷ Ibid., fol. 205-206. “Et vaccant l’office de lieutenant general de ladicte ville supplient tres humblement sa ma.te prouvoir audict office de quelque personne capable et suyvant la religion de vostre dicte ma.te par moien duquel ilz puissant avoir justice et vivre en liberté et en seurté soubz vostre obeyssance.”

The petitioners present a list of grievances that begins by requesting that the king force the magistrates of Montauban to disarm the Protestants according to the provisions of the Edict of Amboise. The authors of the petition also seek the prohibition of Reformed public worship, consistories, and synods. The Catholics object that those of the “so-called” religion are allowed to “preach in the public square, hold their consistory at a communal house, recognize marriages, and assume jurisdiction towards your subjects” on the basis of their private authority.⁸⁸ On public worship, the Catholic petitioners beseech the king to “forbid those of the new religion from exercising it in public places,” as well as to prevent Protestants from holding consistories and asserting jurisdiction.⁸⁹ They reflect a repeated concern about apostate monks and nuns who have left their orders in order to marry and live as Calvinists; the Catholics of Montauban want their banishment to be enforced. In the petition, the real rupture caused by former ecclesiastics marrying is prevalent; toleration was continuously rejected for those who had broken their vows to Christ. The petition ends with the request that Charles IX remove any of his officers that will not “proceed against the aforementioned married priests and violators of the edicts.”⁹⁰ Charles IX’s response to both of these articles is identical: “The edicts will be executed and observed under the penalties contained there.”⁹¹ The petitioners continue with an even more grievous complaint: the Protestants have created their own consuls and counsellors. Here is an example of

⁸⁸ Ibid., fol. 207. “...ceulx de ladicte religion preschent a la place publique tenant leur concistoire a la maison commune et connoissent des mariages et entreprenent jurisdiction contre voz subjectz jusques a les condamner a amende honorable de leur autorité privée...”

⁸⁹ Ibid., “Pour ce supplient vostre ma.te ordonner que soient faictes deffences a ceulz de ladicte nouvelle religion de ne faire aucun exercice d’icelle aux places publiques et le ne tenir concistoires ny faires aucunes actes concernans ladicte religion dans ladicte maison commune et le n’entreprendre aucune jurisdiction quelle que soyt contre les habitans de ladicte ville...”

⁹⁰ Ibid. “...de procedder contre lesdictz presbtres mariés et infracteurs desdictz edictz sur peyne de privation de leurs offices.”

⁹¹ Ibid., fol. 206. In the margins: “Les edictz seront executez et gardez soubz les peines y continues.” Fol. 207, in the margins: “Comme au precedent article.”

Calvinists setting up a parallel administration and claiming a place for themselves in the public functioning of the town. The Catholic petitioners request that the king annul these Protestant offices, returning them to the original number, but the Catholics are in such a weak position in Montauban that they do not request that the Protestants be prohibited from office, only that at least half of the positions be granted to Catholics so that they can “prevent the use of the common goods of the town in the affairs concerning the new religion.”⁹²

The contrast between the position of the Protestants in Montauban and the plight of the Protestant petitioners from Bordeaux shows how the results of the edicts of pacification and Protestant experiences of toleration varied across France; in many ways, the Catholic petition from Montauban is the obverse of the one from the Protestants of Bordeaux. Here, it is the king’s Catholic subjects that claim they are not being allowed to live in their religion. They do not talk about conscience like their Reformed counterparts. The edicts placed Protestant conscience in the bounds of the household, but the regulation of worship and the Catholic public forced them to continually push back against these boundaries for the full realization of the exercise of their religion, as well as their public presence as French citizens, subjects, and officeholders. The Catholic petitioners, however, use the edict to argue that the Reformed

⁹² Ibid. fol. 208. “...cesser et annuller ladicte creation des consulz et ordonner qu’elle sera faicte de nouveau et en icelle esleuz le nombre double et qui soient esleuz a tout le moins la moitié desdictz catholiques pouru ladicte eslectionestre présentée a vostre ma.te et estre choisiz ceulx que sera son bon Plaisir et soient faictes aussi deffences d’emploier les biens communs de ladicte ville aux affaires concernans ladicte religion nouvelle et que les administrateurs soient contrainctz de render compte par devant telz commissaires...” The king’s response, in the margin of fol. 207, is that the elections of consuls should be corrected, and that his *intendant des finances* will look at the accounts and make a report to the king: “L’edict faict sur la forme des eslections des consulz sera gardé, deffences faictes d’emploier les deniers communs a aultres usages et affaires que ceulx du corps de la ville, et seront les comptes apportez dans xv et mis es mains des intendans des finances pour en faire raport a la majesté.”

magistrates and *habitants* who have taken over the town of Montauban should be removed from this properly Catholic politico-theological space. While in response to the Reformed petition from Bordeaux Charles IX did no more than insist that the edict be enforced, generally by repeatedly assuring the Protestants that their consciences would not be forced, he did insist that the parlement of Bordeaux register it, print it for public distribution, and put it into effect. The king did not, however, use the language of conscience in response to the Catholics of Montauban any more than they used it in their appeal; since their consciences were not in error, there was no question of needing to contain them within the borders of the household. In their petition, the Catholics of Montauban repeatedly claim that the Reformed *habitants* are trying to destroy the Catholic Church and the Catholics themselves, but they do not complain of being barred from conducting their own worship. The threat as they perceive it is that, in Montauban, the French Reformed Church was functioning as a full church, with its own places of worship and canonical jurisdiction, and that the Reformed townspeople had even elected their own consul, claiming equal rights within the magistracy of the town itself. In other words, that public space and public resources were in effect controlled by Protestants was seen as an existential threat to the survival of the Catholic Church in Montauban and the liberty of the king's Catholic subjects.

Catholic & Reformed Concitoyens in a Politico-Theological Public

This battle over the political and theological boundaries of the public can be understood as a conflict about the boundaries of French citizenship. French Calvinists claimed their rights in the public as French citizens, and Catholics perceived the existence of Calvinist subjects as a direct threat to both church and kingdom precisely because once they were no longer prosecuted as heretics, they became non-Catholic French citizens. This is clear in the *remonstrances* that

the Parlement of Paris issued against the Edict of January in February of 1562.⁹³ To become law, royal edicts had to be registered by the various French parlements, and the parlements were also obligated to register said edicts. Parlements repeatedly resisted registering the royal edicts that called for the toleration of French Calvinists, however, and, even though royal prerogative meant that in the end they would have to capitulate, they still often did so while noting their objections. The Parisian Parlement, with its long and close ties to the faculty of theology at the University of Paris, saw itself as the protector of the French Gallican Church and its liberties, and it consistently objected to the toleration of heresy in the French kingdom.⁹⁴ Despite their traditional role as defenders of Catholic France, the parlements found that since they had already acquiesced to the royal assertion of jurisdiction over heresy, having actively pursuing heretics as a secular royal court since the reign on François I, there was little they could do to legally prevent the monarchy from using its authority over heresy to enforce its toleration.⁹⁵

The Calvinist pamphlet *Au roy* discussed above established that freedom of conscience could only exist with the free exercise of religion. French Protestants were not asking for *liberté de conscience* at all, but for full participation in the politico-theological public sphere. This required a church and could only be possible with a public presence. Catholic tracts against toleration legitimated this interpretation of the public requirements of both the French church and French citizenship by articulating the threat to both the Gallican Church and the French kingdom

⁹³ *Remonstrances faictes au Roy de France par Messieurs de la Court de Parlement de Paris sur la publication de l'Edict du mois de Janvier* (Cambray, Nicolas Lombard, 1561 [1562]).

⁹⁴ On the Parlement of Paris during the Wars of Religion, see Sylvie Daubresse, *Le parlement de Paris*.

⁹⁵ This is discussed more fully in chapter one above. On the role that the Edict of Villers-Cotterêts and the Edict of Amboise played in turning the parlements into courts of jurisdiction over both lay and clerical matters through the pursuit of heresy, see Tyler Lange, *The First French Reformation*, 208-209.

that French Reformed Calvinists represented. Just as Calvinists were liable to popular violence, largely against Catholic churches in the waves of iconoclasm that occurred in the 1560s, Catholic rhetoric and preaching could be extreme, inciting anti-Protestant popular actions and violence.⁹⁶ The threat Catholics perceived in the existence of French Protestants were not theoretical; after all, there had been one civil war, and there would soon be many more. In the course of the wars, it became regular Huguenot policy to strip Catholic churches to help fund the war effort, melting down silver and gold objects of ceremony and veneration. When Huguenot armies took over towns, Catholic subjects were often banished, with their property seized, and, contrary to popular mythology, French Calvinists did perpetuate popular violence against their fellow Catholic subjects.⁹⁷ Popular violence has been well-studied by historians of the Wars of Religion; the most persuasive recent studies show that, while economic, social, and local factors were always a part of these various outbursts of violence, the most influential cause of violence was “religious,” but in the larger politico-theological sense that the confessional conflicts over the permitting of conscience in the Edict of Amboise revealed.⁹⁸ The threat of Protestantism and civil war was experienced by many Catholics within the frame of ensuing millenarianism and the resulting

⁹⁶ See Barbara Diefendorf, chapter 9, “The Bellows of Satan,” in *Beneath the Cross* (1991), 145-158.

⁹⁷ See Natalie Zemon Davis, “Rites of Violence” originally published in 1973. Reprinted in *Society and Culture: Eight Essays*. Stanford: Stanford University Press, 1975, 152-87. See also Allan Tulchin, “The Michelade in Nîmes, 1567,” *French Historical Studies* 29 (2006): 1-35.

⁹⁸ The literature on violence in the Wars of Religion is vast, starting with Natalie Zemon Davis. For a useful collection of articles, and a reappraisal of her original article with a summary of recent historiography on violence and toleration by Davis, see *Ritual and Violence: Natalie Zemon Davis and Early Modern France*, Graeme Murdock, Penny Roberts, and Andrew Spicer, eds., Past and Present Issue Supplement 7 (Oxford: Oxford University Press, 2012). For an analysis of why the violence in this period is often viewed in the historiography as “more” violent than other periods, despite evidence to the contrary, see Penny Roberts, “French History and Collective Violence,” *History and Theory*, Theme Issue 55 (December 2017): 60-75.

judgement of God.⁹⁹ When the end of the world is nigh, righteous violence is easier to condone, and the literature on violence has gone far to explore the role that violence played in purifying the body politic of the French kingdom by removing perceived heretics. On the level of coexistence and the direct impetus for conflict, historians have shown that the flashpoints for violence were most often battles over the presence and absence of the competing confessions in the public sphere.¹⁰⁰

In its 1562 *remonstrances*, the Parlement of Paris poses the problem as it is framed by the Edict of January: not in terms of the evils of allowing heresy to go unpunished, but in tolerating a new religion in France. The Parlement asserted that the monarchy sought to prevent further sedition with the “toleration of two religions.”¹⁰¹ Such toleration was a mistake, the *parlementaires* insisted, pointing to historical examples and concluding that “the liberty of one has always with time suffocated the other.”¹⁰² After a long list of such examples, the authors posed a pointed question regarding the monarchy’s new policy, asking what hope can there can be for public peace with the king’s policy, since “two religions are by right and experience incompatible.”¹⁰³ The Parlement goes on identify France as a specifically Catholic nation, with which such toleration has no precedent and with which it is not compatible. The French, they write, are not like other nations where they “change, and change again, their religion.” In an

⁹⁹ See Crouzet, *Les guerriers de Dieu*.

¹⁰⁰ See Kaplan, *Divided By Faith*.

¹⁰¹ *Remonstrances faites au Roy*, fol. 3v. “Pour venir ausdictes lettres patentes, ores que la fin declare en icelle soit fort specieuse, pour appaiser les seditions de ce Royaume, le moyen advise, est expresse permission de deux Religions.”

¹⁰² *Ibid.*, fol. 11r. “Mais en la liberte l’une a tousjours par temps suffoqué l’autre.”

¹⁰³ *Ibid.*, fol. 14v-15r. “Estans doncques deux religions par raison & experience incompatibles, quell repos publicq peut-on esperer de la permission portee par lesdictes lettres patentes?” *Lettres patentes* were the royal orders sent to the parlements for registration. Their contents were required to be made public. See ‘*lettres patentes*’ in *Dictionnaire de l’Ancien Régime*, 168.

assertion of French exceptionalism, the Parlement claims that “the French, more than any other, are devoted to the true religion, having little endured the Jews in France.”¹⁰⁴ The current situation, though is even worse; for heretics are more dangerous to Christians than “Jews or other infidels,” because the heretic “transforms himself into an angel of light, and the effect of this is like a cancer.”¹⁰⁵ In this particular case, the cancer of heresy is manifest in the king allowing two religions in France, which will divide households, even “wives from husbands, children from fathers, brothers from brothers, nephews from uncles, and cousins from cousins.”¹⁰⁶ Rather presciently, the *parlementaires* add that a second religion in France would lead to what amounts to total societal destruction:

In the street leaving a private house, neighbors of different religions will not want to find themselves at marriages, baptisms, and funerals that are not done in accordance with the Catholic Church. In brief, all the ties decreed by God binding society, and the friendship of men, will be broken by the toleration of two religions.¹⁰⁷

It was not only that one religion would invariably dominate or destroy the other, or that heretics were by nature dangerous to true Christians, or even that families and households faced internal division that made toleration so insidious. The threat posed by French

¹⁰⁴ *Remonstrances faites au Roy*, fol. 15r-16v. “Le peuple François est d’autre nature & humeur, que plusieurs nations, que lon a veu changer, & rechanger, leur religion en un moment: Le François plus que nul autre adonné à la vraye religion, n’a peu souffrir les Juifz en France...”

¹⁰⁵ *Ibid.*, fol. 16r. “La conservation du Juif, ou autre infidelle est notoirement moins dangereuse au chrestien, que celle de l’heretique, qui se transfigure, *in angelum lucis, et sermo eius serpit ut cancer.*” The Latin verse is from 2 Corinthians 11:14.

¹⁰⁶ *Ibid.* “Par ladicte permission des lettres patentes, non seulement les serviteurs, ou chamberieres seront divisez de religion d’avec les maistres ou maistresses, mais les femmes des mariz, enfans des peres, freres des freres, nepueuz de l’oncle, parens des parens.”

¹⁰⁷ *Ibid.*, fol. 16v. “Sortans d’une maison privee en la rue, les voisins de diverse religion ne se voudroient trouver es mariages, baptesme, & sepultures qui se font selon l’Eglise catholique. Pour le faire court, tous les liens ordonnez de Dieu pour la conjunction, societé, & amytié des hommes, seront rompuz pour la permission de deux religions.”

Calvinists was both religious and societal, and it was their public presence - finding them and their non-Catholic practices “in the street” - that was untenable.

The use of conscience in the 1563 Edict of Amboise was an attempt to solve the problem that two French churches posed by treating Calvinist worship as a privilege and granting liberty of conscience to all French subjects. This was meant to justify French Calvinists retaining their citizenship and being tolerated despite their heresy. That Calvinists were to retain their rights and privileges as citizens was not just implicit. While the Edict of Amboise differs from the Edict of January in that the former contains references to the liberty of consciences whereas the latter does not, they also differ in that the Edict of Amboise refers to French subjects of both religions as *concitoyens*: all French subjects are commanded “live peacefully together as brothers, friends, and fellow citizens.”¹⁰⁸ The edict extended French citizenship to French

¹⁰⁸ *Édit de janvier* (January 17, 1562). Article 5: “Enjoignons de nouveau suivant icelle à tous noz subjectz, de quelque religion, estat, qualité et condition qu’ilz soient, qu’ilz n’aient à faire aucunes assemblées à port d’armes, et à ne se entre-injurier, reprocher ne provocquer pour le faict de la religion ne faire, emouvoir, procurer ou favoriser aucune sedition, *mais vivent et se comportent les ungs avec les autres doucement et gracieusement* sans porter aucunes pistolles, pistolletz, hacquebuttes ne autres armes prohibées et defendues, soit qu’ilz voient ausd. assemblées ou ailleurs, si ce n’est aux gentilzhommes pour les dagues et espées, qui sont les armes qu’ilz portent ordinairement.” *Édit d’Amboise* (March 19, 1563). Article 9: “Et pour autant que nous desirons singulierement que toutes les occasions de ces troubles, tumultes et seditions cessent, reconcilier et unir les intentions et voluntez de nosd. subjectz les ungs envers les autres, et de ceste union maintenir plus facilement l’obeïssance que les ungs et les autres nous doivent, avons ordonné et ordonnons, entendons, voulons et nous plaist que toutes injures et offenses que l’iniquité du temps et les occasions qui en sont survenues ont peu faire naistre entre nosd. subjectz, et toutes autres choses passées et causées de ces presens tumultes, demoureront estainctes, comme mortes, ensevelies et non advenues; defendant tres estroitement sur peine de la vie à tous nosd. subjectz, de quelque estat et qualité qu’ilz soient, qu’ilz n’ayent à s’attacher, injurier ne provocquer l’ung l’autre par reproche de ce qui est passé, disputer, quereller ne contester ensemble du faict de la religion, offenser ne outrager de faict ne de parole, *mais se contenir et vivre paisiblement ensemble comme freres, amys et concitoyens*, sur peine à ceulx quid contreviendront et qui seront cause et motif de l’injure et offense qui adviendroit d’estre sur le champ et sans autre forme de procès puny selon la rigueur de nostre presente ordonnance.” Emphasis added.

Calvinists by preventing their *extermination* as heretics; the threat the Parisian and regional *parlementaires* perceived in the original edict of toleration was in this way realized.

The fear of a bi-confessional citizenry is clearly articulated by the *parlementaire* Jean Begat in two extensive pamphlets, nearly treatises, rejecting first the Edict of January and then the Edict of Amboise on behalf of the Parlement of Bordeaux.¹⁰⁹ Begat agrees with the *parlementaires* of Paris that two religions will only lead to ruin, and in the conclusion of his *Remonstrances*, he petitions the king on behalf of the Parlement of Bordeaux that France be united in the Catholic faith. However, he adds, since France is in the unfortunate position of having a “diversity of opinions,” the *parlementaires* instead ask the king that “they not be forced to watch their adversaries publicly exercise the religion that is contrary” to their own and which seeks to destroy both themselves and the king.¹¹⁰ Public worship is characterized as a real threat to the kingdom; it is not hard to see why the Protestant petitioners from Bordeaux were not successful in having their site for worship moved to a more convenient location. A refutation was published in response to Begat’s treatise against the king’s edicts of pacification in 1563, to which Begat himself responded in an even longer treatise.¹¹¹ This long work offers exhaustive

¹⁰⁹ On Begat, his *Remonstrances*, the *Apologie* defending the king’s edicts in response that refutes it, and his subsequent *Reponse* to the *Apologie*, see Mario Turchetti, “Une question mal posée: La “tolerance” dans les Édits de Janvier (1562) and d’Amboise (1563). Les Premiers commentaires et interpretations: Jean Begat,” in *La formazione storia della alterità: Studi di storia della tolleranza nell’età moderna offerti a Antonio Rotondò*, edited by Henry Méchoulan, Richard H. Popkin, Giuseppe Ricuperati, and Luis Simonutti (Florence: Leo S. Olschki, 2001), 245-294.

¹¹⁰ Jean Begat, *Remonstrances ces faictes au Roy de France, par les deputez des trois Estats du Duché de Bourgoigne, sur l’Edict de la pacification des troubles du Royaume de France*. (Envers, published by Guillaume Silvius, 1564), fol. 62r-62v. The *Remonstrances* was first published in 1563, by F. Helman; the 1564 version has added content and marginal notes. It was reprinted and translated into Latin, Italian, Spanish, and German.

¹¹¹ *Apologie de l’Edit du Roy sur la pacification de son Royaume, Contre la Remonstrance des estats de Bourgoigne* (n.p., n.d.) and Jean Begat, *Response pour les Deputez*

examples of why more than one religion will doom a commonwealth, and why the Calvinists in particular should not be tolerated. In this treatise, Begat offers a succinct explanation for why tolerating French Protestants is a particular danger to both Catholics and to France, over and above the toleration of other sects. The example of Greeks being tolerated in some cities, such as Venice and Rome, is not pertinent to the French case, for example, because “the Greeks are suffered and tolerated not as citizens, but as guests.”¹¹² He draws the same parallel in places that tolerate Jews, noting that they, similarly to foreign Greeks, live and worship separately from Christians, and accept a similar status when living amongst Christians.¹¹³ Begat explains that his detractors have confused the words *citoyen* and *habitant*; the problem in France is that French Calvinists are both heretics, as a rival Christian sect, and citizens: “However, it is not a question in this dispute of tolerating only those who separate themselves from our Church while living in the same towns, but of tolerating them as citizens.”¹¹⁴ Begat does not call for a violent solution to this problem; he advocates that Protestants do exactly what the king has said they are allowed to do with the definition of *liberté de conscience* in the edicts: keep their conscience at home and be quiet about it. While this was Begat’s preferred solution, as opposed to seeking to

des trois Estatz du pays du Bourgoigne. Contre la calumnieuse accusation, publiée soubz le tiltre d’Apologie de l’Edit du Roy sur la pacification de son Royaume (n.p., n.d.).

¹¹² Begat, *Response*. “Les Grecz sont là souffertz & tolerez, non pour citoyens, mais pour hostes...”

¹¹³ *Ibid.* “Mais à cest argument don’t la couleur persuade vulgairement beaucoup de gens qui en font tresmal l’induction, la response est facile outre la difference du citoyen & de l’estrangier qui milite en ceste part, comme aux Grecz, que les Juifzse contentment entre les Chrestiens d’estre dictz & nommez ce qu’ilz sont...”

¹¹⁴ *Ibid.* “...qui sont bien different, car tous les habitans d’un lieu n’en sont citoyens. Le citoyen en se fait que par la naissance, manumission, adoption, ou allection; et habitant se fait par le simple domicile...Or n’est il question en ceste dispute de tolerer seulement ceux qui se sont separez de nostre Eglise pour habitantz en mesmes villes, mais de les tolerer comme citoyens.”

exterminate or expel all the Protestants, his larger argument remained that French Calvinists could not be publicly tolerated precisely because they were citizens.

The problem of containing Protestant worship and maintaining a Catholic public and a Catholic monarchy points to the real politico-theological problem created by using the boundaries of conscience to demarcate the boundaries of French citizenship. Both the ideology of the French Church and that of royal power in the guise of Gallicanism relied upon a Catholic kingdom and a Catholic monarchy, but beyond that the conceptual basis for royal power came from the king's duty to reform the Church and to defend it and the kingdom against heresy. The legal basis for this power, which had led to both the secularization of heresy persecution as sedition rather than as an examination of conscience through secular courts, was ironically also what gave the monarchy the ability to protect French Reformed Catholics from prosecution as heretics. But the basis for this power and its related markers of French citizenship also made it impossible for anything like a non-religious public. Maintaining a Catholic king and a Catholic kingdom were necessary for the monarchy. Even while making allowances for worship out of necessity, the king and Queen Mother tried to contain it and continued to insist that they were not ushering in religious pluralism, but simply not forcing the consciences of their French subjects while they waited for the French Church to reunite. Drawing internal boundaries for *liberté de conscience* was the royal strategy for maintaining the boundaries of French citizenship as the boundaries of the kingdom itself. The difficulty was that, as citizens, Protestants claimed the right to presence in the public sphere for themselves and their church, and, because they were citizens, Catholics saw Protestant participation in the public as a threat to the Catholic Church, as well as the Gallican kingdom itself.

Conclusion: The Failures of Liberty of Conscience and Continuing the War against Heresy

It is a fortune unparalleled, and of rare prudence
To see evil coming, and from afar arrest it,
Or to resist, and if well-contested
By good defensives, then it has over us no power.
But, alas! what misfortune to have foreseen it,
And let it run on, & raise a tumult upon us,
Our souls, and our bodies, and our goods molested,
And then in our grief be without courage?
We heeded from afar that heresy
By its stygian fire France would consume:
And had not the heart so gentle and sincere
To defend us from it: but seeing that folly
conquered us then, let's take such action
Now, that [heresy] be thoroughly buried.¹¹⁵

The monarchy under Catherine de Medici used the royal power over defending the faith and prosecuting heresy, legally incorporated into the monarchy under François I, to stop heresy prosecutions in an attempt to end the violence in France. On behalf of two minor kings and in the face of opposition led by the Guise family, Catherine de Medici and her counsellors were looking for a solution that did not involve executing or exiling a significant proportion of French subjects, and, because this included those from the high nobility and royal kinsmen, to find a way to keep the peace in a fractured polity. The result of the monarchy's use of the idea of liberty of conscience in this particular way, presenting it as a universal right for French subjects that their consciences not be forced, used conscience to redraw the boundaries of citizenship. At

¹¹⁵ Sonnet on the frontispiece of *Discours Catholique, sur les causes & remedes des Malheurs intentés au Roy, & escheus à son peuple, par les rebelles Calvinistes* (Lyon, Michel Jove, 1568). "C'est un heur non-pareil, & de rare prudence / De veoir le mal venir, & de loin l'arrester, / Ou repousser arriere, & si bien contester / Par bons preservatifs, qu'il n'ait sur nous puissance. / Mais, hélas! quel Malheur d'en avoir prevoiance, / Et le laisser courir, & sur nous tempester, / N'os espritz, & nos corps, & nos biens molester, / Et puis en nos regretz estre sans patience? / Nous avions remarque de loin que l'Herésie / Par son feu Stygian la France gasteroit: / Et n'avions eu le Coeur si gentil & si droit / De nous en guarentir: mais puis que la folie / Nous gaignà jusques là, faisons un tel exploit / Maintenant, qu'elle soit du tout ensevelie."

the same time, restricting Calvinists' access to a church and defending the Catholic domination in the public whenever possible preserved the position that the French politico-theological public sphere was still Catholic. The monarchy's responses to appeals from both Catholics and Protestants show that *liberté de conscience* as distinct from worship could be used as a royal response to Protestant demands that allowed the king to avoid actually giving Calvinists equal access to a church. It was also difficult for French Calvinists to argue against the king's language of conscience. In part, this is because liberty of conscience, then as now, is difficult to define outside of the experience of an individual conscience. The conception of liberty of conscience in the edicts of pacification relied upon the assumption that there could be a boundary within which conscience was free, even though it was constrained elsewhere. The monarchy and other moderate Catholics were advocating for not forcing consciences, as distinct from satisfying what they understood to be mistaken consciences. While this is not how Protestants understood the needs of their consciences, it was difficult to refute this other than in appealing for access to the exercise of their religion. This was in part because *liberté de conscience* was not actually defined in the Edict of Amboise. Instead, it was defined by its relation to the other provisions in the edicts, and, especially, in relation to the purpose for which the monarchy employed it repeatedly in the edicts: as a way to remove religious conflict from the public realm, thereby attempting to define all French subjects, regardless of religious "opinion," first and foremost as *citoyens*.

The monarchy's particular use of liberty of conscience in the edicts of pacification as separate from worship is a strong argument for why it was so difficult to implement them.¹¹⁶ It

¹¹⁶ See especially preambles to the edicts for this language, but this universalizing language is repeatedly used throughout.

is also a strong argument for why, four years after the Edict of Amboise ended the first civil war, a fresh wave of iconoclasm and a Calvinist attempt to “rescue” Charles IX from his counsellors at Meux on September 26, 1567, echoing the earlier Conspiracy of Amboise, precipitated the start of a second civil war. This second war was followed months later by a third in 1568, which would last until 1570. The Reformed *citoyens* of France were tired of being told their consciences would not be forced; that was not enough. If they were not to be allowed equal status in the politico-theological public realm, then they would take it for themselves. For many French Catholics, the only interpretation of these actions was that they were seditious and the fruition of the repeated warnings that had been sounded about the destruction that the Reformed Church would wreak on Catholic France. Despite pleas like the *Exhortation à la paix* by French subjects who did not want to see its resumption, war was the result. The 1568 sonnet at the start of this section is an example of the renewed calls to expel heretics from France, to learn from the folly of toleration, and to undo the damage to the souls, bodies, and goods of Catholics that the heretics and their “new” religion had wrought in the Gallican French kingdom. This time, the sonnet rings out, Catholics need to act, to ensure that heresy will be “thoroughly buried.”¹¹⁷

Though it was suppressed at the end of the war in 1570 when the provisions of the Edict of Amboise were again reestablished, the harangue against heretics and the destruction they had brought to France is also found in the spirit of the Edict of Saint-Maur that Charles IX issued during the third civil war in September of 1568.¹¹⁸ The Edict of Saint-Maur eliminated Calvinist worship in France and gave French Calvinists the option of either becoming outwardly Catholic

¹¹⁷ Sonnet on the frontispiece of *Discours Catholique, sur les causes & remedes des Malheurs intentés au Roy, & escheus à son people, par les rebelles Calvinistes* (Lyon, Michel Jove, 1568).

¹¹⁸ The *Édit de Saint-Germain-en-Laye* (August, 1570) ended the third civil war.

or risk being prosecuted as heretics, but the preamble to the edict also contains a detailed history of the monarchy's implementation of toleration and an explanation of why the royal edicts failed. In this narrative, the monarchy places the blame for war and conflict on French Calvinists never being satisfied and continually seeking to divide the king's subjects, especially through the exercise of their religion and their assemblies. In reference to the failed 1562 Edict of January which allowed limited worship, the preamble states that the Protestants were "driven by other ambitions and goals than the satisfaction of their consciences."¹¹⁹ The various ways that liberty of conscience was defined and used in the peace-time battles over the boundaries of Protestant conscience and worship demonstrate that the armed Calvinists to which the Edict refers had a different interpretation than Catherine de Medici and Charles IX about exactly what the "satisfaction" of their consciences required.

¹¹⁹ *Édit de Saint-Maur* (September 1568). Preamble: "...Et combien que, par led. edict de janvier, ceulx de lad. nouvelle opinion eussent de quoy estre plus que contans s'ilz n'eussent esté poulez d'autre ambition et desseing que de la satisfaction de leurs cons[c]iences, comme le tesmoignoient assez leurs deportemens, allans ordinairement à leurs presches et assemblées avec port d'armes, toutesfoys ne se contentans de lad. licence, tost après nostred. edict feirent tres ample et manifeste declaration de leur mauvaise volonté, s'armans de leur licence privée contre nous, surprénans noz villes, mectans les estrangiers en nostred. royaume et faisans tous actes d'hostilité jusques à nous donner une bataille pres la ville de Dreux en laquelle Dieu nous donna la victoire, ayant compassion de son peuple à nous soubzmis...A quoy nous, veoyans qu'ilz abusent tant de foys de nostre bonté et douceur et ne pouvans plus doubter de leur damnée entreprise d'establir et constituer en ced. royaume une autre principauté souveraine pour deffaire la nostre ordonnée de Dieu, et diviser par telz artifices noz bons subjectz de nous, mesmes par le moyen de la permission dudit exercice de leur religion et des assemblées qu'ilz font soubz coulleur de leurs presches et cenes, esquelles ilz font collectes de deniers, enroollementz d'hommes, sermens, associations, conjurations, practiques et menées, tant dedans que hors nostred. royaume, par armes le troublent, et les ayans en main traictent avecques nous comme voisins.... mais en veulent tousjours davantage pour abbatre noz religion et Estat s'ilz peuvent, affin de demourer seulz par le moyen dud. exercice permis durant nostre bas aage, et depuis continué pour le bien de paix et le pis éviter contre nostre volonté, qui avons tousjours enfermé en nostre cueur la vraye religion comme roys tres chrestiens doibvent..." Emphasis added.

Chapter Three

Jean Bodin's Citizenship: Property, Pluralism, and the Polity

Introduction

As demonstrated in the previous two chapters, Catholic and Protestant rejection of the limited liberty of conscience offered in the 1563 Edict of Amboise can be used to map the parameters of a conception of French citizenship in which the participation in a Gallican Catholic politico-theological sphere was primary. The king was integral to this conception of national belonging as the protector of the French Catholic Church and as the source and guarantor of the privileges granted to various corporate groups, but the monarchy was even more prominent in the model of citizenship that was implied when Catholicity was separated from citizenship with the granting of liberty of conscience to French Calvinists after 1563. French Protestants, however, wanted more than to not have their consciences forced. They sought the ability to participate in the Gallican politico-theological public, both through their Church and in Gallican institutions, without violating their consciences. Gallican French citizenship can be defined as the status of a natural-born French subject with legal personhood and the ability to practice the royally-granted privileges of his or her corporation through the mediation of the Catholic Church. Calvinists wanted to continue their full participation in this system, but through the mediation of the Reformed Church. Instead, the monarchy relied upon the long-standing conception of the sanctity of the household and noble jurisdiction in order to protect Reformed consciences without recognizing the Reformed Church. This required that Calvinists be able to retain their property, which also included rights, privileges, and offices. This form of limited toleration, in other words, protected the public personhood and legal rights of Calvinist subjects to the king of France, but in a Catholic public.

French Protestants, however, rejected the boundaries of liberty of conscience that did not include equal access to worship, an organized church, and their presence *as Calvinists* in the politico-theological public sphere of Gallican France. Their fellow Catholic subjects rejected Calvinists as *concitoyens* based on the logic that their existence in France was a threat, not just because they were heretics, but because Calvinists belonged to *a rival Gallican confession*. These disagreements demonstrate that legal status was not enough to define what it meant *in practice* to be a *citoyen* in Renaissance France. Fourteen years after it was first instituted, the monarchy's logic of a limited liberty of conscience protected by the boundaries of the household was an integral part of the debate over citizenship, and was tied to the existing dialectic between sovereignty and the protection of private property. In this chapter, I argue that in his 1576 treatise *Les six livres de la République*, Jean Bodin's theoretical defense of non-Gallican citizenship took the conception of Gallican corporative citizenship, bounded by the people as the Catholic faithful in a *corps mystique*, and replaced the Church as the unit of citizenship with a corporative conception of the household. In other words, Bodin moved the boundaries of citizenship from that of French subjects belonging to the Gallican Catholic Church with the king as its protector, to all those bounded by subjection to the sovereign will of the king as mediated through the household. Bodin theorized for the first time a justification for this conception of citizenship that did not rely upon a religiously-unified political body, giving form and content to the monarchy's inadvertent redefinition of citizenship through the granting of liberty of conscience. This new conception of citizenship that did not rely upon a polity that corresponded with the Gallican Church became the position of those variously known as *moyenneurs* or *politiques*. This *politique* position was exemplified in practice by Bodin as deputy to the third estate during the 1576-1577 Estates General, whose debates over the toleration of French

Protestants demonstrate both the prevalence of these arguments and the centrality of property in the various solutions presented for dealing with the question of Calvinist citizenship.

Jean Bodin, Subject and Citizen: A Re-Reading of Bodin's République

Even in the context of civil war, the year 1576 was particularly eventful for the *avocat* and author Jean Bodin. That year, Bodin married the widow Françoise Trouillart and became the head of a household in Laon, in the *bailliage* of Vermandois in northern France, at the age of forty-six. A *conseiller* in the *présidial* court based in Laon, Bodin was already established as a learned author; his *Methodus ad facilem historiarum cognitionem* was published in 1566. In 1576, however, he published the first edition of his masterwork on political philosophy for which he would become best known, *Les six livres de la République*. Bodin wrote a political treatise on the proper governing of a commonwealth in a kingdom beset by five civil wars since 1562, and not in Latin, but purposefully in the more accessible vernacular.¹ He published it in the midst of political crisis, dynastic conflicts, religious disagreement, foreign intervention, and war. Bodin's *République* was not just a theoretical tome; he meant it to be read by his *concitoyens*, and he meant it to have a public impact. Even so, this was no polemical piece directed solely towards

This chapter began as a paper presented at the international colloquium Thought and Action in the Renaissance held at the University of Chicago on 29-30 March 2017. I am indebted to Philippe Desan for this opportunity and to the colloquium participants for their helpful feedback, especially Denis Crouzet, Philippe Desan, Amy Graves, and George Hoffman. I also rely heavily in this chapter on the work of Mark Greengrass; I am grateful for his scholarship and for his generous guidance when I was developing the topic of this dissertation.

¹ Jean Bodin, *Les six livres de la République*, 6 vols. (Fayard, 1986); I, "Preface sur Les six livres de la République de Jean Bodin, a Monseigneur du Faur, seigneur de Pibrac, conseiller du Roy en son privé Conseil." "C'est pourquoy de ma part ne pouvant rien mieux, j'ay entrepris le discours de la République et en langue Populaire, tant pour ce que les sources de la langue Latine sont presque taries, et qui seicheront du tout si la barbarie causee par les guerres civiles continue, que pour estre mieux entendu de tous François naturels" (10). The letter opens the 1576 edition.

his contemporaries.² Bodin and his wide-ranging thought have proven impossible to simplify into one, coherent canon that can be parsed into easily digestible pieces, and the *République*, considered a groundbreaking work of political theory, is no exception.³ Its author was criticized

²In his opening letter to Guy du Faur de Pibrac, Bodin states that the *République* was a response to political circumstances and war in France; scholars argue that Bodin's references to his earlier works and the scope of the work are evidence that this is also a part of Bodin's larger intellectual project. See Howell A. Lloyd, *Jean Bodin: 'This Pre-eminent Man of France': An Intellectual Biography* (Oxford: Oxford University Press, 2017), 117. For a *précis* on all of Bodin's publications and editions, as well as a detailed analysis of Bodin's strategies as an author and the way he addressed his different audiences and, in subsequent editions and publications, his critics, see Ann Blair, "Authorial Strategies in Jean Bodin," in Howell A. Lloyd, ed., *The Reception of Bodin*, Series: Brill's Studies in Intellectual History, vo. 223 (Brill, 2013), 137-156. For a bibliographic study of all of Bodin's works and their editions in his lifetime, see *Bibliographie critique des éditions anciennes de Jean Bodin*, edited by Roland Crahay, Marie-Thérèse Isaac, and Marie-Thérèse Lenger (Académie royale de Belgique, 1992); or <https://projects.iq.harvard.edu/bodinproject/bibliography>. For an online source index of many of Bodin's works, see Kenneth D. McRae, Alastair D. McCann, and Catherine Andreads, *Bodin Sources Index*, <https://projects.iq.harvard.edu/bodinproject/sources-index>.

³*Les six livres de la République* went through eleven editions in Bodin's lifetime (1530-1596). Seven were published in Paris by Jacques du Puys with Bodin's involvement; two in Lyon; a pirated version adapted by the Genevan authorities in 1577 and another in Geneva in 1588/93. Bodin's Latin version was published by Du Puys in 1586; four more Latin editions were published in his lifetime, one of them another pirated edition from Geneva claiming to be from Du Puys. It was also published in Italian (1588), Spanish (1590), and German (1591/92), but was not published in English in Bodin's lifetime. Richard Knolles published an English translation that combined the French and the Latin editions in 1606. Many of the additions to later French editions were related to Bodin's experience in the 1576 Estates General and clarifications in response to critics. The book was condemned by the Genevan authorities and placed on the papal index of prohibited books. Bodin wrote a pseudonymous reply directly to his critics, *Apologie de René Herpin pour la République de I. Bodin*, in 1580; it was published as an appendix to the French edition beginning in 1583. This edition reaffirms his statements on religion. For editions and sources, see Lloyd, *Jean Bodin: 'This Pre-eminent Man of France': An Intellectual Biography*, 117-129. The French edition was directed towards the French public and is geared towards French institutions. Bodin's Latin edition is expanded in many areas, reflecting its larger European audience (*Bibliographie critique*, 93).

Two twentieth-century reprinted editions of the *République* are used widely: The 1977 reprint of the 1583 edition, printed by Scientia Verlag Aalen, and the 1986 reprint of the 1593 edition, printed by Fayard: Jean Bodin, *Les six livres de la République*, 6 vols. (Fayard, 1986); henceforth *République* (1986). (The 1576 edition is 759 folios in 2^o; the 1593 edition is 1,060 folios in 8^o.) I use the Fayard edition here as it is more widely available and includes an index. A new bilingual French and Latin edition is currently being compiled by Mario Turchetti, based on the 1593 French edition and the 1591 Latin edition; only one volume has so far been

for his focus on obedience to absolute sovereign power, itself a response to the surge of the so-called Monarchomach pamphlets and treatises advocating resistance to tyrants penned by Protestants in the wake of the 1572 Saint Bartholomew's Day massacres, yet he was also accused in print of secretly advocating rebellion via foreign intervention.⁴ The former criticism gained traction in the seventeenth century, but in a new light: Bodin became infamous as a theorist of "absolute monarchical sovereignty" and of unwavering obedience of subjects to their king.⁵

Just a few short months after he published the *République*, Bodin sat as a deputy for the third estate in the 1576 national meeting of the Estates General. In this assembly Bodin did not act like an architect of royal power, or even a particularly obedient subject. Instead, Jean Bodin, the deputy from Vermandois, led the dissent in the third estate to the policies and propositions of the French king. In the editions of the *République* after 1576, Bodin commented on his

published: *Les Six Livres de la République/De republica libri sex: Livre premier/Liber I. Édition critique bilingue par Mario Turchetti* (Paris: Classiques Garnier, 2013).

I also use the 1962 Harvard edition of Richard Knolles's English translation here; *Jean Bodin: The Six Bookes of a Commonweale. A facsimile reprint of the English translation of 1606 corrected and supplemented in the light of a new comparison with the French and Latin texts*, edited by Kenneth Douglas McRae (Cambridge: Harvard University Press, 1962); henceforth *Commonweale*. When the French and Latin do not agree, I specify which is being referred to and provide the original text for comparison. The Knolles edition is recognized overall as a good translation; the largest divergences are in his use of "sovereignty" for "sovereign," for instance. See James B. Collins, "'County Republicans' and the Concept of Active Citizenship in sixteenth-century Poland and France," Karin Friedrich, et al., eds. (Boston: Brill, 2009), 222-223. Knolles changed some of Bodin's criticisms of England, removed extended passages on philology, and in some places removed Bodin's criticisms of Aristotle (although he could not actually eliminate them, as they are integral to much of the argument). McRae offers a detailed analysis of the translation (*Commonweale*, A38-A52). He concludes that the "bulk of his translation is faithfully and even meticulously executed" (*Commonweale*, A38). However, I compare all translations to the 1986 Fayard edition, and make changes when I do not think they are faithful to the original. My translations of Bodin are specified in the notes. All other transcriptions and translations in this chapter are my own, unless otherwise specified.

⁴ See Blair, "Authorial Strategies," for these criticisms and Bodin's response.

⁵ See James B. Collins, "'County Republicans' and the Concept of Active Citizenship," 222 on the appropriation of Bodin by seventeenth-century absolutists.

rebellious role as a deputy of the third estate, reporting in the French edition that Henri III was heard to remark after once such episode that Bodin “had managed the estates at his pleasure.” As Mark Greengrass points out, Bodin strengthened this observation in the 1586 expanded Latin edition, to, “The King, having understood the matter, said that I had managed the estates by my own mastery.”⁶ In the 1576 Estates General, the author of an already infamous work on the theory of absolute royal power chose to defy his sovereign in practice, and to make it public in print.

Given Bodin’s reputation as a leading theorist of absolute royal power, that the most glaring contemporary criticism of his actions as a deputy in the 1576 Estates General is reported by Bodin to be from the king is particularly troublesome. Close readers of Bodin have already argued that these criticisms misunderstand Bodin’s definition of sovereignty and its scope. The sovereign’s power is absolute where it is valid; but, while a legitimate sovereign can also be a tyrant, Bodin’s ideal sovereign by definition not tyrannical.⁷ But beyond that, the habit of

⁶ Mark Greengrass, “The Experiential World of Jean Bodin,” in Howell A. Lloyd, ed., *The Reception of Bodin*, Series: Brill’s Studies in Intellectual History, vol. 223 (Brill, 2013), 67-96; see pp. 81-82 for a detailed explanation. Bodin added this account to Book III, chapter 7 in the 1578 *République*. Bodin also describes this incident in detail in his journal from the Estates General in 1577, adding that this is why he was looked over for a more prominent royal appointment later; though in this version, the king is present, but not the author, of the statement. *Recueil de tout ce qui s’est négocié en la compagnie du Tiers État de France en l’assemblée des trois Estats, assignez par le Roy en la ville de Bloys, au XV novembre 1576 (1577)*, “Il y eut un Seigneur qui dit en presence du Roy, que Bodin manioit les Estats à son plaisir, ainsi que ledit Bodin fut averti.”

⁷ See, for example, Georges Ferrière, “Sujets et citoyens selon Bodin,” in Michael Ganzin, ed., *Sujet et citoyen. Actes du Colluque de Lyon (Septembre 2003)*, Histoire des idées politiques (Aix-en-Provence: Presses universitaires d’Aix-Marseille, 2004), 99 and Collins, “‘County Republicans’ and the Concept of Active Citizenship.” Collins notes that historians of political theory no longer classify Bodin as an absolutist, but that those outside of political theory generally still do, following the argument of William F. Church, *Political Thought in Sixteenth-Century France* (Cambridge, Ma.: 1941) (Collins, p. 223, fn. 35). Collins argues that seventeenth-century authors changed Bodin’s meaning of *absolue* from “independent, free from the will of another” to “unlimited,” allowing them to elide over the difference between *potestas*

reading and interpreting Bodin as a theorist of sovereignty ignores an equally important aspect of his thought. Bodin's conception of sovereign power was defined and delimited by his theory of citizenship, and both are necessary for a well-ordered commonwealth.⁸ Bodin's "*bien public*" is not defined solely by the king; without citizens, there is no sovereignty to assert. Bodin's actions in the deliberations of the third estate are best viewed not as contradictory to his theory of sovereignty, but as an enactment of his theory of citizenship, consonant with his desire to build an ideal commonwealth containing three well-balanced estates with the sovereign at its head. More recent studies have explored the possibilities for other forms of government that Bodin allows for, especially in the potential his theory of sovereignty left open for democratic governance.⁹ Bodin allowed for a variety of governmental forms, and, as Richard Tuck demonstrates, Bodin's disaggregation of sovereignty from government meant that the holder of sovereign power could create a variety of governmental forms that could include those of a participatory democracy.¹⁰ But, while he theorized a variety of possible governmental forms, Bodin's corporative citizenship mediated through the household and the jurisdiction of the father

and *auctoritas*. Collins says Bodin "combined elements of both" (224). Collins argues that Bodin is relying upon the fiction that "violent possession can be legal" when he says that a tyrant can be a sovereign (225). See also Richard Tuck, *The Sleeping Sovereign: The Invention of Modern Democracy* (Cambridge: Cambridge University Press, 2016), 26-30. Tuck points out that Bodin's distinction between sovereignty and government allows multiple permutations of the two; if a state has a monarch, it could actually be a democracy if the citizens appointed the king, but if a state is run by citizens who exercise power, it could still be a monarchy if the king gave them that right.

⁸ Georges Ferrière understands Bodin's sovereign power to be directed towards the protecting of the "essential liberties" of his subjects as their "inherent rights" as citizens. See Ferrière, "Sujets et citoyens selon Bodin," 99.

⁹ On the democratic nature of Bodin's thought, see Daniel Lee, *Popular Sovereignty in Early Modern Constitutional Thought* (Oxford, 2016).

¹⁰ Tuck, *The Sleeping Sovereign*, 26-27.

was meant to create the conditions for peace and order in a polity fractured by differences in religious opinion.

Contextualizing Bodin's writing through his own experience and influences has proven useful in the process of understanding Bodin synchronically as opposed Bodin's political thought diachronically.¹¹ Combining this approach and building on the recent studies that have re-framed Bodin's thought, I juxtapose Bodin's actions in the 1576 Estates General with his theory of citizenship in the *République*, published just months before. When placed side-by-side, Bodin's words and deeds reveal the overwhelming importance of Bodin's position on the boundaries of citizenship in the French kingdom in the midst of a continuous contemporary debate with violent consequences. The importance of property in the debates in the third estate over the exclusion of French Calvinists from the polity, combined with Bodin's mediation of citizenship through the household, reflect fifteen years of monarchical attempts to define French citizenship through the boundaries of conscience in the household, disaggregating citizenship from membership in the Catholic politico-theological public sphere. Bodin's theory is reflective of the confessional conflicts both within and between families in sixteenth-century France, and the logic of Jean Bodin's definition of citizenship is that of the limited liberty of conscience first promulgated in the 1563 Edict of Amboise.

Fathers in the Image of God: Private Power and the Primacy of Property

¹¹ Mark Greengrass, "The Experiential World of Jean Bodin," in Howell A. Lloyd, ed., *The Reception of Bodin*, Series: Brill's Studies in Intellectual History, vo. 223 (Brill, 2013), 67-96; Ann Blair, "Authorial Strategies in Jean Bodin," in Howell A. Lloyd, ed., *The Reception of Bodin*, Series: Brill's Studies in Intellectual History, vo. 223 (Brill, 2013), 137-156.

Private property is key for the security of consciences, but it is also the basis for the commonwealth. Bodin's arguments against the elimination of private property are built into his argument that the protection of property is the very purpose of the commonwealth, and this property as the locus of the household is the foundation of both citizenship and sovereignty. Bodin defines the commonwealth as "a lawful government of many households, and of what they hold in common, with a sovereign power."¹² Families pre-exist the commonwealth in Bodin's origin story, and are necessary to form a household and a commonwealth, for "a Commonweale can no more be without a Familie, than a Citie without houses, or a house without a foundation."¹³ The building block of Bodin's ideal commonwealth is thus the household, which he defines as "the right government of many subjects or persons under the obedience of one and the same head of the family; and of such things as are unto them proper."¹⁴ Private property is necessary for the distinction Bodin insists upon between the private and the public within the commonwealth, upon which his definition of a household relies. While a commonwealth by definition holds things in common, such as markets, churches, laws, customs,

¹²*République* IV.vii (1986), 27. "Republique est un droit gouvernement de plusieurs mesnages, et de ce qui leur est commun, avec puissance souveraine." My translation. The Knolles translation of the first sentence of the *République* uses the word 'family' instead of 'household' for *mesnages*. While it can mean both, Bodin clarifies in the text that he is referring to households; he also refers to *familles*. James Collins dissects Knolles translation of this sentence, noting that *republique*, *droit government*, *mesnages*, and *puissance souveraine* were all polyvalent terms; he disputes Knolles's change of the phrase *puissance souveraine* to '*puissant souveraintie*'. See James B. Collins, "'County Republicans' and the Concept of Active Citizenship in sixteenth-century Poland and France," edited by Karin Friedrich and Barbara M. Pendzich (Boston: Brill, 2009), 209-231; citation pp. 222-223. *Commonweale* I.i, 1, "Commonweale is a lawful government of many families, and of that which unto them in common belongeth, with a *puissant souveraintie*."

¹³ *Commonweale* I.vi, 46-47; *République* I.vi (1986), 111. "...mais la Republique ne peut estre sans famille, non plus que la ville sans maison, ou la maison sans fondement."

¹⁴ *Commonweale* I.ii, 8; *République* I.ii (1986), 39. "Mesnage est un droit gouvernement de plusieurs subjects, sous l'obeissance d'un chef de famille, et de ce qui luy est propre."

common pastures, and lands, it is also true that the public simply could not exist without property “for nothing can be publike, where nothing is privat.”¹⁵ Commonwealths were “chiefly established to yield unto every man that which is his owne, and to forbid theft; as it is commanded by the word of God, who will have every man to enjoy the propriete of his owne goods.”¹⁶ This is why a ruler’s confiscation of property is a sign of tyranny and are best avoided, especially in a monarchy, for “the height of all tyranny hath bene in proscriptions and confiscations of the subjects goods.”¹⁷ In Book VI, Bodin defines a tyrannical monarchy as one in which “the Monarch being no naturall Lord, abuseth neverthesse the subjects and their goods at his pleasure, as if they were his very slaves.”¹⁸ When talking about legal confiscations in Book V, he argues that if the confiscation of property is the due punishment for an offense, then to ward off tyranny, or its appearance, it should be taken as money or from moveable goods, “and not out of those lands which come by succession;” in other words, the household should

¹⁵ *Commonweale* I.i, 11; *République* I.i (1986), 44. “...car ce n’est pas Republique s’il n’ya rien de public...la seule marque de Republique seroit perdue, car il n’y a point de chose publique, s’il n’y a quelque chose de propre...”

¹⁶ *Commonweale* VI.iv, 707; *République* VI.iv (1986), 160-161. “Mais le plus grand inconvenient est, qu’en ostant ces deux mots TIEN et MIEN, on ruine les fondements de toutes Republiques, qui sont principalement establies pour rendre à chacun ce qui luy appartient, et defendre le larcin, comme il est porté par le loy de Dieu, qui a disertement voulu, que la proprieté des biens fust gardee à chacun.”

¹⁷ *Commonweale* V.iii, 582; *République* V.iii (1986), 90-91. “Aussi voyons nous, que le comble de tryannie extreme a tousjours esté és confiscations des subjects,” “Brief, si les confiscations ont tousjours esté odieuses en toute Republique, encores sont-elles plus dangereuses en la Monarchie...le droit des confiscations, est l’un des plus grands moyens, qui fut onques inventé, pour faire d’un bon Prince un tyran.”

¹⁸ *Commonweale* VI.vi, 786; *République* VI.vi (1986), 299. “Je ne parle point de la Monarchie seigneuriale...et moins encores de la Monarchie tyrannique, quand le Monarque n’estant point seigneur naturel, abuse neantmois des subjects et de leurs biens à son Plaisir, comme s’ils estoient esclaves.”

remain sacrosanct.¹⁹ Property should remain in the possession of its intended heir, but if it cannot then it “must be sold, and not applied unto the church or publike treasure, least that in the end all privat mens estates should come to the publike, or to the church: for that it is not lawfull to alienat those goods which are united to the revenewes of the Commonweale, or to the church.”²⁰ Just as he argued in the 1576 Estates General against the alienation of crown lands, Bodin argues in the *République* that the lands in the ruler’s domain are in essence the property of the public and must also be protected. The basis for not alienating public lands is the protection of private property, but not just of the crown lands. If the public treasury is not “holy, sacred, and inalienable,” then rulers will “overcharge their subjects with imposts, or to seeke any unlawfull meanes to forfeit their goods.”²¹ Taxation without consent, he argues, is a form of confiscation, and “no prince had power to lay any imposition upon his subjects, nor to prescribe that right with their consents.”²² These arguments for the financial constraints placed on a ruler in relation to private property are exactly what thwarted Henri III in his bid for increased revenue from the third estate. In the *République*, Bodin elaborates on the distinctions of public and private power upon which this defense of property relies as a way to defend the household itself.

¹⁹*Commonweale* V.iii, 581; *République* V.iii(1986), 88-89. “Et pareillement il est necessaire que les amendes soient prises sur les biens de ceux qui ne sont condamnez qu’en somme pecuniare: pourveu toutesfois que cela se prenne seulement sur les meubles et acquests.”

²⁰ *Commonweale* V.iii, 581; *République* V.iii (1986), 89. “Et pour ceste mesme cause il faut que les meubles et acquests soient vendus, et non pas confisqueés à l’Eglise, ni au public: afin que les biens des particuliers en fin ne soient tous appliqueés au fisque, ou à l’Eglise: attendu qu’on ne veut pas que les biens unis au domaine de la Republique ou de l’Eglise, se puissent aliener.”

²¹*Commonweale* VI.ii, 651; *République* VI.ii (1986), 39. “Et à fin que les Princes ne fussent contraints de charger d’imposts leurs subjects, ou chercher les moyens de confisqueés leurs biens, tous les peuples et Monarques ont tenu pour loy generale et indubitable, que le domaine public doit estre saint, sacré, et inalienable.”

²²*Commonweale* VI.ii, 664; *République* VI.ii (1986), 71. “Ce qui a tousjours esté...qu’il n’y avoit Prince qui eust puissance de lever impost sur les subjects, ni prescrire ce droit sinon de leur consentement.”

Bodin identifies two sorts of power to command: the public and the private. The proper government of the Commonwealth, as well as all other corporate bodies, depends on “the due knowledge of commanding and obeying.”²³ The sovereign exercises public power by giving the law, while magistrates are subject to the law even though they exercise public power over other *particuliers*. Private power is best understood as particular, as in applying to a subset of the population. It is a corporate concept in Bodin’s definition as exercised either by heads of household “or in corporations, or colledges, where all by a generall consent, or the greater part, commandeth over the rest.” Heads of household, by contrast, wield private power of four sorts: the husband over the wife, the father over his children, the lord over his slaves, and the master over his servants.²⁴ Bodin understands this power as the result of the laws decreed by God, first through reason, “which always conforms to the will of God,” and then by express command.²⁵ Once a marriage has been lawfully made, the wife is “in the power of her husband,” unless he is a slave or the son of the head of household, for “a Familie should have but one head, one maister, and one Lord.”²⁶ Bodin explains that Roman law violates the law of nature by placing the

²³ *Commonweale* I.iii, 14; *République* I.iii (1986), 51. “Et d’autant que le droit gouvernement de toute Republique, corps et colleges, societez et mesnages, depend de sçavoir bien commander et obeir: nous dirons par ordre la puissance de commander, suyvant la division que nous avons posee.”

²⁴ *Ibid.* “...et toute puissance de commander à autruy, est publique ou particuliere: la puissance publique gist au souverain qui donne la loy, ou en la personne des magistrats, qui ployent sous la loy, et commandent aux autres magistrats, et aux particuliers: le commandement particulier est aux chefs de mesnages, et aux corps et colleges en general, sur chacun d’eux en particulier, et à la moindre partie de tout le corps en nom collectif. Le commandement des mesnages se prend en quatre sortes, du mari envers la femme, du pere envers les enfans, du seigneur envers les esclaves, du maistre envers les serviteurs.”

²⁵ *Commonweale* I.iii, 15; *République* I.iii (1986), 52. “...c’est à dire, de la raison, qui est tousjours conforme à la volonté de Dieu.”

²⁶ *Commonweale* I.iii, 15; *République* I.iii (1986), 53. “Mais depuis que le mariage est consommé, la femme est sous la puissance de mari, si le mari n’est esclave ou enfant de famille...Et la raison est, parce que le mesnage ne souffre qu’un chef, qu’un maistre, qu’un seigneur.”

power of the father over the husband, for “every man shuld be maister of his owne house, (as saith Homer) to the end that he may be a law unto his familie.”²⁷

The power of the father over his children is even more absolute. Bodin describes different manifestations of power as presented by Seneca, including that of the prince over his subjects, with the conclusion that “of all these the right to power and command, is not by nature given to any beside the Father, who is the true Image of the great and Almighty God.”²⁸

Bodin’s response to the objection that the father could abuse this power illustrates his absolute power to give and enforce the law, as it were, in the household; unless they are insane, it is the love of fathers for children alone that stops them from abusing their power.²⁹ He continues to argue that the right of life and death over their children should be restored to fathers by illustrating its historical usefulness, as well as its illegal usurpation. Originally granted to fathers by divine law, the legal basis for this power waned along with the declining Roman Empire; Bodin goes so far as to argue that the destruction of Rome was tied to magistrates encroaching on the jurisdiction of fathers:

So the fatherly power being little by little diminished upon the declination of the Roman Empire; so also shortly after vanished away their antient virtue, & al the glorie of their Commonweal: and so in place of pietie & civilitie, ensued a million

²⁷ *Commonweale* I.iii, 15; *République* I.iii (1986), 54. “Mais il y a peu d’apparence que les loix Romaines veulent que la fille mariee, et menee en la maison du mari, si elle n’est emancipee du pere, ne soit point subjecte au mari, ains au pere: qui est contra la loy de nature, qui veut que chacun soit maistre en sa maison, comme dit Homere, à fin qu’il puisse donner loy à sa famille.”

²⁸ *Commonweale* I.iv, 20; *République* I.iv (1986), 63. “Ainsi le Prince, dit Seneque, commande aux subjects, le magistrat aux citoyens, le pere aux enfans, le maistre aux disciples, le capitaine aux soldats, le seigneur aux esclaves. Mais de tous ceux là, il n’y en a pas un, à qui nature donne aucun pouvoir de commander, et moins encore d’asservir autruy, horsmis au pere, qui est la vraye image du grand Dieu souverain, pere universel de toutes chose, comme disoit Procle Academicien.”

²⁹ *Commonweale* I.iv, 28; *République* I.iv (1986), 76. “Brief je dy, que l’amour naturel des pere et mere envers leurs enfans, et impossible et incompatible avec la cruauté: et que le plus grand torment, que peut endure un pere, e’est d’avoir tué son fils.”

of vices and villanies. The first staine, and beginning of taking away the power of life and death from [fathers], proceed from the ambition of the Magistrats, who seeking to encrease their jurisdiction, & by little and little drawing unto them the deciding of all matters, extinguished all domesticall powers...³⁰

Bodin's argument for the private power of fathers over children insists on its biblical and classical precedents, and its disappearance is an example of the breakdown of a well-ordered commonwealth, in which those with public and private jurisdiction know who they command and who they obey. In this case, magistrates have violated the boundaries of the private sphere of the household and its particular power by asserting authority over children; they are not properly using their allotted power. The private power of the father defines the household, but that power itself is not bounded by the physical household; it is tied to the quality of the members of the household themselves in relation to the father. "For the enclosure of wals make not a citie," he argues in Book I, chapter 6, "...no more than the wals of an house make a familie, which may consist of many slaves or children, although they bee farre distant one from another, or in divers countries, provided that they bee all subiect unto the command of one head of the familie."³¹

The household is thus presented by Bodin in the first book of the *République* as a domestic kingdom unto itself, and the father as head of household rules with unlimited power in the image of God. This picture is noticeably similar to the image of an absolutist monarch

³⁰ *Commonweale* I.iv, 24; *République* I.iv (1986), 70. "Or la puissance paternelle estant peu a peu laschee sur le declin de l'Empire Romain, aussi tost apres s'esvanouit l'ancienne vertu, et toute la splendeur de leur Republique, et au lieu de pieté, et de bonnes moeurs, il s'en ensuivit un million de vices et de meschancetez. Car la puissance paternelle de la vie et de la mort fut ostee peu a peu par l'ambition des magistrats, pour attirer tout a leur cognoissance."

³¹ *Commonweale* I.vi, 49; *République* I.vi (1986), 117. "Car la ville ne fait pas la cité, ainsi que plusieurs ont escrit, non plus que la maison ne fait pas la famille, qui peut estre composee de plusieurs esclaves ou enfans, encores qu'ils soyent fort eslongnés les uns des autres, et en plusieurs païs, pourveu qu'ils soyent tous subjects à un chef de famille."

falsely attributed to Bodin from the seventeenth century onwards.³² In Book VI, Bodin defines a legitimate king as one who arrives in office legally, regardless of custom, and who “with no less love and care favoureth and defendeth his subjects, than if they were his owne children.”³³

Bodin’s association with tyranny and the taking of property, however, are in marked contrast with the power of the father in the household, and what is actually most striking about Bodin’s attributes of sovereignty in the last chapter of Book I is just how different they are from his shocking earlier arguments that the father should be able to take the life of his children, as well as their property, if he sees fit. Bodin’s ideal sovereign is absolute in a specific legal sense, but not a tyrant. As Bodin explains in the Chapter 10 of Book I, although both the father and the ruler are said to be the “image of God” in the *République*, they do not have the same powers. The father does have jurisdiction over his family, but sovereign power belongs only to the ruler; things like jurisdiction are not attributes of sovereignty. The jurisdiction held by the father in the family, just like the jurisdiction of *seigneurs*, for example, did not remove the members of the household from being subject to the ruler’s sovereign power. The earlier presentation of the private power of the father is combined with Bodin’s articulation of private property as protected by natural law, and as the locus of the household. Thus, that it is tyrannical for a ruler to confiscate property without cause serves as a clear marker of what the ideal sovereign’s power is not, while elaborating what it is. The chief mark of a sovereign power is “the power to give lawes to all his subjects in generall, and to everie one of them in particular...without consent of

³² As James Collins points out, seventeenth-century writers interpreted Bodin as a defender of absolute monarchy; that was not his intention. Collins refers to Bodin’s preface to the 1578 edition where he disputes criticism that he has given too much power to the ruler. See Collins, “‘County Republicans’ and the Concept of Active Citizenship,” 222.

³³ *Commonweale* VI.vi, 786; *République* VI.vi (1986), 299. “...je parle du Roy legitime...traictant ses subjects, et leur distribuant justice, comme le pere fait à ses enfans.”

any other greater, equall, or lesser than himself.”³⁴ While all those subject to the sovereign owe him obedience, they also have the right to appeal to either a magistrate or the ruler.³⁵ There is no equivalent right to appeal for those in the family who disagree with the father. In the context of the monarchy’s use of the household as the place in which consciences could be protected privately and the repeated civil wars fought over the presence of a second religion in France, the formula of protecting the property of the household within which the father is the undisputed authority had real value. If the conflict between the two religious factions in France is to be stopped in the public sphere, then it must also be removed in the private. In Bodin’s solution for a well-ordered commonwealth, the implication of the French monarchy’s toleration of consciences in the household while separating French citizenship from belonging to one church is brought full circle: the citizenship of French subjects is mediated through their subjection to private power as members of a household.

Citizenship in Two Parts: The Boundaries of the Household Demarcate the Polity

Bodin characterizes the ideal private power wielded by the father in the household as indisputable. He is owed unquestioning obedience from his children, who are outside of the jurisdiction of magistrates, and he has power over the goods and persons of his household.³⁶

³⁴ *Commonweale* I.x, 159; *République* I.x (1986), 306. “Et par ainsi nous conclurons que la premiere marque du prince souverain, c’est la puissance de donner loy à tous en general, et à chacun en particulier: mais ce n’est pas assez, car il faut adjouster, sans le consentement de plus grand, ni de pareil, ni de moindre que soy.” To give law to each in particular refers to the granting of privileges; he explains this further down in the paragraph.

³⁵ *Commonweale* I.x, 169; *République* I.x (1986), 321-322.

³⁶ Bodin does not indicate that this private power exempts the household from the legitimate power of the magistrate. While the king cannot tax without consent, for example, the household still has to contribute to the commonwealth through the tribute, tax, subsidy, etc. that is customary for that commonwealth. See Book *République* I.iv (1986), 45. “...encores que

This private power is both descriptive and definitional; it is, in corporatist terms, the quality attributed to the office of the father. Bodin's first definition of citizenship in the *République* is the second part of the father's office. While fathers of households, whatever their size, are free to rule as they wish within their households, when they leave their domains in order to deal with public matters instead of those encompassed by their household, they become not "lords," but "citizens":

Now when the maister of the Familie goeth out of his owne house where he commandeth, to entreat and trafficke with other heads of Families, of that concerneth them all in generall, he then loaseth the title of master, head, and lord, to be a companion, equall and fellowlike with others, leaving his familie to enter into a Citie, and his domestically affaires to entreat of publick; and in stead of a lord calleth himself a Citisen.³⁷

Here Bodin identifies citizenship held by all fathers as heads of households, regardless of their quality, but while it is public and equal (arithmetic justice amongst fathers), it is also and hierarchical (geometric justice of all citizens in relation to the sovereign power), for a citizen "is no other in proper termes than *A free subject holding of the souveraigntie of another man.*"³⁸ Citizens are thus subjects, and it is not the various rights and privileges a subject may have from the sovereign that define citizenship, but "the acknowledgement and the obedience of the free subject towards his sovereign prince, and the tuition, justice, and defence of the prince towards

chacune famille soit bien souvent et quasi par tout oblige, d'apporter, et contribuer quelque chose de particulier en commun, soit par forme de taille, ou de peages, ou d'imposts extraordinaires."

³⁷ *Commonweale* I.vi, 46-47; *République* I.vi (1986), 111-112. "Or quand le chef de famille vient à sortir de la maison où il commande pour traiter et negotier avec les autres chefs de famille, de ce qui leur touche à tous en general, alors il despouille le titre de maistre, de chef, de seigneur, pour estre compagnon, pair et associé avec les autres: laissant sa famille, pour entrer en la cite: et les affaires domestiques, pour traiter les publiques: et au lieu de seigneur, il s'appelle citoyen: qui n'est autre chose en propres termes, que le franc subject tenant de la souveraineté d'autrui."

³⁸ *Ibid.* Emphasis in original.

the subject, which maketh the citizen.”³⁹ Bodin critically rejects Aristotle’s limited definition of citizenship as partaking in governance later in Book I, concluding again that privileges and rights do not equate to citizenship.⁴⁰ Bodin has thus far identified citizenship as the relationship between a free subject to the sovereign, in opposition to the idea that holding any particular rights or privileges is what identifies a citizen. He then goes on to explain that, since citizenship is not defined by privilege, but by subjection to sovereign power, that citizenship can be extended to the members of a household. “Men’s wives and children,” Bodin writes, “are free from all servitude and bondage.” This citizenship is in a different key than that of their husbands and fathers, but, since citizenship is not defined by privileges, it is citizenship nonetheless:

...a slave is no Citisen, and in questions of right is accounted no bodie; which cannot truly be said of mens wives and children, who are free from all servitude and bondage; albeit that their rights and liberties, and the power to dispose of their owne goods, be from them in some sort cut off by the domesticall power: in sort that a man may say, that everie Citisen is a subject, some small part of his libertie being diminished by the maiestie of him to whome he oweth obeyance. But everie subject is not a citizen, as we have said of a slave; and may also say of a stranger...”

Here the boundaries of the household contain the boundaries of the citizenry, but as defined by the jurisdiction of the father. Bodin also assumes that subjects belong in some way to a household, but excludes foreigners, whether they are residing in a household or not, from citizenship, for they cannot truly belong to the commonwealth. Bodin begins this passage, however, by drawing a distinction between the citizenship of the family as free subjects to that of

³⁹ *Commonweale* I.vi, 64; *République* I.vi (1986), 141. “C’est donc la reconnoissance, et obeissance, du franc sujet envers son Prince souverain, et la tuition, justice, et defense du prince envers le sujet, qui fait le citoyen.”

⁴⁰ *Commonweale* I.vi, 53; *République* I.vi (1986), 123. “Mais la faute est bien plus grande de dire qu’il n’est pas citoyen, qui n’a part aux magistrats, et vois deliberative aux estats du peuple, soit pour juger, soit pour affaires d’estat. C’est la definition du citoyen, qu’Aristote nous a laisse par escrit.”

the slave: “yet so it is, that al people have always with their common consent agreed, That a slave is no Citisen, and in questions of right is accounted no bodie.”⁴¹

Bodin’s choice of words in this passage regarding the status of slaves is significant; he does not attribute the status of slaves as non-citizens to reason, nature, or God, but to “common consent.” Further on, Bodin notes that the law allows for three different paths to citizenship: “natural, naturalized, or els slaves enfranchised.”⁴² Ten years after the first publication of the *République*, Bodin made a more overt argument in the Latin edition of the *République* that all those in the household subject to the private power of the father as head of household were citizens when he extended his theory that citizenship did not rely upon the quality or privileges of a subject in order to extend citizenship to slaves.⁴³ In this edition, Bodin added an eighth

⁴¹ *Commonweale* I.vi, 48; *République* I.vi (1986), 113-14. “Je dy franc subject: car combien que l’esclave soit autant, ou plus subject de la Republique, que son seigneur, si est-ce que tous les peuples ont tousjours passé par commun accord, que l’esclave n’est point citoyen, et en termes de droit est conté pour rien: ce qui n’est pas aux femmes, et enfans de famille, qui sont francs de toute servitude, encores disposer de leurs biens, leur soit aucunement retranschee par la puissance domestique: de sorte qu’on peut dire, que tout citoyen est subject, estant quelque peu de sa liberté diminué, par la majesté de celui auquel il doit obeissance: mais tout subject n’est pas citoyen, comme nous avons dit de l’esclave: et se peut dire aussi d’un estrangeur.”

⁴² *Commonweale* I.vi, 49; *République* I.vi (1986), 116-117. “De plusieurs citoyens, soyent naturels, ou naturalisez, ou esclaves affranchis (qui sont les trois moyens que la loy donne pour estre citoyen) se fait une Republique.”

⁴³ This remarkable turn in Bodin’s argument is little noted in accounts of citizenship in the *République*. See for example Georges Ferrière, “Sujets et citoyens selon Bodin,” in *Sujet et citoyen. Actes du Colluque de Lyon (Septembre 2003)*, Michael Ganzin, ed., Histoire des idées politiques (Aix-en-Provence: Presses universitaires d’Aix-Marseille, 2004), 99-113. Ferrière acknowledges the citizenship of fathers in the public sphere described by Bodin, as well as that of all other members of the household as citizens as opposed to Aristotle’s definition, but he does not discuss these two seemingly contradictory definitions of citizenship. He also repeats Bodin’s statement that slaves are not citizens because they are not free, but does not address the fact that Bodin then makes a careful argument that slaves should be citizens in the Latin edition (100). Ferrière is more interested in establishing that Bodin’s monarch is not a tyrant, but seeks to defend the “essential liberties of his subjects as rights inherent to the quality of a citizen” (99). He sees those rights as the “natural liberty” of the family through the father, especially to bequeath his property, which also separates foreigners from citizens; the protection of property, both by avoiding taxation when possible and protecting the royal domain; and the civic right to

chapter to Book III, “Of the Order and Degrees of Citizens,” in which he reiterates what he said in Book I, chapter six that slaves by “generall consent” are not classified as citizens, and then proceeds to refute this assumption in order to forcefully argue the opposite.⁴⁴ Bodin uses the metaphor of the body to argue that if the basest members, like the feet, are a part of the whole, and hold up the rest, then slaves, who are “still pressed and kept under with the most heaviest burthens and commands of the other citizens,” are a part of the body politic. Against Aristotle’s position of limited citizenship, Bodin concludes that “seeing they be subjects and not strangers, they must needs make up a part of the citizens, and be accounted in the number of them.”⁴⁵ This expansive definition of the citizenry encompasses all members of the household under the four sorts of private power wielded by the father: wives, children, servants, and slaves.⁴⁶ Citizens, he insists in Book I, chapter six, should be “understood according to the condition and qualitie of every one; the nobles as nobles, the commoners as commoners; the women and children in like case, according unto the age, sex, condition, and deserts of every one of them.” He again refers to women and children as potential citizens when he defends Plutarch’s version of citizenship

participate in various corps, from local and national Estates General to the magistracy, all of which were barred to foreigners.

⁴⁴ Jean Bodin, *De Republica libri sex* (Paris, 1586), “De ordinibus civium.” *Commonweale* III.viii, 387; *De Republica* (1586), III.viii, 348. “Servos antea ex albo civium eximi omnium penè populorum consensu diximus, quinetiam instrumentorum loco servos Aristoteles usurpavit, caeteri aut pro pecudibus, aut infra pecudes habuerunt: & adhuc sub iudice lis est, num servi sint in fructu. Ego verò si mihi tabellae ac iura suffragiorum in hac disputatione tribuantur, servos aequè ac liberos homines civitate donari cupiam.” Bodin is careful to explain in this chapter that he is not advocating for a return of slavery in those commonwealths where it no longer exists; he argues earlier in Book I that slavery is detrimental to the commonwealth and should not exist.

⁴⁵ *Commonweale* III.viii, 387; *De Republica* (1586), III.viii, 348. “Quòd si membra ista partes corporis & sunt & vocantur, cur non eadem ratione servos, qui assiduis civium oneribus & imperiis gravissimis urgentur, civitatis membra dici non patiemur?...Certè quidem cùm sudditi sint, non peregrini, partem civium facere, & in ordine civium censeri necesse est.”

⁴⁶ Bodin specifically remarks that slaves are a part of the household in Book I, chapter 6. See *Commonweale* I.vi, 117; *République* I.vi, 49.

over Aristotle's more limited version, arguing again for citizenship not be dependent on quality. Bodin takes Plutarch's "rights of the bourgeois" and extrapolates that to citizenship.⁴⁷ In short, all subjects who contribute to the body politic in their proper role as corporate members that make up the larger whole are citizens.

Why did Bodin take a position on the status of slaves as citizens that contradicted both historical precedent and contemporary attitudes, and why did he explicitly make this argument in the Latin edition as opposed to the French? In the first place, Bodin repeatedly insists, in the French and Latin editions, that slavery is not good for a commonwealth. In the second, it is possible that, as the Latin edition was meant for readers outside of France, he hoped to directly influence those who practiced slavery. In either case, arguing that slaves, as members of the household, were in fact citizens only strengthens his theorization of citizenship as moderated through subjection to the head of household. In his argument for why slaves are citizens, Bodin's insistence that citizenship is not tied to quality intersects with the role played by the private power of the father as the head of a household in demarcating citizenship. The citizenship of those under his domestic power is mediated through him. The role of the father in and out of a household thus reveals a two-pronged definition of citizenship in practice, and this

⁴⁷*Commonweale* I.vi, 53; *République* I.vi (1986), 124. "Plutarque a mieux dit, que le droit de bourgeoisie est avoir part aux droits, et privileges d'une cité: qui se doit entendre selon la condition et qualité d'un chacun, les nobles comme nobles, les roturiers comme roturiers, et les femmes et enfans en cas pareil selon l'aage, sexe, condition, et merites d'un chacun....O si la definition du citoyen que nous a laisse Aristote avoit lieu, combien de partialités, et de guerres civiles on verroit!" (*République* I.vi (1986), 124). Knolles translates the first line, "...that they are to be called citizens that enjoy the rights and privileges of a citie" (I.vi, 53). *Citoyen* could be understood as membership in a municipal corporation, or as membership in the "nation" (Wells, *Law and Citizenship*, 87). Bodin chooses to replace the former with the latter to make his point here. Bodin again reiterates that privilege does not make citizens later in Book I, chapter 6; see *République* I.vi (1986), 130-131.

distinction is key to the enactment of citizenship and its corresponding limits on sovereign power and magisterial power over those within the household, all of which relies upon the protection of private property. Bodin's first definition of the citizenship of fathers and the equality of all heads of household, regardless of quality, in deliberation for the good of the public is instructive for understanding his actions as a deputy to the Estates General. The Estates General was just such a venue for the practice of public citizenship, in which the head of a household represents the members of his household in public and acts in their best interest to protect their security and property. It also makes Bodin's extensive efforts to define citizenship broadly, to all members of the household, even more striking. Bodin's insistence on the protection of the property of the household reveals the real stakes that were at play in the deliberations of the third estate when Catholic citizens were debating whether or not to confiscate the property of their fellow Protestant citizens: the real question up for debate was whether or not French Calvinists could or should retain the rights of citizens in the French polity.

Vagabonds, Thieves, and the Limits of Citizenship

In the 1583 edition of the *République*, Bodin commented on his objections to an equitable tax scheme, the *taille égale*, that had been proposed at the 1576 Estates General. The proposal did not address the concerns of Bodin and the third estate about the inequitable financial burden of war; it kept the fiscal exemption of the first two estates, due to their "distinct and separate functions."⁴⁸ Bodin was not opposed to this scheme in theory; in a section added to the 1578

⁴⁸ Mark Greengrass, "The Project for the 'Taille Egalée' at the Estates General of Blois, 1576-77," in Chantall Grell and Arnaud Ramière de Fortanier, eds., *Le Second Ordre: l'idéal nobiliaire* (Presses de l'Université de Paris-Sorbonne, 1999), 179. The surviving records of this debate from January 1577 only exist in the procès-verbal of the Ile de France, "Procès verbal particulier du gouvernement de l'Isle de France aux premiers états de Blois," reproduced in

edition of the *République*, he explained that his objections to the plan presented at the Estates General were based on its statistical flaws regarding estimates about the possible returns of the proposal.⁴⁹ Even before the opening of the Estates General, however, he had presented his own plan in the 1576 edition of the *République* for improving the fairness of tax distribution by establishing a census on the Roman model, or “a valuation of every mans goods.”⁵⁰ Having established at that point the first part of the definition of a Commonwealth, “the true governing of many families with [sovereign power],” Book VI, chapter 1 addresses the second part of the definition: “that which is common to an estate; and which consists in the managing of the treasure, rents, reventues, in taxes, imposts, coyne and other charges for the maintenance of a commonweale.”⁵¹ The public utility of the Roman census, he insists, was infinite, and not just for financial distribution, “for they knew the number, age and qualitie of the persons” in order to plan for war, public works, provisions, etc.⁵² Consistently, land is protected: Bodin specifies

Lalourcé and Duval, *Recueil des pièces originales et authentiques concernant la tenue des Etats Generaux*, vol. 2 (Paris, 1789), 71-90. The plan did not get any votes in the third estate.

⁴⁹ Greengrass, “The Project for the ‘Taille Egalée,’” 180. Greengrass cites Jean Bodin, *Les Six Livres de la République* (Paris, 1580), 890-891.

⁵⁰ *Commonweale* VI.i, 637; *République* VI.i (1986), 7. “Census en bons termes, n’estoit rien d’autre chose que l’estimation des biens d’un chacun.”

⁵¹ *Ibid.* “Jusques ici nous avons discouru et deduit amplement la premiere partie de la definition de la Republique, à scavoir droit gouvernement de plusieurs mesnages, avec puissance souveraine, et de ce qui depend d’icelle definititon: reste maintenant à parler de la second partie, à scavoir de ce qui est commun à la Republique, et qui gist en mesnagerie des finances, du domaine, des rentes et revenus, tailles et imposts, monnoyes, et autres charges pour l’entretènement de la Republique: et afin d’icelles entendre, disons en premier lieu de la censure.” Knolles translated “puissance souveraine” as “absolute power;” I have rendered it more closely here as “sovereign power.”

⁵² *Commonweale* VI.i, 637; *République* VI.i (1986), 13. “Or les utilitez qui revenoyent au public du denombrement qui se faisoit, estoient infinies.” Bodin responds to objections that this much information in the hands of the magistrates could lead to abuses and tyranny by pointing out they are not likely to steal from the already poor, and that, after all, those with nothing to hide should have no fear of having everyone know their business.

that the census is organized around assessing the moveable goods of each subject and not lands.⁵³ That correct and complete information was needed for fiscal reform was the basis for Bodin's extensive comment on the need for a complete census in the *République*. In Bodin's scheme, the purpose of the census was to establish the financial basis of the kingdom based on its main resource: its citizens and their households.

Maintaining the boundaries of citizenship was key for peace and a well-ordered commonwealth for Bodin, and those that existed outside of the bounds of this citizenship were a direct threat to the realm. His advocacy for a census in the *République* thus changes into a lengthy account of and argument for using the census as the basis for instituting *censure* and the office of censor on the Roman model, a sort of inquisitor for the civil state. It could be used, he argues, "to banish vagabonds, idle persons, theeves, cooseners, & ruffians, which live and converse among good men, as woolves do among sheepe."⁵⁴ Bodin's list of the "woolves" that a census would help the commonwealth identify and remove is long, but he is most derisive of vagabonds and thieves. The marginal note printed alongside his exhortation is succinct: "Means of banishing vagabonds and vermin from the commonwealth."⁵⁵ The presentation of vagabonds in relation to Bodin's position on slavery in the *République* reveals how he demarcates the

⁵³ *Commonweale* VI.i, 642; *République* VI.i (1986), 17. "Combien que la loy qu'on met en avant ne touche que les meubles, et non pas les immeubles."

⁵⁴ *Commonweale* VI.i, 641; *République* VI.i (1986), 14. "Mais l'un des plus grands et principaux fruicts qu'on peut recueillir de la Censure et denombrement des subjects, c'est qu'on peut cognoistre de quel estat, de quell mestier chacun se mesle, dequoy il gaigne sa vie: à fin de chaser des Republicques les mooches guespes, qui mangent le miel des abeilles: et banner les vagabonds, les faineans, les voleurs, les pipeurs, les rufiens, qui sont au milieu des gents de bien, comme les loups entre les brebis: on les verroit, on les marqueroit, on les cognoistroit par tout."

⁵⁵ *République* VI.i (1986), 14. "Moyen de chasser les vagabonds et vermine de la République." Marginal notations are used as section headings in the 1986 Fayard edition. Knolles translated this heading much more mildly than the French implies, "It expels vagabonds and idle persons out of an estate" (*Commonweale* VI.i, 641). My translation.

boundaries of citizenship in a commonwealth. In Book I, he makes a solid case against slavery; after reviewing its history and different types, Bodin concludes that slavery is not natural and, despite his position in the Latin edition that slaves are citizens as members of a household, that the existence of slaves is a danger to the commonwealth.⁵⁶ He distinguishes between natural inequalities, based on ability and virtue, to those of slavery, which are decided by conquest and war.⁵⁷ The discrepancy between Bodin's argument that slaves are citizens through the household and yet slavery is a danger to the commonwealth hinges on the injustice of slavery, which has historically led to rebellions; this does not discount the role that slaves play as contributing members to a household if a commonwealth must suffer slavery. After having established his position on slavery, Bodin addresses the argument in favor of slavery as a punishment for those who do not respect property such as vagabonds and bankrupts: "You will say that by accepting slaves, we will curtail the infinite number of vagabonds and bankrupts... and that we will be able to banish so many vagabonds, and idlers, who eat up whole towns as drones suck they honey from the bees."⁵⁸ The list of evils that result from vagabonds and idlers includes thieves and pirates, and the result of idleness and thievery is more poverty and disease.⁵⁹ However, he

⁵⁶ *Commonweale* I.v, 34, 38; *République* I.v (1986), 90, 96. Especially, "Et neantmoins l'estat des familles et des Republicques est toujours en branle, et au hazard de sa ruine, si les esclaves se liguent: toutes les histoires sont pleins des rebellions et guerres serviles" 96.

⁵⁷ *Commonweale* I.v, 34; *République* I.v (1986), 90.

⁵⁸ *Commonweale* I.v, 45; *République* I.v (1986), 108. "On me dira qu'en recevant les esclaves, on retranchera le nombre infini des vagabonds et cessionnaires, qui apres avoir tout mangé veulent payer leurs creanciers en faillites, et qu on pourra chasser tant de vagabonds, et faitneants, qui mangent les villes, et succent comme guespes le miel es abeilles." Partially my translation; I translated the first half of this quotation from the French edition. Knolles's translation shifts the focus of this passage to bankrupts; in the French edition, vagabonds are more prominent: "for that by receiving in of slaves we cut off the infinit number of vagabonds and bankrupts, who after they have devoured al, would pay their creditors with bills: & that by that means might be driven away such a multitude of rogues & naughtie doers, that which eat up whole townes, and as drones sucke the honey from the bees (*Commonweale* I.v, 45).

⁵⁹ *Commonweale* I.v, 45; *République* I.v (1986), 108.

counters, debtors should not be imprisoned for life, or they cannot pay their debts; and as for thieves and pirates, slavery begets even more, “for that the slave not able to endure slaverie, and at length breaking from his maister, was always constrained to be a theefe or a pirate.”⁶⁰ Bodin does not directly refute the argument that vagabonds should not be enslaved; instead he argues against slavery as a practice. His solution is that commonwealths not allow poverty and thieves to take root, by providing for the poor and educating them in a trade.⁶¹ Combined with his later proposition that a census should be used to find and expel “vagabonds, idle persons, theeves, cooseners, & ruffians,” it is clear that Bodin did not consider subjects who were not maintained by honest work citizens of the commonwealth, and vagabonds in this definition are those with no honest work who have left the boundaries of the household.

Although the edicts of pacification always included the stipulation that those who had left their homes during the war had the right to return to them, this was easier said than done. In some cases, homes that were confiscated and sold during wartime had new, legitimate owners; in others, Catholics claimed not to know their returning Protestant neighbors, and refused to let them return.⁶² Bodin’s extreme response to rootless and unlawful French subjects reflects the very messy state of a kingdom that has suffered from years of civil war. The disruption of war leads to the increase of violence far from the battlefield, whether from decommissioned soldiers

⁶⁰ *Commonweale* I.v, 45; *République* I.v (1986), 109. “Quant aux voleurs, je dy qu’il y en auroit dix pour un: car l’esclave sera tousjours contraint, s’il peut eschapper, d’estre voleur ou corsair.”

⁶¹ *Commonweale* I.v, 45-46; *République* I.vi (1986), 109. “Or le sage politic n’est pas celuy qui chasse de la Republique les voleurs, mais celuy qui les empesche d’y entrer. Cela se peut faire aisement, si on faisoit en chacune ville des maisons publiques pour apprendre les povres enfans à divers mestiers.”

⁶² For details on the contested cases of returning refugees or exiles heard by the royal commissioners sent to implement the edicts of pacification in the provinces, see Jérémie Foa, chapter 4, “Retours au pay natal,” in *Le tombeau de la paix. Une histoire des édits de pacification (1560-1572)* (Limoges: PULIM, 2015), 177-223.

and people displaced from their homes and livelihoods or from already existing criminals seeking to take advantage of political disorder. Sixteenth-century France was no exception. At the end of the first war, in 1563, a petitioner complained that the monarchy's edict of pacification was not being properly enforced, especially regarding the surrendering of arms. He asked the king and Queen Mother for permission to take up arms against the brigands and thieves plaguing travelers in the woods bordering the roads to different towns in Burgundy. If they will send him *arquebusiers*, he will, he writes, deliver "the countryside from such lawbreakers and vermin."⁶³ The problem of displaced men in the post-war period was large enough that in October of 1563, the monarchy addressed the powers and jurisdiction of *prévôts*, royal judges at the base of the judicial hierarchy, over "vagabonds, men without masters, the banished and homeless," directly after instructing them to prosecute encamped soldiers who committed crimes.⁶⁴ Charles IX also issued an ordinance in 1565 that demonstrates the direct correlation between vagabonds and the household.⁶⁵ The preamble describes the justification for this edict; in it, proper household

⁶³ B.N., MS Français, 15879 (January, 1563), fol. 26-27. "...je vous supplie treshumblement Madame voulloir avoir esgard que le pays de Nyvernoys et nest de se petite estendue quil naye trente lieues de long et de large et tout plain de boys frontier de bourgongne et charroloys Et ne poult lon aller de ville en aultre sans passer quatre et cinq lieues de boys," "...en liberte de portz darmes qui aura delargent et pour ouster et delivrer le pays de telz Infracteurs et Vermins de gens sil plaist au Roy et a vous Madame me donner quarente ou cinquante arquebusiers comme aux autres pais..."

⁶⁴ B.N. F-47023 (9) (October 14, 1563), *Ordonnance et arrest faict par le Roy, sur le reglement, pouvoir & jurisdiction des Prevosts Mareschaux, & de leurs Lieutenans*, (Paris: J. Dallier, n.p.). "Qu'ils auront cognoissance de tous delicts commis par gens de guerre au camp & à la suyte d'iceluy. Et aussi contre tous vacabons, gens sans adveu, banniz & essorillez." If there was no appeal to their judgement, they could carry them out; if the prisoner appealed, then they were heard by *officiers*, or a judge with more experience, etc. The term "essorillez" refers to the punishment of ear-cropping; *gens sans adveu* were not avowed to a master and had no one to vouch for them. While vagabond can refer to those in mendicant orders, it is used in edicts and elsewhere to refer to this class of homeless person, usually equated with a thief. *Officiers de justice* were another rank of judge.

⁶⁵ B.N. F-46828 (4) (Toulouse, February 21, 1565), *Édict du Roy pour contenir les serviteurs et servantes en leurs devoirs* (Paris: Robert Estienne, 1565, n.p.).

management is a necessary condition for the well-being of the king's subjects, but "heads of families are, through the bad manners and disposition of their servants, often abandoned by them as they run away from their duties." Additionally, the servants often steal from their masters when they leave, or pass on intelligence to other thieves in their stead.⁶⁶ Charles IX frames this edict as an attempt to "preserve our people, through all possible means, from the pernicious and damaging evil and misfortune" that these unfaithful servants bring to the "*chose publique*" of the kingdom.⁶⁷ Henceforth, the king declares, domestic servants cannot be engaged unless they are able to present uncontested testimony of where they came from, and why they left.⁶⁸ Masters and heads of household who violate this edict are to be fined one hundred *livres tournois*, which is to be split equally between the king, the poor, and the accuser. But any servant who attempts to leave a household without the necessary "act and certification" is to be punished as a vagabond.⁶⁹ The following year, in 1566, Charles IX issued an ordinance decreeing that his

⁶⁶ Ibid. "L'une des choses qui nous semble estre bien necessaire au libre & seur repos de nos subiects, ayans mesnage famille & serviteurs, seroit de pourveoir à ce que leurs maisons fussent bien & loyaument administrees: Parce qu'il advient souvent que les chefs des familles sont par les mauvaises moeurs & conditions de leurs serviteurs le plus souvent de laissez & abandonnez d'eux, se desbauchans de leurs services: Qui est cause que plusieurs maisons de toutes qualitez, font le plus souvent vollees, pillees, & desrobees par lesdicts serviteurs...attiltrent & donnent adresse à d'autres par secrette intelligence, pour y commettre tels larrecins & volleries."

⁶⁷ Ibid. "A quoy voulans pourveoir, à fin de preserver nostre peuple, entant que possible sera, de tels maux & inconveniens si pernicieux & dommageables, qu'ils sont à la chose publique de nostre Royaume."

⁶⁸ Ibid. "Que doresnavant tous serviteurs domestiques cherchans, ou estans appelez en commencement de service, ne seront receus en service d'homme ou femme qu'il soit qu'ils ne facent apparoit à leurs maistres par acte vallable & authentique de quelle part, maison & lieu, & pour quelle occasion ils sont sortis;" "Defendant tresexpressément à tous chefs de maisons & famille, de quelque estat, qualité ou condition qu'ils soyent, de ne les recevoir en leur service, sans avoir ledict acte & certification."

⁶⁹ Ibid. "Et ne sera loisible au serviteur, sur peine d'estre puni comme vagabond, de sortir sans avoir ledict acte & certification...Ce dont nous chargeons tresexpressément lesdict maistres & chefs de famille respectivement, sur peine de cent livres tournois d'amende, applicable un tiers au Roy, un tiers aux pauvres, & l'autre tiers à l'accusateur."

edicts of pacification were to be observed in Paris upon pain of death; it ends with the command to purge “the large number of vagabonds and other useless men” from the city so that it can “remain unburdened, the *habitans* living in greater peace.”⁷⁰

Vagabonds are thus classified as those who have violated the private power of the head of household, and are outside the bounds of the polity. Bodin, just like the petitioner from Burgundy in 1563, was familiar with the difficulties of policing and protecting the woods in the king’s domain in a time of war. While describing his role in the third estate’s objections to the king’s proposal to alienate the royal domain during the Estates General, he offers this description of his authority on the subject: he was appointed the *Procureur du Roy* in order to reform the royal forests of Normandy in 1570, a position he held until 1579.⁷¹ While he refers to this role in relation to his attempts to protect the royal domain from further alienation, in his position he would be well aware of the other qualities of people who inhabited the forests. While edicts ordering either the prosecution or removal of vagabonds from Paris were also issued by Henri II in 1553 and 1559, the disruption of war and the failures of pacification meant that an ever-increasing number of French subjects were forced from or not allowed to return to their places of

⁷⁰ B.N. F-46831 (12) (November 20, 1566), *Lettres du Roy portants défenses à toutes personnes de ne violer & enfreindre les édicts de pacification, majorité, & autres, sur peine de la vie. Avec injonction de repurger la ville de Paris, des vacabons & gens inutiles*, (Paris: R. Estienne, 1566, n.p.). “Et au demeurant pourvoyez à repurger nostredicte ville du grand nombre de vacabons, & autres gens inutiles qui s’y retrouvent pour le jourd’huy, & qui s’y retirent encores tous les jours: Et vous y employez avec tel devoir, soing & diligence, que nostredict ville en demeure deschargee, les habitans en vivent en plus grande seureté.”

⁷¹ *Recueil de tout ce qui s’est négocié en la compagnie du Tiers État de France en l’assemblée des trois Estats, assignez par le Roy en la ville de Bloys, au XV novembre 1576* (1577), 99. Bodin tried to reassert royal claims on the forests, bringing suite against the city of Rouen over their use of them; in the end, the king placated Rouen by alienating the forests. For details on Bodin’s tenure as *procureur*, see Élisabeth Dandine, “Les Normands, la forêt et le roi: l’affaire du droit de tiers et danger (1669-1675),” *Revue historique de droit français et étranger* Vol. 86, No. 2 (April-June 2008): 201-202 and Lloyd, *Jean Bodin*, 94. Bodin also refers to this episode in the *République*, III.ii (1986), 55-56.

origin.⁷² While records of pacification reveal the problems of displaced subjects who owned goods or property, the fates of the poor and those dependent on property owners is much murkier. All society in France was both corporate and local; those who traveled or left their *paiis* could be seen as a threat if they could not prove their identity or had no one to vouch for them. Circumstances alone could lead those displaced by war to crime as a means of surviving. Bodin's suggestion that the census could be used to purge the commonwealth of undesirable elements such as vagabonds and thieves is an example of one of the many moments in Bodin's writing where scholars are confronted with what appear to be irrationality or unenlightened violence in his thought, such as when he argues that fathers should have the power of life and death over their children.⁷³ The logic of Bodin's position is sensible, however, when it is placed into the context of confessional civil war and the role that the household had played in pacification and the delimiting of citizenship since 15623 in the kings' edicts of pacification and their implementation, and it is no surprise that the household and its protection served as the basis for Bodin's theory of the ideal commonwealth. Fractured families and fractured households led to more conflict and violence, and displaced persons of the lower orders had no means of support when they were removed from their households and *paiis*. Thus, to avoid both confessional conflict and societal disorder, in the *République* Bodin maintains that not all subjects are citizens. It is Bodin's insistence that vagabonds and those outside of the governance of the household have broken the bonds of the private power wielded by the father. That is the

⁷² These edicts are identified in the index of Pierre Rebuffi, *Les édits et ordonnances des roy de France depuis l'an 1226 jusque 1571* (Lyon: 1571). See Chapter 75, fol. 1076 and Chapter 3, fol. 278.

⁷³ See, for example, Mark Greengrass, "The Experiential World of Bodin;" Greengrass comments on this quoted passage regarding the use of the census that "Bodin often surprises us with how uncompromising he could be – consequences of his focus on those simpler, more heroic and virtuous ages of Antiquity" (82).

logic for Bodin's argument in the Latin edition that slaves, as both useful members of the body politic and members of the household, need to be classified as citizens. He draws the boundaries of citizenship around the household; those who act outside of the bounds of the household are in direct opposition to the citizens of a commonwealth. It is this equivalent to civil heresy, as opposed to religious unorthodoxy, that he finds pernicious.

The Crisis of 1576: The "Free, Public & General Exercise of the So-called Reformed Religion"

In 1576, France had been at war with itself for nearly eight of the preceding ten years and experienced a series of shocking massacres of French Calvinists in widespread popular violence. Pacification had become even more difficult after the watershed event known as the Saint Bartholomew's Day massacres in 1572.⁷⁴ While many French Calvinists abjured in the aftermath of the widespread violence, Huguenot military resistance increased, combined with Protestant justifications for resisting tyrannical kings. Reaction to the Peace of Monsieur came out of years of hardening positions, but it also put pressure on long-held fissures between the Guise-led nobility and their agents and a monarchy that was yet again beset with instability after

⁷⁴Scholarship on the impetus for these extremely violent massacres generally agrees that, although the people thought they were doing the king's will, the monarchy did not order the massacre. It did, however, order the assassination of Huguenot leaders in order to pre-empt retaliation for the attempted murder of the Protestant Coligny the day before. However, even scholars who do not think that Catherine de Medici or Charles IX intended the mass killings assign much of the blame to their handling of the situation and concede that they did little to stop them. See Philip Benedict, "The Saint Bartholomew's Massacres in the Provinces," *Historical Journal* 21 (1978): 205-25; Denis Crouzet, *La Nuit de la Saint-Barthélemy: Un rêve perdu de la Renaissance* (Paris: Fayard, 1994); Robert Kingdon, *Myths about the St. Bartholomew's Day Massacres, 1572-1576* (Cambridge, M.A.: Harvard University Press, 1988). On religious and millenarian explanations for the massacre, see Denis Crouzet, *Les guerriers de Dieu: La violence au temps des troubles de religion, vers 1525-vers 1610*, 2 vols. (Seysssel: Champ Vallon, 1990) and Barbara Diefendorf, *Beneath the Cross: Catholics and Huguenots in Sixteenth-Century Paris* (New York: Oxford University Press, 1991).

the death of another young king. The newly-crowned brother of Charles IX, Henri III, after having only taken his place as the elected king of Poland the year before, unexpectedly became the new king of France.⁷⁵ Catherine de Medici found herself negotiating between her two remaining sons as friction between the new king and his heir, his younger brother Francis, duc d'Alençon, resulted not only in civil war, but a complex and highly contested political climate. Despite Catherine's efforts, with the backing of the king's heir, the Protestant Huguenot party was strong enough militarily and politically to end the fifth civil war under very favorable terms for peace. The result was that Henri III and Catherine de Medici were beleaguered by Catholics who rejected the many compromises in the 1576 Edict of Beaulieu, known as the Peace of Monsieur; the peace was an extraordinary victory for the Huguenot party, meeting nearly all of their demands.⁷⁶ What made it so controversial for French Catholics, moderate and not, was that it is the only edict from the entire period that allows the "free, public and general exercise of the *Religion pretendue reformée* in all the towns and places of our realm and *païs* under our obeisance and protection." Further, it extended this equality fully into the politico-theological sphere by allowing French Calvinists to have equal representation in the legal system through *chambres mi-parties*, or courts with an equal number of Catholic and Protestant judges.⁷⁷

⁷⁵ Henri III was the fourth son of Henri II; he had been elected the King of Poland in 1573, and arrived there for his coronation in February of 1574. Charles IX died of tuberculosis at the age of twenty-three in May of 1574 and Catherine de Medici yet again assumed the role of regent. Henri, just twenty-two, abdicated the Polish throne and arrived back in France in September; his French coronation was in February of 1575. The fifth civil war had begun only days before Henri III was crowned King of Poland in 1574.

⁷⁶ N.M. Sutherland, *The Huguenot Struggle for Recognition* (New Haven: Yale University Press, 1980), 226-228.

⁷⁷ *Paix de Monsieur. Édit de Paris dit de Beaulieu* (May 1576), np., *L'édit de Nantes et ses antécédants*. See Article 4: "Et pour ne laisser aucune occasion de troubles et differentz entre noz subjectz, avons permis et permectons l'exercice libre, publicq et general de la Religion pretendue refformée par toutes les villes et lieux de nostre royaume et païs de nostre obeissance et protection, sans restriction de temps et personnes..." Greengrass, *Governing Passions*, 71.

Although the 1576 Peace of Monsieur included the provisions that Charles IX had added in his interpretation of the original 1563 Edict of Amboise against French Calvinists visibly working, having their shops open, or cooking meat on Catholic holy days, the provisions that allowed for the proliferation of Calvinists into the politico-theological public of the French kingdom made it clear that it was unenforceable from the start.⁷⁸

While it was not a new idea to join an association to defend the Catholic Church, the Catholic League of 1576 that formed in direct response to the 1576 Edict of Beaulieu was both more widespread and more organized than earlier permutations.⁷⁹ The League first originated in Picardy, where, in the *articles particuliers* in the Edict of Beaulieu, Henri III had named the Calvinist prince of Condé governor.⁸⁰ The governor of Péronne, Jacques d’Humières, resisted and would not cede the town to Condé; d’Humières was joined by nobles, townsmen, and soldiers, who all swore an oath to prevent Condé from taking this position; this pattern was then repeated throughout the provinces.⁸¹ While French subjects joined the leagues and took oaths to

The Edict of Beaulieu is unique to all of the other edicts of pacification in this regard; it was an edict designed to institute pluralism, as opposed to an edict of toleration. On this subject, see Mark Greengrass, "Pluralism and Equality: The Peace of Monsieur, May 1576," in Keith Cameron, Mark Greengrass, and Penny Roberts, eds., *The Adventure of Religious Pluralism in Early Modern France* (Oxford : Peter Lang, 2000), 31-63. *Chambres mi-parties* were abolished by Henri III in 1585 and restored under Henri IV in limited areas in 1598.

⁷⁸ *Paix de Monsieur*, see Article 15. "Ceulx de lad. Religion seront tenez garder et observer les festes indictes en l’Eglise catholique et romaine, et ne pourront es jours d’icelles besongner, vendre ny estaller à boutiques ouvertes; et aux jours esquelz l’uzage de la chair est defendu par lad. Eglise, les boucheries ne s’ouvriront." The presence and absence of French Calvinists in the politico-theological sphere is discussed more fully in Chapter Two.

⁷⁹ Mark W. Konnert, *Local Politics in the French Wars of Religion: The Towns of Champagne, the Duc de Guise, and the Catholic League, 1560-95* (Burlington, Vermont: Ashgate Publishing Co., 2006), 136.

⁸⁰ Greengrass, *Governing Passions*, 71.

⁸¹ Konnert, *Local Politics in the French Wars of Religion*, 136. The 1576 League oath in Péronne can be found in Palma Cayet, *Chronologie Novonaire*, reprinted by Michaud and Poujoulat (Paris, 1838), 13-14. It has twelve articles, including provisions to protect the Catholic Church, and to use all their wealth, means, and even their lives if necessary "to punish, chastise

a Catholic France, however, local assemblies met across the kingdom in preparation for the national Estates General that was also mandated in Article 58 of the Peace of Monsieur as a concession to the Huguenots. The toleration of Protestants in France created unprecedented challenges for defining who was and was not French during the wars; the Estates General was one venue in which this battle was waged. The Estates General had been integral to ideas about properly governing the French kingdom since its inception by Philip IV in 1302. A regional or national assembly of the three estates of the clergy, the nobility, and the third estate, the Estates-General served varying purposes over time; its approval was technically necessary for the king to raise taxes. Its primary function was as a platform for the king to consult with his subjects, which was accomplished by the writing of lists of grievances, known as *cahiers de doléances*. *Cahiers* composed in local assemblies of *bailliages* and *sénéchaussées* were then combined in each region, known as a *gouvernement*.⁸² In a national meeting of the estates, each of the three orders then combined their regional *cahiers* into one representative list to present to the king.⁸³

In the Edict of Beaulieu, the Estates General was framed as an opportunity for French subjects to present their remonstrances to the king in order to restore peace and order in the

and assail” all those that oppose them. There is debate about the role of the duc de Guise in the 1576 Catholic League and its formation. See Konnert, *Local Politics*, 136. Jean-Marie Constant, *La Ligue* (Fayard, 1996), 70-76, argues that Guise was not influential in its formation.

⁸²A *bailliage* and a *sénéchaussée* were royal administrative and judicial units in the French kingdom, headed by a *bailli* or *sénéchal*. They also served as electoral territories for deputies to the Estates General. There were 86 such units at the start of the sixteenth century, and all of these units were within a larger unit known as a *gouvernement*. The twelve *gouvernements* in the sixteenth century were Île de France, Picardy, Orléanais, Normandy, Champagne, Brittany, Burgundy, Lyonnais, Guyenne, Languedoc, Dauphiné, and Provence. Each *gouvernement* had its own *gouverneur*, named by the king and meant to represent him, command the army there, and maintain public order. See the entries for “*bailliage, sénéchaussée*” and “*gouverneur*” in *Dictionnaire de l’Ancien Régime*, edited by Anne Conson, Bruno Maes, and Isabelle Paresys (Paris: Armand Colin, 2004), 28-29 and 140-141.

⁸³ Salmon, *Society in Crisis*, 62-63.

kingdom.⁸⁴ Despite these provisions and the king's repeated declarations that all of his subjects were permitted to participate in this process, both Catholic and Protestant, the Catholic League's organized resistance effectively barred Protestants from participation in the local assemblies, undermining Protestant attempts to solidify their recently-won gains.⁸⁵ One clause in particular was shared as a formula by the leagues, and appeared in the local *cahiers* of many *bailliages*. It specified that France should be declared Catholic, and that Calvinists should be allowed to either abjure and return to the Catholic Church or to sell their property and leave France.⁸⁶ Since the resulting *cahiers* used to set parameters for the powers of the deputies to the national Estates were overwhelmingly Catholic, there was little chance in the process for any reconciliation between the various factions.

⁸⁴ *Paix de Monsieur*, Article 58. "Et d'aautant que l'aigreur et continuation des troubles qui ont dès si longtemps eu courts en cestuy nostre royaume a tellement alteré l'ordre de toutes choses que sans le restablissement d'icelluy il seroit impossible contenir noz subjectz en la bonne union et intelligence qui doibt estre entre eux pour les faire vivre en tranquillité et repos, qui auroit esté tousjours nostre principal soing et estude, considerant que pour y prendre une bonne resolution nous ne sçaurions mieulx faire que d'ouÿr sur ce les remonstrances de nosd. subjectz de toutes les provinces de nostred. royaume, nous aurions à cest effect dès nostre advenement à ceste couronne deliberé faire une convocation et assemblée generale des estatz, ce que n'aurions peu effectuer encores à nostre grand regret au moyen desd. troubles. Ausquelz ayant pleu à Dieu donner fin, continuans nostre bonne et sainte intention au bien de nosd. subjectz, nous disons et declarons, voulons et nous plaist que lesd. estats generaulx seront par nous mandez et convocquez en nostre ville de Blois pour y estre tenuz, selon les bonnes, antiennes et louables coutumes de ce royaume, dans six mois prochains à compter du jour de lad. publication de nostre present eedict en nostre court de parlement de Paris. Et à ces fins seront par nous expediées les commissions pour ce necessaires pour, les remonstrances, plainctes et doleances qui nous seront faictes et presentées de leur part oÿes, estre par nous ordonné ce que verrons estre requis et convenable pour le bien de nostred. royaume."

⁸⁵ See Greengrass, *Governing Passions*, 74-79 for examples of these tactics and Protestant attempts to participate in them. The Catholic League warned deputies not to let there be a repeat of the Estates General in Pontoise in 1561 when Calvinists had pre-circulated cahiers and grievances and tied handkerchiefs to their hats or necks to be recognizable to other Calvinists; these tactics were successful. Instead, they encouraged Catholics to take over the Estates themselves.

⁸⁶ Greengrass, *Governing Passions*, 78.

This provision for the “unification” of France under one religion by force was not supported by most of the local assemblies that met in preparation for the Estates General. Despite this, the League platform and its insistence that France be re-united under one religion became central to the deliberations of the Third Estate thanks to its vociferous supporters and Henri III himself. There was actually a great deal of resistance in the third estate to agreeing to religious reunification, but Henri III pushed behind the scenes for this element of the League platform to be declared, not by him, but by all three estates in unity. In order to take control of the Catholic associations forming across his kingdom and resisting his edict, he declared himself the head of the League. Once the League declaration of reunification became the policy of the Estates General, then the three estates would have to provide the financial and military support for the deeply indebted king to return to war, technically at the request of the kingdom itself. Henri III manipulated the Estates General in order to push for reunification, but it was to look like it was coming only from the local leagues.⁸⁷ The king applied due pressure to the assembly for just this result, followed by repeated efforts to secure the financing needed for war. The Catholic Estates General seemed primed to support Henri III’s new war after all three estates initially passed some version of the Catholic League oath to unite under one faith. However, under the leadership of Jean Bodin, the deputies of the Third Estate thwarted these plans, retracting their vote on the article of religious reunification and refusing to pay the king’s requested taxes, as well as his attempts to raise funds through the alienation of crown lands. In

⁸⁷ For this stratagem and the methods of execution, see Mark Greengrass, “A Day in the Life of the Third Estate: Blois, 26th Dec. 1576,” in *Politics, Ideology and the Law in Early Modern Europe: Essays in Honor of J.H.M. Salmon*, Adrianna E. Bakos, ed. (Rochester, NY: University of Rochester Press, 1994), 86-89.

fact, the third estate supplied the greatest resistance to the king's plans, and no small part of this resistance was thanks to Jean Bodin, the deputy from Vermandois.

The Estates General of 1576: Catholic Reunification and Paying for a New War

Bodin's account of the 1576 Estates General in the form of a third-person journal was first published anonymously in 1577.⁸⁸ His district, or *bailliage*, of Vermandois was in the *gouvernement* of the Île de France, itself dominated by League deputies from Paris. Bodin's journal describes his staunchest adversaries throughout the meeting of the Estates as his fellow deputies, and they were extremely influential opponents. The Île de France held the highest-ranking position of the twelve *gouvernements* in the assembly; this meant that the first deputy of its most highly ranked *bailliage*, Paris, served as the president of the third estate, and another of its deputies served as spokesperson for the general assembly. As the first deputy for the *bailliage* ranked just below Paris, however, Bodin himself served as president of the combined third estate in the absence of the Parisian deputies on January 18 and 22, and more regularly during the decisive debates throughout February.⁸⁹ Bodin's opposition dominated key meetings;

⁸⁸ *Recueil de tout ce qui s'est négocié en la compagnie du Tiers État de France en l'assemblée des trois Estats, assignez par le Roy en la ville de Bloys, au XV novembre 1576* (1577). Henceforth cited as *Recueil*. The journal was published as a 129-page octavo. A version in Latin was also published in 1577. Bodin published both anonymously, but his authorship was not a secret. It recounts his actions in the third estate in the third person, as "le député du Vermandois." For more on these and later editions, see Roland Crahay, "Jean Bodin aux États Généraux de 1576," *Assemblee di stati e istituzioni rappresentative nella storia del pensiero politico moderno (secoli XV-XX), Atti del convegno internazionale tenuto a Perugia, 1982* (Perugia: Annali della Facoltà di Scienze Politiche, 1983), 91-94. For a summary of Bodin's journal in English, see also Owen Ulph, "Jean Bodin and the Estates General of 1576," *The Journal of Modern History* Vol. XIX, no. 4 (December, 1947), 289-296. For a detailed description of the third estate in the 1576 Estates General and the debates in the third estate related to the article on religion that incorporates Bodin's journal, see Greengrass, "A Day in the Life of the Third Estate," (1994).

⁸⁹ Roland Crahay, "Jean Bodin aux États Généraux de 1576," 96-97.

he consistently fought for what he saw as proper corporate governance, an equitable balance of financial burdens among the three estates, the protection of property, both via resistance to taxation and to the alienation of crown lands, and, in the final days of the Estates General, led a reversal in the third estate rescinding its original vote in favor of Catholic reunification in the kingdom through force and war.⁹⁰

Bodin created difficulties for the third estate's Île de France delegation from early in the deliberations. Before the twelve *gouvernements* could negotiate a general *cahier* to present to the king, each had to meet separately to consolidate its deputies' *cahiers* into one. In the December 3 meeting of the Île de France delegation, the Parisian deputy Pierre le Toureur, also known as Versoris and spokesperson for the third estate, presented an article for the religious unification of France for debate. The disputed article corresponded with the Catholic League's position requiring the king to enforce religious unity, by which was meant outlawing Protestantism and declaring France a solely Catholic realm, thereby overturning the Edict of Beaulieu.⁹¹ After the deputy from the *prévôté* of Paris read a similar article, Jean Bodin responded by reading the first and twelfth articles of the *cahier* which outlined his instructions from the *bailliage* of Vermandois. These articles request that the king "maintain his subjects in good peace," while planning a general council to address religious reform within two years.⁹² A

⁹⁰ For details about all of Bodin's interventions, and how he presented them in later writings, see Crahay, "Jean Bodin aux États Généraux de 1576" and Greengrass, "The Experiential World of Jean Bodin," 79-83. For a good account of the 1576 Estates General as a whole, see Mark Greengrass, "Chapter 4: The Estates of Blois and the *Bien Public*," in *Governing Passions: Peace and Reform in the French Kingdom, 1576-1585* (Oxford: Oxford University Press, 2007), 66-122.

⁹¹ *Recueil*, 9. "Versoris ouvrit le cayer de la ville de Paris, ou l'article de la Religion fut leu, par lequel il estoit requis qu'il pleust au Roy, unier tous ses suiets en une Religion Catholique Romaine."

⁹² *Ibid.* "Bodin député de Vermandois, devant que opiner leut tout haut le premier & xii article du cayer general de Vermandois, qui portoit qu'il pleust au Roy maintenir ses suiets en

debate about the “disturbances of war” proceeded. When other deputies still objected to this formulation when debate resumed, Bodin baldly stated that the 1576 Edict of Beaulieu should stand.⁹³ No compromise could be reached, and discussion on the article of unification was tabled until December 15, when debate was re-opened under royal pressure. Bodin’s position had not changed; again he argued that the edict of pacification should be upheld, since a vote for religious unification was a declaration of war.⁹⁴ The delegates from the Île de France finally agreed to modify the article on religious unification with the provision that the king ought to unify the kingdom under Catholicism by “by gentle and holy means.”⁹⁵

This compromise was short-lived. On December 26, all twelve *gouvernements* of the third estate met in a combined general assembly in order to present their positions regarding the acceptance of the article for religious unification. Bodin’s journal notes that deputies from the first estate of the clergy exhorted the third estate to support the article for reunification under the Catholic Church, as well as the Council of Trent,⁹⁶ and that on the same day a plurality of the *gouvernements* voted to support the article of religious unification, and “that all other exercise of the so-called Reformed religion was to be prohibited in public and in private” and all Reformed ministers, lay leaders, and teachers were to leave the kingdom in a time specified by the king. Bodin’s account still includes that reunification was to happen “by gentle and holy means,” but his journal leaves out the proposed additions to the article and the furor of the debate that

bonne paix, & dedans deux ans tenir un Concile general ou national, pour regler le fait de la Religion."

⁹³ Ibid., 10. "...Bodin continua, & en fin conclud que l'Edit de pacification fut entreteu."

⁹⁴ Ibid., 16. "à quoy le Deputé de Vermandois dit que c'estoit l'ouverture de la guerre."

⁹⁵ Ibid. "plus douces & saintes voyes."

⁹⁶ Ibid., 20.

followed.⁹⁷ Instead, Bodin qualifies the passing vote by noting that, although the stricter version of the article passed, the vote was taken *per gouvernement*. However, because some delegations had more deputies than others, more deputies actually voted for the addition of “sweet and holy means,” and other deputies registered their refusal to support the article, saying they could only support the proposals in their local *cahiers*. Additionally, five of the *gouvernements* included a *plainte* qualifying it. In other words, Bodin argues that his faction won the popular vote.⁹⁸

After having received support from all three orders for the reunification, on December 29 the king declared to his Council that he intended to unite France under the Catholic Church. He repeated this declaration on January 13, still hoping for the material support he needed to make this declaration a reality. The deputies received reports about the violence of Protestants against Catholics currently underway in the provinces, but they still did not agree.⁹⁹ Resistance to taxation and the protection of private property were central to Bodin’s success in getting the third estate to counteract its implicit support of the resumption of war that they had agreed to in the article of religious reunification. The problem of the royal debt was now the problem of the third estate, and their attempts to get details on the state of the king’s finances were not satisfactory.

⁹⁷ Ibid., 20. "Ce jour mesme, en l’assemblee du tiers Estat, à la pluralité des gouvernemens fut arresté que le Roy seroit supplié reunir tous ses suiets à la Religion Catholique & Romaine, par les meilleures & plus saintes voyes & moyens, que faire se pourroit, & que tout autre exercice de Religion pretendue reformee fust osté tant en public qu’en pariculier. Les Ministres dogmatizans, Diacres, Surveillans, contraints vuider le Royaume dedans tel temps qu’il plairoit au Roy ordonner, nonobstant tous edicts faits au contraire, & que le Roy seroit supplié de prendre en sa protection tous ceux de ladite Religion, autres que lesdits dogmatizans, Ministres, Diacres, & Surveillans : en attendant qu’ils se reduiroient à la Religion Catholique."

⁹⁸ Ibid. "Lequel article passa aux voix des gouvernemens de l’Isle de France, Normandie, Champaigne, Languedoc, Orleans, Picardy, & Provence : mais les gouvernemens de Bourgogne, Bretagne, Guyenne, Lyonnois, Dauphiné, furent d’avis qu’on devoit aiouster audit article, que l’union de ladite Religion se fist par voyes douces & pacifiques, & sans guerre. Toutesfois les sept gouvernemens l’emporterent. Mais il est à noter que le gouvernement de Guyenne avoit dixsept deputez, & le gouvernement de Provence n’en avois que deux.

⁹⁹ Ibid., 43-44.

The problem was dire; the king finally sent the *premier president* of the *Chambre des Comptes* towards the end of the Estates to convince all three orders that this was true. However, the monarchy would not release all of the information about their accounts, and deputies from all three orders were skeptical.¹⁰⁰ The third estate bore the burden of taxation in France, since the privileges of the first two orders largely left them exempt. The *cahiers* of each of the *gouvernements* in the third estate were also explicit on the subject of new taxes: they demanded that there be none.¹⁰¹ As the deputies learned of the state of the royal treasury, and, to their frustration, were not allowed access to the actual accounts, the reality of just who would be paying for this holy war grew more clear.¹⁰² On Jan. 10, Bodin wrote that the third estate opposed the taxes suggested by the king and approved by the other orders. The deputies of the third estate defended their opposition to this scheme in the clerical order, sending representatives to convince them that the nobility wanted to avoid the cost of war.¹⁰³ Once the deputies of the

¹⁰⁰ For a detailed analysis and explanation of the royal finances and the reactions to the king's requests in the 1576 Estates General, see Greengrass, *Governing Passions*, 101-107. The premier president, Antoine Nicolai, reported to the three orders that the capital debt was over 100 million livres; it had been 11 million livres when Henri II died in 1559. See *Recueil*, 24; Lalourcé and Duval, *Recueil des pièces originales et authentiques concernant la tenue des Etats Generaux*, III (Paris, 1789), 145. Cited by Greengrass.

¹⁰¹ Greengrass, *Governing Passions*, 104.

¹⁰² *Recueil*, 25.

¹⁰³ *Ibid.*, 37-38. "La matière derechef mise en deliberation, fut resolu absolument que ledit tiers Estat n'adhereroit aucunement à ladite requeste, & s'il s'en faisoit pour suite par la Noblesse, que le tiers Estat s'y oposerait, & qu'à ceste fin on ne dresserait requeste par escrit, pour presenter au Roy: & dautant que ladite Noblesse faisoit bouclier du Clergé, avec lequel elle disoit estre d'accord dudit arrest des deniers, fut arresté que ledit Present de Tours & autres deputez de chacun gouvernement, se transportoyent par devers le Clergé, pour leur faire entendre les raisons du tiers Estat, & les diverter de l'intention de la Noblesse, pour l'interest que ledit Clergé y avoit, estant chose assez claire que la Noblesse ne tendoit à autre fin qu'à se descharger de tous les fraïs de la guerre qu'ils estoient tenus de faire, ayans tous les fiefs, prerogatives de Noblesse, privileges & exemptions pour faire la guerre."

third estate fully realized how much they were being asked to pay for the war, they reached a turning point in their position on the article of religious reunification.

In preparation for the king's appearance at the estates general on January 17, the third estate directed the deputy Versoris as their elected orator to amend their earlier *cahier* with four directives, and the first, and most detailed, instructions were to add conditions to their support for the articles of catholicity. On January 15, they instructed Versoris to say that they ask the king to unite his subjects under the Catholic Religion in the gentlest means possible, and without war, and that they beseech him to maintain his people in peace and reunite the princes, and he is to express to the king the miseries that accompany civil war. Bodin adds that Versoris was then told not to forget the words "without war" and to endeavor for peace above all.¹⁰⁴ According to Bodin, when he delivered his speech two days later, this is exactly what he did not say.¹⁰⁵ There were days of disagreement as to whether Versoris had followed his instructions in the hour and a half he spoke before the king and the joint session of the three orders; everything came to a head on Wednesday, January 30. During the deliberations on the third estate's *cahier*, a deputy from Limoges proposed revoking the article on religion "hidden in the *cahier*," because the third estate had decided that it must contain the word "*par douces & saintes voyes, & sans guerre*,"

¹⁰⁴ Ibid., 44-45. "...remercierent ledit Versoris de la bonne volonté qu'il avoit à executer la charge d'Orateur, horsmis les deputez de Dauphine qui dirent qu'on le remerciroit apres qu'il auroit fait sa charge. Et fut arresté qu'il adiousteroit quatre points à sa harangue. Le premier, que la reunion de tous les suiets du Roy à une Religion Catholique Romaine qu'on demandoit au Roy, e'entendoit par doux moyens, & sans guerre, & de supplier sa Maiesté de maintenir son peuple en paix & reunir ses Princes les uns avec les autres, & luy représenter les calamitez & miseres qui accompagnoyent les guerres civiles: & luy fut repeté qu'il n'oubliast ces mots sans guerre, & de tendre à la paix en toutes sortes."

¹⁰⁵ Ibid., 50. "L'Orateur du tiers Estat ne respondit pas à l'esperance qu'on avoit de luy, & plusieurs se plainoyent fort qu'il avoit obmis les trois point principaux dont on l'auoit chargé tres-expressément, deux jours devant sa harangue."

which Versoris had been instructed to add. Versoris claimed he did; as arguments broke out, punches were thrown, and the president had to escape out the back.¹⁰⁶

Despite Versoris's rhetorical rebellion, the third estate would still not agree to any schemes presented by the king to increase taxes to pay for the war that the article of religious reunification justified. On February 16, Bodin notes that representatives of the nobility and clergy came to the third estate to complain that they had not yet met their promise to find the financial means to support the king's requests. They were given excuses.¹⁰⁷ Resistance to a return to war was growing, however, and not just in the third.¹⁰⁸ At the end of February, Bodin, Émery Bigot of Rouen, and Joseph Eymar of Bordeaux wrote their own petition from the third estate insisting on peace over war, making public that which Versoris had refused to say in front of the king. Versoris and his supporters still did not concede; on February 28, thirty-two deputies who still supported the original articles of Catholicity met in secret to oppose this petition. Bodin the deputy, however, was unrelenting. He interrupted the unplanned session, declared it to be an illegal assembly, and warned the recalcitrant deputies that assembling without the king's permission to discuss war was in itself a capital crime.¹⁰⁹ That afternoon, Louis de Bourbon, the duc de Montpensier and the king's uncle, having just returned from treating with Henri de Navarre, spoke to the Estates. His advice was not to go to war; rulers

¹⁰⁶ Ibid., 58-59. "...que la reunion de la Religion Catholique & Romaine, que le tiers Estat demandoit, se devoit faire par douces & saintes voyes, & sans guerre, & qu'il avoit esté ainsi arrêté par toute l'assemblée, & que l'Orateur Versoris, avois esté espressément chargé de le dire ainsi. Et sur ce que Versoris dit, qu'il avoit fait."

¹⁰⁷ Ibid., 47-48.

¹⁰⁸ Mark Greengrass, *Governing Passions*, 116-117. Pierre de Blanchefort wrote a remonstrance from the nobility on January 25. While he upheld their commitment to catholicity, he acknowledged that war was not the way to reform the Church; according to Greengrass, nearly half of the remaining nobility signed it.

¹⁰⁹ *Recueil*, 122-123.

across Europe were making peace with Protestants, and so should Henri III. The cost of war was too high.¹¹⁰ The three estates deliberated separately after this speech; in the third estate, the petition written by Bodin, Bigot, and Éymar officially rejecting the article of Catholic reunification previously agreed to was accepted by a plurality of votes. In the chaos that followed, Bodin writes that he was blamed for this outcome, pushed rudely by several deputies, and feared he would have to escape.¹¹¹ The next day, nearly the last act of the third estate in the 1576 Estates General was the presentation of the article against forcing consciences.¹¹² Their last act, on March 2, was also a concession to Bodin's arguments: they refused to agree to the king's request to alienate crown lands, as it was out of their mandate.¹¹³ The monarchy had failed to secure the funding for a return to war that it had sought from the third estate.

The Proposals for Religious Reunification in the Deliberations of the Third Estate

How did the original article of religious reunification expand to include recommendations of banishment, and what does Bodin's recording of the voting leave out? The December 26 debate on the article of religious reunification is preserved in a manuscript copy of a *précis* in the Dupuy collection in the *Bibliothèque nationale de France* that, unlike other sources, presents the

¹¹⁰ Ibid., 113-121. Bodin copies down the speech verbatim.

¹¹¹ Ibid., 123. "Bodin député de Vermandois, fut blasmé de la compagnie & poulse fort rudement des deputez de Guyenne & de Bretagne, & à peu qu'il ne fut chasse de la salle."

¹¹² Ibid. "Le jour suivant, qui fut le xxvii iour de Fevrier, ladite requeste fut presentee au Roy par la plus part des deputez, que la Maieste receue." The letter is recreated on pages 124-127; it includes the register of the third estates deliberations in January 15, containing the directions originally given to Versoris. After declaring that reunification of religion can only be done by gentle and holy means and without war, they remonstrate that the third estate suffers unfairly from frequent taxation (127).

¹¹³ Ibid., 128. "...le tiers Estat fut assemblé derechef, pour mettre en deliberation s'il y avoit lieu de consentir l'alienation, ores qu'ils y n'y eust aucun pouvoir special."

details of speeches and positions in the debate.¹¹⁴ The debate is instructive; it can easily be characterized as a debate about the rejection of Protestant French subjects and about the nature of French citizenship. Property was key to the various positions in this debate; its confiscation and its restitution were consistent problems throughout the civil wars. Property rights also served as the most telling indicator of who was and was not French. Only French subjects had the ability to bequeath and inherit property in the kingdom, making this a legal marker of French citizenship. Foreign subjects who owned property in France in reality only had use of it in their lifetimes; on their death, property reverted to the crown. This process implicitly defined who was and was not French by making a distinction between those who were both *sujet*, subjects of the king, and *regnicole*, members of the kingdom, from those who were *aubain*, or aliens.¹¹⁵ The debates about property and religious pluralism in the 1576 Estates General demonstrate just how far from a theoretical problem the relationship between property, sovereignty, and citizenship was for Bodin and his contemporaries during the French civil wars, and this debate about the boundaries of French citizenship was also about choosing whether to force consciences or allow them liberty of conscience.

¹¹⁴ B.N., Dupuy 428, fol. 82-89v. See Greengrass, "A Day in the Life of the Third Estate, 76-86. This document's value for accessing the December 26 debate was first elaborated by Mark Greengrass

¹¹⁵ On legal approaches to citizenship, see Wells, *Law and Citizenship in Early Modern France*; Jacques Boizet, *Les Lettres de naturalité sous l'Ancien Régime* (Paris: M. Lavergne, 1943); Marguerite Vanel, *Histoire de la nationalité Française d'origine; Evolution historique de la notion de Française d'origine du XVIIe siècle au Code Civil* (Paris: Recueil Sirey, 1945); and M. Folain-Le Bras, *Un Projet d'ordonnance du Chancelier Daguesseau: Etude sur quelques incapacités de donner et de recevoir sous l'Ancien Régime* (Paris, 1941). The legal process of naturalization released foreigners from the *droit d'aubaine*, which meant that they were able to both inherit and bequeath property in France, as well as to hold office. Foreigners were also not allowed to hold offices, where were another form of property. See Peter Sahlins, *Unnaturally French: Foreign Citizens in the Old Regime and After* (Ithaca, N.Y.: Cornell University Press, 2004).

On December 26, the debate on the article of religious reunification was opened in the general assembly of the third estate. The elected president of the third estate and head deputy from the Île de France, Pierre Luillier, read the Île de France article of religious reunification for consideration. Instead of faithfully reading the article as it had been approved, however, Luillier refused to add the words of compromise “by gentle and holy means.” The article as presented to the general assembly simply called for the king to reunite the kingdom in a single religion under the Catholic Church, as his coronation oath required.¹¹⁶ A representative of each *gouvernement* then had to vote this version of the article on religion up or down, with or without qualifications based on their respective *cahiers*. The article was not left at that, however; the dissension Bodin mentions largely arose after the deputy and spokesman from Picardy, Jean le Quiou, presented an addition to the article to be considered alongside the article of unification. Resistance and the Catholic League was strong in Picardy, and this new article reflected the militant defense of the Catholic faith reflected in League oaths. This Picardy article was intended to implement the article proposed by Île de France by requiring the mandatory banishment of all current and former ministers, leaders, and teachers in the Reformed church. Anyone who refused to leave was to be put to death. It then called for all remaining French Calvinists to abjure their faith, requiring all French subjects over the age fifteen to swear an oath of profession to the Catholic Church.¹¹⁷ The language of this addition originated from the Catholic League in Picardy; the

¹¹⁶ B.N., Dupuy 428, fol. 83r. “Le Roy reunira tous ses subiectz a une certaine et seule Religion Assavoir a celle de l’Eglise Catholique Apostolique et Romaine laquelle Il a receue des feus Rois ses predecesseurs de main en main depuis Clovis premier Roy Chrestien, Et laquelle Il a jure de tenir garder et observer de point en point lors quil fut dernièrement sacre a Reims et celle faire garder et observer a tous ses subiectz suivant lesquelles les feuz Rois ont acquis le titre de tres Chrestien et rendus puissant invincibles et formidables a toute l’Europe.”

¹¹⁷ Ibid., fol. 83v. “Auquel article fut consenty et adhere par ceux de Picardie et y fut adjouste que pour cet effort le Roy preservira certain temps aux Ministres diacres, Surveillans, M^{te} d’escolle et autre~ dogmatisans ou qui ont dogmatise par cy devant la nouvelle doctrine

nobility had begun organizing against the Edict of Beaulieu in May of 1576, and the third estate had joined them in some of the towns.¹¹⁸ In complete opposition to the 1576 edict of pacification, and contrary to all the other civil war toleration edicts before and after it, this position rejected the possibility that any French citizen could be other than Catholic. Beyond just prohibiting worship, it eliminated the guarantee of liberty of conscience in the guise of tolerating religious opinions within individual households, a solution that relied theoretically upon the sacrosanct nature of private property. This was the policy of compromise that the monarchy had turned to since the beginning of the wars in order to affirm that all Calvinist French subjects were still indeed French, and it demonstrates to what degree dissension regarding unification was really a debate about the parameters of French citizenship.

Jean Bodin was not alone in rejecting the possibility of a Catholic kingdom based on war, forced conversion, or exile. Religious unification did appear as an article in local *cahiers*, but despite the lack of French Calvinists represented as deputies it was still a minority view.¹¹⁹ The positions on enforcing Catholicism presented by the twelve *gouvernements* in response to the articles presented in the assembly on December 26 provides a useful record of the ways that French Catholic subjects attempted to demarcate the boundaries of French citizenship when

dans lequel delay il leur sera fait commandement de vuides le Royaume de France a la peine icelluy delay passe d'estre procede contr'eulx comme attainz de crime capital. Qu'un chacun habitant du Roy.^{me} subiect de sa Ma^{te} de L'aage de 15 ans et au dessoubs fera profession de l'Eglise Catholique Apostolique et Romaine."

¹¹⁸ Greengrass, "A Day in the Life of the Third Estate," 82. For details on the League in Picardy, see Manfred Orlea, *La noblesse aux états généraux de 1576 et de 1588* (Paris, 1980), 36-41. Cited by Greengrass.

¹¹⁹ See Mark Greengrass, "A Day in the Life of the Third Estate," 80. See Jean-Marie Constant, "Le langage politique paysan en 1576: les cahiers de doléances des bailliages de Chartres et de Troyes" in *Representation & vouloir politiques autour des états-généraux de 1614*, eds. Roger Chartier and Denis Richet (Paris, 1982), 25-50 for a breakdown of local *cahiers* and their support for the unification sought by the Catholic League.

faced with the dual threats of religious pluralism and renewed civil war. The positions recorded on the first article of religious unification show that five *gouvernements* qualified their position, adding that the goal should be Catholic unification without war. This was the equivalent of the “by gentle and holy means” originally agreed to in the Île de France debate in which Bodin had so vociferously argued against overturning the Peace of Monsieur, and which Luillier had left out of the article as presented to the general assembly.¹²⁰ While Bodin followed protocol and did not interrupt the proceedings despite this omission, another deputy did. When the spokesperson for Lyonnais reported that his government supported Catholic unification of the kingdom with the qualification that it be done without war, the deputy from St. Pierre de Moustier scandalously interjected in order to put his rejection of the unification article on the official record. He insisted that he had been unanimously charged by his *bailliage* to request that the king defend and faithfully observe the edict of pacification, and could not support the article for this reason.¹²¹

Even more contentious, the Picardy additions to the original article on religious reunification did a lot more than just support the idea of a Catholic realm; it was meant to give teeth to what could have been an empty declaration, and as a result it created real dissension in the assembly. The range of responses to the more severe Picardy addition to the article on religious reunification indicates that the challenges of religious pluralism and civil war were heavily weighed by the deputies from the third estate. While Burgundy agreed that a Catholic realm was necessary, it opted to reject the Picardy article without disputing it by leaving the

¹²⁰ The five *gouvernements* that qualified their support were Champagne, Guienne, Bretagne, Lyonnais, and Dauphiné.

¹²¹ B.N., Dupuy 428, fol. 88v-89r. Bodin also mentions this protest; see *Recueil*, 21.

conditions for unification wholly up to the king's discretion.¹²² The deputy from Brittany insisted that unification only be pursued by peaceful means, in a phrase often found in the peace edicts, allowing "peace, union, and concord" among all French subjects.¹²³ This position was repeated by the Lyonnais representative.¹²⁴ In the strongest of the modified statements for religious unification without war, Joseph Eymar, the deputy from the *gouvernement* of Guyenne and the mayor of Bordeaux, rejected the Picardy article; his position was seconded by the deputy from Dauphiné.¹²⁵ Eymar spoke extensively about the high cost of war in Guyenne, in which the Protestants still held military bases. Our houses, he attested, are still burning.¹²⁶ He went on to cite the futility of using force to eliminate heresy, referring to both the Old and New Testaments as evidence.¹²⁷

¹²² Ibid., fol. 87r. "... les moiens d'y parvenir semblent estre difficilles a ceux de son pays qu'il estoit delibere de s'en faire et de remettre le tout à la bonne discretion et sagesse du Roy l'equel y pourvoira comme il verra bon estre."

¹²³ Ibid., fol. 87r. "...ny le sang francois n'est pas encore seiche, et de remettre tous se subjects en paix union et concorde les uns avec les autres."

¹²⁴ Ibid., fol. 88v. "Conclud à la reunion des subjects du Roy à l'eglise Catholique Apostolique et Romaine et la tout sans guerre."

¹²⁵ Ibid., fol. 84v-85, 88v. "Le depute de dauphine remonstre l'oppression et calamitez que son païs avait souffert pendant les autres guerres qui avoient dure dix sept ans que le plat pays estoit de peuple et totalement destruit quil ny avoit que les villes qui fussent debout mais tellement pauvres que tous leur bien ne suffiroit pas a payer les debtes qu'il à convenu faire pour soustenir la despense de la Guerre et entretenement des soldats. Conclud comme celluy de Guienne (88v)." Eymar was mayor of Bordeaux and a president in the Parlement of Bordeaux. See Greengrass, "A Day in the Life of the Third Estate," 83.

¹²⁶ Ibid., fol. 85r. "...nos maisons qui fument encores et duquel le feu n'en est pas encores esteint ny amorty..." and fol. 86r "...penseriez vous estre exempt du malheur non, nous sommes trop vos voisins, nous nous touchons de trop pres quelle stupidite seroit cela de voir brusler la maison de son voisin et n'avoir point peur de la sienne qu'on ne fist point de provision d'eaux pour esteindre le feu..."

¹²⁷ Ibid., fol. 86v. "Qu'on lise le viel Testament, Qu'on lise l'histoire Ecclesiastique depuis les apostres jusques à pnt~, et on ne trouvera pas que quand Il est survient quelque heresie en l'Eglise qu'elle ait este ostee et extirpee par les armes et par les remedes extremes."

The *gouvernements* that rejected the Picardy article refused to endorse the declaration of war on French Protestants declared by mandatory expulsions and forced conversions. Such policies precluded any possibility of the king attempting to restore Catholicism in France by “by gentle and holy means.” By contrast, the *gouvernements* that supported the Île de France and Picardy articles cared more about rejecting any possibility of a religiously plural France, let alone a Protestant France, than about preventing the resumption of civil war. They are representative of French Catholics who simply would not accept French Protestants as *concitoyens*, or fellow citizens. Normandy and Languedoc fully supported both articles with no qualifications, and the latter also specifically backed the banishment of Protestant ministers.¹²⁸ Citing their “zeal for God’s honor,” the Orléannais delegation offered its full support to the conditions for enforced Catholicism and reiterated the necessity of expelling French Calvinist ministers and lay proselytizers of the “new religion” from the kingdom.¹²⁹

The positions of Provence and Champagne on the Picardy article particularly demonstrate that if there was any possibility of attempting to make France Catholic again while avoiding war, property was the key. On behalf of the delegation from Provence, the deputy Antoine Theron offered his province’s support in the December 26 general assembly for both the article on religious unification and the banishment of ministers. He then went further to call for the expulsion of all Protestant subjects, relaying a plan that he had previously presented to the king

¹²⁸ Ibid., fol. 84r. Normandy "Il adheroit à l’article susd[it] de l’Isle de France et adiouste de Picardie" and 88v, Languedoc "...tout ainsy que le malheur de la France est provenu de l’introduction des ministres, Je suis d’avis qu’ils soient chassés et adhere en cela avec celluy de l’Isle de France et Picardie."

¹²⁹ Ibid., fol. 87v-88r. "Le depute de gouvernement d’Orleans opins que veritablement la guerre est bien à craindre mais touche du zele de l’honneur de Dieu et de son Eglise il concluait de mesme que ceux de l’isle de France et adiouste de picardie et adheroit a l’article et adiouste que les ministres diacres surveillans et autres dogmatisans de la nouvelle Relligion vuideront le Royaume"

on behalf of his province in which the Catholics of Provence would buy the property of their Protestant neighbors to facilitate their departure.¹³⁰ This solution addressed the very real problem of the rights of private property by avoiding the confiscation of the property of French subjects in favor of (at least on paper) the legitimate sale of property. From a practical standpoint, this would also provide French Protestants with the funds they would need to emigrate. The problem posed by private property led to a quite different proposal in favor of religious unification from Champagne. Its spokesperson and mayor of Troyes, Pierre Belin, relayed Champagne's support for the articles while specifically rejecting the requirement that all French subjects be forced to swear a profession to the Catholic Church.¹³¹ While accepting the expulsion of Protestant ministers, Belin's proposal accepts that consciences cannot be forced. The position he offered on behalf of Champagne allows for freedom of conscience in the private sphere of the household by unconditionally recognizing the property rights of French Protestant subjects:

We request that, as for the lay members of the so-called Reformed religion, the king receive in his protection and safeguard each and every one [of them], guarding and maintaining them in all security, with liberty of conscience in their households, without any abuse done to them, or speaking ill of them, their family wealth and inheritance be maintained as it was, and look after them in the most gentle and wholesome manner until it pleases God to draw them back to the flock, and to return them to the Holy Roman Catholic Church.¹³²

¹³⁰ Ibid., fol. 89r-89v. "Celluy de Prouence aiant aussi parle de ce que son pays avoit souffert neantmoins conclud comme celluy de Toulouze et adiousteaery Messieurs, J'ay este d'autresfois depute en ceste Court pour ceux de mon pays pour supplier treshumblement le Roy faire vuider ceux de la Religion pretendue reformee hors du pays que nous estions prestz d'achepter leur luy ou que sils vouloient nous achepter le notre que nous estioins prestz de vuider."

¹³¹ See Greengrass, "A Day in the Life of the Third Estate," 83 for details on the League in Troyes and Belin's rivalry with the Protestant Nicolas Pithou.

¹³² B.N., Dupuy 428, fol. 84r. "Celluy de Chamgagne conclud de mesme toutesfois disoit il nous demandons que quant au General de ceux de la Religion pretendue reformee, que le Roy recoive en sa protection et sauvegarde tous et ungs chacuns faisans profession dicelle les garde et

Although the third estate passed the Picardy addition to the article on religious unification by a vote of seven to five, with the modifications added by its supporting deputies only the expulsion of protestant ministers, deacons, teachers, and leaders from France was approved.¹³³ The majority of the *gouvernements* did not agree to the provision that all French subjects over the age of fifteen be required to take an oath to the Catholic Church. In Bodin's words, the assembly voted on December 26 to request that the king "reunite all his subjects in the Roman Catholic Religion by the best and holiest means possible, and that all other exercise of the so-called reformed religion was prohibited, both in public and in private."¹³⁴ While they also agreed to the expulsion of authority figures in the Protestant churches, they supported Champagne's suggestion that the king put all other French Protestants under his protection until they returned to the Catholic faith. The assembly, in short, rejected the forcing of consciences, and it also rejected the solution offered for this problem by Provence to buy the property of French Protestants so that they could "voluntarily" relocate. Instead, they supported the preservation of private property in order to maintain French Calvinist subjects in their respective

maintienne en toute seurete avec liberte de conscience en leurs maisons sans qu'il leur fust mesfait ny mesdict à eux leurs familles Biens et heritages en quelque sorte ou facon que ce fust et y pourvoir aucunement par les moiens les plus doux et salutaires jusques à qu'il plaira à Dieu les ramener au troupeu, et les reduire à l'Eglise Catholique Apostolique et Romaine."

¹³³*Proces-verbal de l'enrollment et convocation des pays, gouvernements, provinces, sénéchaussées, et baillages du Royaume de France, et présentation des députés pour le tiers-état dudit Royaume, pays, terres, et seigneuries de l'obéissance d'iceluy, fait en la maison commune de la ville de Blois, au quinzième jour de Novembre présent mois, avec les Protestations et ordre, comme ensuivre et est énoncé par ledit procès-verbal, cy-après*, reproduced in Lalourcé and Duval, *Recueil des pièces originales et authentiques concernant la tenue des Etats Generaux*, III (Paris, 1789), 213. "Le premier Chapitre de l'Église concernant la Religion Catholique, Apostolique et Romaine, a été accordé à la pluralité des voix avec l'addition, prise du cayer de Picardie, que est l'expulsion des Ministres et Dogmatisans, Diacres et Surveillans, dedans le tems et sur la peine qu'il plaira au Roy d'ordonner pour les moyens, et ainsi que porte ledit article étant audit cahier général."

¹³⁴*Recueil*, 20. "...tout autre exercice de Religion pretendue reformée fust ostée, tant en public qu'en particulier."

households, protecting consciences therein until they could be led back to the Catholic Church in true conversions. This solution mirrors the toleration of Protestants through the granting of liberty of conscience in early edicts of pacification; what the Catholic deputies were rejecting overall was the unlimited public worship and public presence of the French Reformed Church in France; they do not discuss the fact that French Protestants had been violently and consistently rejecting the relegation of their religion to the private sphere of the household since it was first implemented in 1563.

When the third estate voted to ban the exercise of Protestantism without requiring conversion in the 1576 Estates General, it relied on the possibility of private property as a solution to the problem of demarcating citizenship. In the deliberations of the third estate over the article of unification, property was the fulcrum; it could either be used to oust Calvinists by denying their citizenship and confiscating it, or to allow them their citizenship by protecting it as the boundary for their consciences. Property plays a similar role in Bodin's solution to the very real problem of drawing the boundaries of citizenship in the *République*. While he argues that in an ideal commonwealth there is one, shared church with no factions, his definition of citizenship artfully avoids the problem of religious difference as a necessary marker of citizenship.¹³⁵ A careful reading of Bodin's arguments about the different forms of citizenship in the *République* shows he maps citizenship onto the boundaries of each household in the kingdom of France; the boundaries of the nation are consonant with the corporate boundaries of the household in his theory. Vagabonds are not citizens precisely because they have left the household. His solution to the problem of those who have been displaced is to provide for the poor so that vagabonds are not created; he had to have known how difficult this problem was to solve in practice, especially

¹³⁵ *Commonweale* IV.vii, 535-536; *République* IV.vii (1986), 206.

after repeated warfare. His insistence on the distinction between belonging to the household and being outside of it is directly tied to his theory of citizenship, however. In common usage, *citoyen* had two distinct meanings. In its ancient and Renaissance meaning, it meant having privileges that marked belonging to a town or other public office, but its other use in the sixteenth century was to imply the status of belonging to the kingdom in the same sense as a *régnicole*. *Citoyen* was commonly used in this sense in both royal edicts, appeals, and polemics in France by 1576.¹³⁶ Bodin combines these two senses in order to argue that not all subjects are citizens, but all those who belong to a household are. They have, in that private, domestic sphere, liberties as mediated by the head of their household. This is the logic of universal order that Jean Bodin enacted when with his political citizenship as deputy in the 1576 Estates General to the Third Estate.

The Evils of Factions in the Commonwealth: Religious Reunification, or Necessary Toleration?

The 1576 Peace of Monsieur was objectionable to many French Catholics because of the foothold it gave French Calvinists in different aspects of the politico-theological public, and not least because the absence of the logic of the monarchy's limited liberty of conscience in the edict meant that Protestants had the legal backing to win local fights over the placement of their sites of worship across France. It opened the door to a possibility plural France instead of relying upon the household as the location of both *sûreté* for consciences and contrary religious opinions. The challenges of pluralism and the connection of property to conscience and order in the commonwealth are also not absent from the *République*. The solution Bodin offers in the

¹³⁶ On the usage of the word *citoyen* in Renaissance France into the Wars of Religion, see Wells, *Law and Citizenship in Early Modern France*, 87-88.

République to the crisis of religious pluralism relegates conscience to the private sphere and prevents the public exercise of the new faith if possible. Bodin's discussion of pluralism is in the context of corporatism in a commonwealth. He asks whether separate corporate groups are efficacious for peace and order. Bodin is in favor of a corporate society; his ideal of harmonic justice is effectively that of an Aristotelian mean between arithmetic (or corrective) and geometric (or distributive) justice amongst different corporate groups. Society is hierarchically ordered in corporative elements, but in such a way that one does not exploit the other; they are balanced.¹³⁷ Repeatedly, Bodin remarks on the dangers of having only two factions in a commonwealth; two factions preclude the possibility of a mean. He uses the three estates as an example, with the third estate acting as a mean. Corporate groups are necessary in all forms of commonwealth, from democracies to monarchies, as a bulwark against tyranny.¹³⁸ Corporations, however, are distinct from factions, and Bodin sees factionalism in religion as a dangerous threat to the commonwealth. Extensive religious pluralism is one possible solution; if there are multiple religions so that none dominates another, there is less threat of violence. But it is far worse to have only two prominent religions.¹³⁹ While factionalism is likely to develop in conjunction with pluralism, "any corporation in a religion contrarie to the religion of the people, or of the greater part of them," is especially dangerous due to the very nature of public worship, for "the people every where most jealous of their religion, cannot but most hardly endure any rites and ceremonies differing from the religion by themselves generally received."¹⁴⁰ It is hard

¹³⁷ *Commonweale* VI.vi, 792-794; *République* VI.vi (1986), 310-312.

¹³⁸ *Commonweale* III.vii, 383-384; *République* III.vii (1986), 205-207.

¹³⁹ *Commonweale* IV.vii, 540; *République* IV.vii (1986), 208-209.

¹⁴⁰ *Commonweale* III.vii, 381; *République* III.vii (1986), 203. "Et pour en dire la verité, c'est chose fort malaisée d'entretenir corps et colleges, pour quelque religion que ce soit, quand elle est contraire à la religion du peuple, où de la pluspart d'icelui: qui bien souvent ne peut estre contenu, ni par loix, ni par Magistrats, si la force des gardes n'est bien grande."

not to draw parallels here to the fight over French Calvinist presence in the politico-theological sphere; Bodin frames his objection to public worship for a minority religion in a commonwealth with an adamant argument against the forcing of consciences.¹⁴¹ The danger of forcing consciences in a commonwealth is also the danger of tyranny, and if that fails, anarchy. Bodin uses Theodoricus, king of the Goths, as an example of a ruler who avoided this danger by refusing to force the consciences of his subjects on the advice of Cassiodorus, “Religion (saith he) we cannot command, for that no man is compelled against his will to believe.”¹⁴² If instead a religion is suppressed, then “it will come about that those who are denied the exercise of their religion, and abhorrent of others, will become altogether atheists, as we see.” Once they lose the fear of divine judgment, they will have none for magistrates, Bodin writes, and “it is impossible to remedy this with human laws.” The anarchy that will result is much worse, he warns, than the worst tyranny. On the other hand, he notes, the reason there was no civil war despite the toleration of many sects under Theodoricus was that there were so many of them, again

¹⁴¹ *Commonweale* IV.vii, 537. “I will not here in so great varietie of people so much differing among themselves in religion, take upon me to determine which of them is the best (howbeit that here can be but one such, one truth, and one divine law, by the mouth of God published) but if the prince well assured of the truth of his religion, would draw his subjects thereunto, divided into sects and factions, hee must not therin (in mine opinion) use force.” *République* IV.vii (1986), 206. “Je ne parle point ici laquelle des Religions est la meilleure, (combien qu’il n’y a qu’une Religion, une verité, une loy divine publiee par la bouche de Dieu:) mais si le Prince qui aura certaine assurance de la vraye Religion veut y attirer ses sujets, divisez en sects et factions, il ne faut pas à mon advis qu’il use de force: car plus la volonté des hommes est forcee, plus elle est revesche.”

¹⁴² *Commonweale* IV.vii, 539; *République* IV.vii (1986), 207. “Religionem imperare non possumus, quia nemo cogitur ut credat invitus, comme nous lisons en Cassiodore.” The English text includes the following as an explanation after stating that Theodoricus would not force the consciences of his subjects: “least under the pretence of impietie hee should have seemed to have taken the spoyle of their goods, or bind their minds.” This is missing from the French text and is an addition from the Latin version.

underlining the danger of two factions in a commonwealth.”¹⁴³ Once a common religion has been received, disputation should be prevented in order to prevent the development of factionalism, for religion should be the foundation for the commonwealth and the power of its ruler, as well as for the obedience of subjects.¹⁴⁴ Even so, Bodin acknowledges that it is an even greater danger to the peace of a commonwealth to suppress a new religion when it has been adopted by the people and the nobility, “wherefore that religion or sect is to be suffered, which without the hazard and destruction of the state cannot be taken away.”¹⁴⁵ It is possible to imagine Bodin, seated as a deputy in the third estate, trying to convince his fellow deputies of these risks. Solutions offered in the debate for toleration rested on the place of conscience in the household, underlining the importance of property in a well-ordered French kingdom. It should not have been surprising that in the 1576 Estates General, Bodin eventually persuaded his fellow deputies to abandon their earlier vote against the toleration of French Protestants by pushing for them to protect their own property by resisting taxation. Before the Estates General had begun, Bodin had publicly argued in the *République* that property in the form of the household and its maintenance was the cornerstone of the commonwealth.

¹⁴³ *Commonweale* IV.vii, 539-540; *République* IV.vii (1986), 207-208. “Autrement il adviendra que ceux qui sont frustrez de l’exercice de leur Religion, et desgoutez des autres, deviendront du tout atheistes, comme nous voyons, et apres avoir perdu la crainte divine, fouleront aux pieds et loix et magistrats, et se desborderont en toutes sortes d’impietez, et meschancetez: ausquelles il est impossible de remedier par loix humaines. Et tout ainsi que la plus forte tyrannie n’est pas si miserable que l’anarchie...Mais on s’esmerveille sans cause pourquoy du temps de Theodose, veu les sectes qui estoyent alors, qu’il n’y avoit point de guerres civiles: car il y avoit pour le moins cent sectes...ce qui tenoit en contrepoids les uns et les autres.” My translation of the French text; the English text contains many more examples.

¹⁴⁴ *Commonweale* IV.vii, 535-536; *République* IV.vii (1986), 206.

¹⁴⁵ *Commonweale* III.vii, 382; *République* IV.vii (1986), 204. “Il se peut faire aussi, que les colleges des sectes sont si puissans, qu’il seroit impossible, ou bien difficile de les ruiner, sinon au peril et danger de l’estat. En ce cas les plus advisez Princes ont accoustumé de faire comme les sages pilotes, qui se laschent aller à la tempeste, sachant bien que la resistance qu’ils feroient, seoit cause d’un naufrage universel.”

Conclusion: *Citizenship and the Well-Ordered Commonwealth*

In the *République*, Bodin initially defines citizenship as the public deliberation of heads of household, regardless of their quality. When a father leaves “his familie to enter into a Citie, and his domesticall affaires to entreat of publick” then he “calleth himself a Citisen.”¹⁴⁶ The deliberative citizenship of heads of household describes Bodin’s understanding of his role as deputy in the Estates General, and is an important part of the ideal commonwealth of the *République*. This is only the beginning of Bodin’s definition of citizenship, however; he also rejects the limited definition of citizenship as solely participatory as defined by Aristotle and exemplified in the Renaissance. Bodin does not equate citizenship with governance, and he is insistent that privileges and rights, which are granted by the sovereign and vary by person and corporate status, do not equal citizenship.¹⁴⁷ As explored in this chapter, Bodin’s full definition of citizenship is two-pronged: the father practices deliberative citizenship when he leaves the household, yes, but Bodin goes to great lengths to further argue that all subjects who are members of the household are also citizens of the commonwealth.¹⁴⁸ Jean Bodin took the

¹⁴⁶ *Commonweale* I.vi, 46-47; *République* I.vi (1986), 111-112. “Or quand le chef de famille vient à sortir de la maison où il commande pour traiter et negotier avec les autres chefs de famille, de ce qui leur touche à tous en general, alors il despouille le titlle de maistre, de chef, de seigneur, pour estre compagnon, pair et associé avec les autres: laissant sa famille, pour entrer en la cite: et les affaires domestiques, pour traiter les publiques: et au lieu de seigneur, il s’appelle citoyen: qui n’est autre chose en propres termes, que le franc subject tenant de la souveraineté d’autrui.”

¹⁴⁷ *Commonweale* I.vi, 53; *République* I.vi (1986), 123. “Mais la faute est bien plus grande de dire qu’il n’est pas citoyen, qui n’a part aux magistrats, et vois deliberative aux estats du peuple, soit pour juger, soit pour affaires d’estat. C’est la definition du citoyen, qu’Aristote nous a laisse par escrit.”

¹⁴⁸ *Commonweale* I.vi, 48; *République* I.vi (1986), 114. “...que l’esclave n’est point citoyen, et en termes de droit est conté pour rien: ce qui n’est pas aux femmes, et enfans de famille, qui sont francs de toute servitude, encores disposer de leurs biens, leur soit aucunement

practice of toleration that mapping citizenship onto the boundaries of the conscience entailed and gave it a theoretical grounding. In this way, he theorizes in concrete terms the idea of national citizenship already established by theorists of naturalization, the monarchy, and polemicists in the sixteenth-century.¹⁴⁹ Bodin's citizenship is not defined by privilege any more than it is defined by religion. While it can be understood as a corporative conception of citizenship in which citizenship is mediated through the household, the household is not a corporation in the traditional sense. Instead of being incorporated by the granting of a privilege from the sovereign, the household is constituted by dint of divine law: God himself bestows upon the father his jurisdiction as head of the household.

Bodin, in essence, conflated his definition of citizenship with that of the household, which raises two questions. First, why did he do this? And, second, why has this aspect of his description of the ideal commonwealth not been factored into the many explanations of Bodin's political theory? In answer to the first, I posit that when Bodin theorized a conception of sovereignty in which subjection to domestic power in the private sphere is what both indicates belonging to the public sphere and defines the parameters of each, he was describing the logic of toleration through liberty of conscience that had been the default approach to dealing with French Calvinists since the start of the civil wars. And, in regard to the second question, in part due to his later appropriation by seventeenth-century absolutists, the focus has long been on Bodin's sovereign. The failure to combine Bodin's discussions about the citizenship practiced by head of household in public with his equally important and carefully argued discussions about the corporate citizenship mediated through the household has led to a misunderstanding of both

retranchee par la puissance domestique: de sorte qu'on peut dire, que tout citoyen est subject, estant quelque peu de sa liberte diminuee, par la majeste de celuy auquel il doit obeissance."

¹⁴⁹ Wells, *Law and Citizenship in Early Modern France*, especially p. 87.

his position on citizenship and sovereign power. Bodin's treatise is argued in layers, each adding a different valence to the one that came before, and the different layers cannot be excerpted independently from the context of the whole without distorting his larger argument. Scholars have long gravitated towards Bodin's definition in the early books of the *République* of fathers as citizens when they meet to do public business, which could be interpreted as a form of extremely limited participatory citizenship; as well as the characterization of kings as fathers to the kingdom, who have power over their subjects like fathers have over their households. However, each layer of Bodin's argument only has meaning in relation to the others, and, while they are hierarchical, each later distinction serves to elaborate the one before, as well as to qualify it. When a concept or definition is presented in one book, it is then reiterated and superseded by qualifying arguments in later books. After putting the pieces in place in the preceding chapters, Bodin finally defines his ideal of harmonic justice in Book VI as the balance between geometric (or distributive) justice and arithmetic (or corrective) justice. Bodin's harmonic justice, based on Pythagoras's theory of sounds, is a way to ensure "proportional relations between unequals."¹⁵⁰ Harmonic justice, the overarching finale of Bodin's composition, can be understood as a map for his argument. Bodin's harmonic justice is the right

¹⁵⁰ Rebecca Zorach, *Blood, Milk, Ink, Gold: Abundance and Excess in the French Renaissance* (Chicago: University of Chicago Press, 2005), 222. Zorach offers a succinct explanation of Pythagoras's harmonic series used by Bodin: "The harmonic series is based on Pythagoras's investigations into the sounds created by plucking strings of different lengths; given a string of a certain length, a string $\frac{2}{3}$ its lengths creates a fifth (e.g., the interval from C to G) and one $\frac{1}{2}$ its length is a full octave higher (e.g., from one C note to the next higher C)."

Bodin, *Commonweale* VI.vi, 757, "Now the Geometricall proportion is that which is made up of an unequall excesse of like magnitudes among themselves: but the Arthmeticall proportion is very way both in progression, and excesse equall: and the Harmonicall proportion is of them both, by a wonderfull cunning (confused and combined together) made, and yet it is unto them both unlike: the first of these proportions is semblable, the second is equall, and the third is in part equall, and in part semblable..."; *République* VI.vi (1986), 254.

order of society, within which his argument for citizenship based on belonging to a household is made sensible; it is also why it is not contradictory for him to argue that the slaves of a household are citizens even though their citizenship looks little like the public citizenship of heads of household.

The household and the father's power over it are presented by Bodin at the beginning of his treatise. These early statements, in which he likens the king to the father, seem to correspond with Bodin's later categorization as an absolutist in the later sense of the word. The king, however, cannot violate the household in Bodin's commonwealth, but the father, by contrast, has the kind of power over the family that is described elsewhere in the treatise as tyrannical if employed by a ruler. It seems like starting with such a forceful statement of the father's power over life and death and then watering down the king's powers by comparison is a weak point in Bodin's argument, but as he provides distinctions, creating concatenations of definitions for his concepts book by book, it is hard to ignore the key role citizenship through membership in a household as a marker of belonging to the polity in Bodin's larger definition of the ideal commonwealth and its governance. Bodin's defense of property as the locus of the household, just like his resistance to taxation and alienation in the Estates General, serves as an entry point into his theory of citizenship, and the point at which it connects to his theory of sovereignty. And both, when placed in the context of the civil wars and the Estates General of 1576, can be better understood not as theoretical propositions, but as iterations of the very logic of absolute power with which the French monarchy had first used liberty of conscience to do just what Bodin's corporate citizenship through the household in the *République* would accomplish: move the boundaries of French citizenship from the boundaries of the polity to the boundaries of the household, allowing a united politico-theological public, within which the households served as

the protectors of the boundaries of conscience so that order could be maintained in each household as the unit of French citizenship. For Bodin, it was not public participation that defined the boundaries of citizenship, but one's place in the private sphere. This was not a theoretical observation on his part, but an actual observation and result of fifteen years of debate about liberty of conscience and the citizenship of French Protestants. In a kingdom beset by confessional differences that truly divided households, for liberty of conscience in the household to work as the boundary of citizenship, the household itself had to be unified, and everyone had to belong to a household.

Epilogue

Despite Bodin's best efforts, the proposals of the third estate and their refusal to pay for war did not prevent it. By the time the Estates General closed in early 1577, the sixth civil war had already begun. Bodin's actions in the Estates General, then, did not prevent war, and it is hard to imagine that he thought he could do so despite his real opposition to it. In fact, the war had really already begun in December of 1576 as Protestants went on the offensive, before Bodin's greatest push against war, and for peace, in January and February of 1577. What Bodin did prevent, however, was the declaration of Catholicity that would have amounted to a declaration of war, forcing the third estate to thus fund it. His accomplishments were to prevent new taxes on the third estate and the renewed alienation of the royal domain.

In part due to the support Spain gave to the League, this new war ended mere months after it was declared, in September of 1577 with the Peace of Bergerac and a new edict of pacification, the Edict of Poitiers. Henri III had achieved his goal: all of the most favorable conditions for Protestants in the peace of Monsieur were revoked. The under-funded war was

brief, and left the king in only a marginally stronger position than he had been the year before, as the new peace edict was similar to that of 1576.¹⁵¹ However, the two edicts differed in an important way. The 1576 edict did not refer to conscience or its protection outside of Paris because Calvinist worship was permitted throughout the rest of the Kingdom. By contrast, the 1577 Peace of Bergerac that replaced the 1576 Peace of Monsieur after the sixth civil war does use the language of protecting consciences from being forced against their will.¹⁵² The absence of freedom of conscience in the 1576 Peace of Monsieur and its free public exercise of French Calvinism, is evidence of the role conscience played in the monarchy's preferred policies of pacification, and in the new 1577 Edict of Bergerac the boundaries of conscience were once again mapped onto the boundaries of the individual household in order to demarcate the boundaries of French citizenship.¹⁵³ Religious liberty and the free exercise of religion was eliminated. While Protestants found the conditions placed again on the exercise of their religion in this new edict still odious and burdensome, they were again given liberty of conscience. This formula for toleration would again not succeed. This peace, just like the ones that preceded, did not last. The failure to implement much of the Peace of Bergerac would lead to the prince de

¹⁵¹ Sutherland, *The Huguenot Struggle for Recognition*, 263-69.

¹⁵² *Paix de Bergerac. Édít de Poitiers* (September 1577), np. See Article 4: "Et pour ne laisser aucune occasion de troubles et differendz entre noz subjectz, leur avons permis et permectons vivre et demourer par toutes les villes et lieux de cestuy nostre royaume et païs de nostre obeissance sans estre enquis, vexez, molestez ne abstraintz à faire chose pour le faict de la religion contre leur conscience, ne pour raison d'icelle estre recherchez es maisons et lieux où ilz voudront habiter, en se comportant au reste selon qu'il est contenu en nostre present eedict." The advance of Reformed worship is halted, but the king was not in a position militarily to reverse worship in towns held by Protestants.

¹⁵³ *Paix de Monsieur. Édít de Paris dit de Beaulieu* (May 1576), n.p. See Article 4: "Et pour ne laisser aucune occasion de troubles et differendz entre noz subjectz, leur avons permis et permectons vivre et demourer par toutes les villes et lieux de cestuy nostre royaume et païs de nostre obeissance sans estre enquis, vexez, molestez ne abstraintz à faire chose pour le faict de la religion contre leur conscience, ne pour raison d'icelle estre recherchez es maisons et lieux où ilz voudront habiter, en se comportant au reste selon qu'il est contenu en nostre present eedict."

Condé and Henri de Navarre starting a seventh war in 1579, but everything changed with the death of Henri III's brother and heir in 1584; the Protestant Navarre was now the heir to the throne. While Henri III believed that he had prevented the Catholic League from causing more dissension by annulling all leagues and associations in the 1577 Peace of Bergerac and prohibiting them in the future, before the decade was out the Catholic League would be resurrected in a renewed and more insistent rejection of French Calvinist citizenship.

Chapter Four

Catholic League Rejection of Liberty of Conscience for a Catholic France

Introduction

The death in 1584 of the king's brother François the duc d'Anjou, formerly duc d'Alençon, precipitated a new crisis for Henri III. With the heir to the throne dead, the honor passed to the next prince of the blood: the Calvinist and recently elected Protector of the French Reformed Church, Henri de Navarre. Reaction was swift, and it was decisive. If the Catholic League that formed in response to the 1576 Edict of Beaulieu and its free exercise of the Reformed faith had been subdued with the 1577 Peace of Bergerac, the *Sainte Union* that formed in response to a Protestant royal heir was not so easy to suppress.¹ The new League combined popular and noble resistance to wage war against the possibility of a Protestant king. Once a Protestant prince became the heir to the throne, resistance to a sovereign power that rested on its Catholicity seemed justified; Henri III's decision to assassinate the duc and the cardinal de Guise in an attempt to stop the rebellion made resistance seem like an obligation. In addition to new and growing displays of public piety through processions and newly formed lay confraternities, Catholic *dévots* and their allies rejected the citizenship of those they viewed as heretics through violence, exile, or forced abjuration. In the explosive pamphlet production of this decade, *ligueurs* argued that French Calvinists who would not return to the Gallican Catholic Church should face trial as heretics, even on pain of death. From this rhetoric, combined with League public piety, communal oaths, and military action, a conception of a unitary politico-theological sphere is discernable. This communal citizenship dissolved corporate boundaries and, in its

¹ For the formation of the Catholic League in 1576 and again in 1585, see Jean-Marie Constant, *La ligue* (Fayard, 1996).

pursuit of heretics, rejected liberty of conscience and the possibility of non-Catholic French citizenship. The politico-theological public sphere in this rejection of liberty of conscience was divorced from the private/public binary, replacing it with a vision of a restored Gallican kingdom described in terms of French exceptionalism. For Catholics rejecting tolerance, the French king was primarily the defender of the faith, meant to protect the Gallican Church and defend it and the kingdom from heresy. *Ligueur* ambitions for reform contained a tension, however, between the defense of Gallican France and the defense of the Catholic faith. The Catholic League was willing to defend the Catholic faith at the expense of Gallican institutions, embodied in the insistence on ecclesiastical reforms and the acceptance of the decrees of the Council of Trent, their military alliance with Catholic Spain, and their willingness to revoke the Salic Law. The demands of the *Sainte Union*, in short, were irreconcilable with either the Huguenots or the moderate royalists, and precipitated a monarchical crisis worse than any Catherine de Medici and her series of ruling sons had yet faced.

The Catholic League's resistance to the crown was the result of a potential Protestant king, but the central position in *the Sainte Union's* attempts to re-make the French polity was the rejection of liberty of conscience. The parameters of this rejection can be understood in terms of a League conception of citizenship opposed to the *politique* liberty of conscience that Bodin theorized in Chapter III, but, despite its insistence on Catholicity, it is also disparate from the model of Gallican citizenship described in Chapter II. While the nobility had a strong presence in the League and its military arm, the League was overwhelmingly an urban phenomenon, and its oaths ranked defending the liberties of the town right along with defending the faith. The conception of citizenship that emerges from the League's practice of "intolerance" is one of communal citizenship as a unified confraternity whose boundaries corresponded to those of the

kingdom based upon the defense of corporate liberties and the defense of the faith. Despite the strength of its resistance, the Catholic League's attempts to re-make the polity were thwarted by their desire above all to eliminate the boundaries of conscience that bifurcated the politico-theological body of France into two spheres by tolerating monstrous heretics. When they attempted to accomplish this at the expense of the institutional structures of Gallicanism, corporatist absolutism prevailed.

The arguments for allowing French Calvinists to remain in France inevitably engaged with the new conception of liberty of conscience separated from freedom of worship that the monarchy repeatedly failed to implement. Under this logic, if it was paramount on a theological and spiritual level to ensure that conversions were legitimate, then consciences, even if mistaken, could not under any circumstance be forced. Advocates for toleration argued that letting French subjects remain in France under terms of temporary toleration was necessary while they waited for the church to be reunited. On the most basic level, this required that French citizens be allowed liberty of conscience in their homes, which by extension meant that they would have freedom of thought and a right to retaining their property. A right to conscience, in the edicts and in legal jargon, was universalized to all French subjects, but, except for the unenforceable 1576 Peace of Monsieur, worship was never universalized in this same way. Outside of the private property of the nobility, worship remained a privilege whose place, time, and terms were granted and dictated by the king. What, though, was to be done when the toleration of private conscience became indisputably public in the guise of a Protestant king? Catholic League arguments for and against the renewed punishment of heretics were ultimately tied to this question after 1584, and the stakes were nothing less than the very boundaries of French citizenship. The communal nature of League conceptions of citizenship within a sacral polity in

which the politico-theological can be understood to embody a unified *corps mystique* differed from the corporative nature of citizenship within the paradigm of allowing liberty of conscience, but it also differed from politico-theological Gallican citizenship. The monarch and the rules of succession in connection with the constructed history of French kingship were integral to the conception of Gallican kingship and the unique relationship it posited between God and the French king. The Catholic League's insistence that the Catholicity of both the kingdom and the king superseded the Salic Law and its refusal to accept Henri IV's superior claim implicitly threatened the inherently French aspect of Gallican institutions. The debate over whether or not a foreign Catholic claimant to the throne should receive League support not only resulted in Henri IV's eventual victory, but also reinforced the Gallican nature of the French monarchy and the inception and codification of what would come to be understood as France's fundamental laws.²

The Limits of Toleration: From the Citizenship of Heretics to a Heretical King

The rejection of French Protestants as *concitoyens* by the Catholic League was not a new phenomenon; there had been objections to the monarchy's tactics of toleration since 1561 by Catholics for whom French citizens were, first and foremost, Catholics who were subjects to the most Catholic king. French Catholics referred to variously as *moyenneurs* or *politiques* had also supported the monarchy's toleration of conscience in order to prevent bloodshed and to end the

² See Harro Höpfl, "Fundamental Law and the Constitution in Sixteenth-Century France," in *Die Rolle der Juristen bei der Entstehung des modernen Staates*, Roman Schnur, ed. (Berlin: Duncker & Humblot, 1986), 327-356. Höpfl argues that the term "fundamental laws" was not used in France until it appeared during the Wars of Religion, but that it did not even then have a precise or accepted meaning. It is only used more consistently after the 1580s when the Catholic League objects to Henri IV's legitimacy and challenges the Salic Law. He attributes the hardening of the concept to this conflict (355).

cycle of war. The division between Catholics on the question of toleration was not whether or not Calvinists were believed to be heretics, but whether or not French Reformed citizens could be tolerated despite their heresy. The battle over this question reached its zenith from 1584 to 1593. In this brief but turbulent period, the Protestant Henri de Navarre became heir to the throne; the duc and cardinal de Guise by were assassinated on the order of King Henri III in 1588; and Henri de Navarre became the first Protestant king of France as Henri IV after the retaliatory assassination of Henri III in 1589. The toleration of heretics and their consciences came full circle with this previously unfathomable question: If French citizens did not have to be Catholic, then did the French king? The prospect for many Catholics of having a heretic on the throne was the impetus to full-scale revolt, and the resulting three-way civil war that resulted between the Huguenots, the Royalists, and the League consisting in what is arguably the most complicated period of French history until 1789.

Henri, the duc de Guise, and his network of clients met to form the *Sainte Union* in September of 1584. In December, six months after the death of the royal heir the duc d'Anjou, the Catholic League was officially organized with the financial backing of Spain by way of the Treaty of Joinville. The signatories of this secret treaty between the Guises and Philip II swore to extirpate heretics in France and the Spanish Netherlands, renew war against the Huguenots, and bring the reforms of the Council of Trent to the kingdom. The treaty also used Henri de Navarre's Protestantism to exclude him as heir to the throne, and recognized his uncle, the cardinal de Bourbon, as heir.³ The League printed its manifesto, known as the Declaration of

³ Constant, *La ligue*, 112-116. The terms of the Treaty of Joinville included the promise of the cardinal de Bourbon to end the French alliance with Ottomans and not to interfere with Spanish commerce if he became king. He also agreed to reimburse Phillip II's financial support of 50,000 *écus* per month (the first year of it to be given at one time) if he or his successors became king. The French also agreed to restore territory (Cambrai) to Spain, as well as help them

Péronne, in March of 1585. Meant to appeal for popular support, the Declaration was printed in Reims, a Guise stronghold and the traditional site for the royal coronation.⁴ The title of the manifesto contains the key to the League's justification: *Declaration des causes qui ont meu Monseigneur le cardinal de Bourbon et les Pairs, Princes, Seigneurs, villes et communautez Catholiques de ce royaume de France: de s'opposer à ceux qui pour tous moyens s'efforcent de subvertir la religion catholique et l'Estat.*⁵ The cardinal de Bourbon, as rightful heir, was to lead French Catholics against those who subverted the "the Catholic religion and the state." The manifesto begins by declaiming royal efforts to reunite French subjects in one religion as ineffective and harmful to the sovereign's power. It then directly references the article for religious reunification in the 1576 Estates General at Blois. Ignoring the third estate's eventual recantation, the manifesto of the League princes reminds the king that the Estates General "most humbly beseeched the king to use the force placed in his hand by God to reunite all his subjects" in the Catholic faith.⁶ In addition to calling for fiscal reform and requesting a new meeting of the Estates General, the manifesto focused on the defense of the Catholic faith and the exclusion of Navarre as heir to the throne. The League thus positioned itself to force Henri III's hand to

conquer Navarre's territory in Béarn (115). See also Mark W. Konnert, *Local Politics in the French Wars of Religion: The Towns of Champagne, the Duc de Guise, and the Catholic League, 1560-95* (Burlington, VT: Ashgate, 2006), 162. An abbreviated version of the Treaty can be found in English in David Potter, ed., *The French Wars of Religion: Selected Documents* (New York: St. Martins, 1991), 188-89.

⁴ Stuart Carroll, *Noble Power during the French Wars of Religion: The Guise Affinity and the Catholic Cause in Normandy* (New York: Cambridge University Press, 1998), 197.

⁵ *Declaration des causes qui ont meu Monseigneur le Cardinal de Bourbon et les Pairs, Princes, Seigneurs, villes et communautez Catholiques de ce royaume de France: de s'opposer à ceux qui par tous moyens s'efforcent de subvertir la religion Catholique et l'Estat* (n.p., 1588).

⁶ *Ibid.*, 4. "...toutesfois ce remede s'est trouvé foible & mal propre, qu'il a plus tost servy de nourrir & accroistre le mal auctorisé par la loy & volonté du souverain, que de l'oster ou diminuer, qui auroit meu les Estats generaux assemblez à Bloys, de supplier treshumblement le Roy d'employer la force que Dieu luy avoit mis en main pour reunit tous ses subiects à la religion Catholique, Apostolique Romaine."

renew war against the Huguenots, and they were fully prepared to wage war for religious reunification with or without the king's support. League action was not, however, limited to the nobility in the Guises network. The majority of those who joined the *Sainte Union* were municipal magistrates or urban notables who independently organized local League associations, starting with Paris.⁷

Henri III, facing a League noble army with growing municipal support, had little choice but to capitulate to League demands. In circumstances similar to the 1576 Edict of Beaulieu and its concessions to the Huguenots, Henri decreed the Treaty of Nemours, known as the Edict of July, in July of 1585, mirroring the League's Declaration of Péronne. In this edict, the king, again just as he did when leagues formed in 1576 in opposition to the Edict of Beaulieu, attempted to quash dissent by placing himself at the head of the League as the rightful king. Henri III's piety was not actually in question. He was known for participating in religious processions as a fellow *confrère*, not a king. If anything, his public piety was shocking to many French Catholics, as his preaching, fasting, and tendency to humble himself were in opposition with royal dignity.⁸ Pious or not, Henri III did not want the Guises dictating his royal will, but military, political, and financial pressure led to the declaration in the Edict of July that resulted from the 1585 Treaty of Nemours that, henceforth in all of France, "there will be no exercise of the new so-called reformed religion, but only that of our apostolic, Roman, Catholic religion."⁹

⁷ Mack P. Holt, *The French Wars of Religion* (Cambridge: Cambridge University Press, 1995), 123. Research has shown that the Catholic League was both an aristocratic and an urban movement, including a focus on the restoration or protection of the independence of municipal governments. See Elizabeth Tingle, "Nantes and the Origins of the Catholic League of 1589," *The Sixteenth Century Journal* 33, no. 1: 110.

⁸ Holt, *The French Wars of Religion*, 125.

⁹ *Traité de Nemours*, in E. Haag, ed., *La France protestante, ou, Vies des protestants français qui se sont fait un nom dans l'histoire: depuis les premiers temps de la réformation jusqu'à la reconnaissance du principe de la liberté des cultes par l'Assemblée nationale*:

In addition to revoking all earlier edicts of pacification and their protections for French Calvinists, including reasserting their ineligibility for royal office, all Reformed ministers were ordered to leave the realm within one month of the edict's registration, and French Protestants were given a choice: renounce their faith and return to Catholicism within six months or leave France.¹⁰ While the king did not seek to enact the July 1585 edict, unlike earlier war-time edicts outlawing French Calvinists or expelling their ministers, the League set about enforcing it in territories under their control, beginning the eighth of the civil wars. The crisis was exacerbated two months later when Pope Sixtus V took the step of excommunicating both Henri de Navarre and the prince of Condé and declaring them ineligible for royal succession. The war of the three Henri's – Henri III, Henri de Navarre, and Henri, duc de Guise – was well underway, and, with support for various sides from the papacy, Queen Elizabeth, Philip II (funding the League army), and John Casimir of the Palatine (supplying German mercenaries to the Huguenot army), the question of who was rightfully defending France and its king had no simple answer. Military campaigns and religious fervor grew in tandem after 1585, with pamphlets and League preaching against compromise and toleration for heretics increasing. In January of 1588, the nobility radicalized when the League princes held a conference in Nancy where they established a new

ouvrage précède d'une notice historique sur le protestantisme en France, suivi de pièces justificatives, et rédigé sur des documents en grand partie inédits, vol. 10 (Paris: J. Cherbuliez, 1858), 185. "...en celui notre royaume, pais, terres et seigneuries de notre obéissance, il ne se fera dorénavant aucun exercice de la nouvelle religion prétendue réformée, mais seulement celui de notre religion catholique, apostolique et romaine." The edict states that it will go into effect, or the clock will start, once it has been registered in each regional court of jurisdiction, the parlements (185). This was a complicated process that could take years depending on the politics in each region.

¹⁰ Ibid. "...ceux qui sont de ladite religion nouvelle de s'en départir, se réduire à ladite religion catholique, apostolique et romaine, en faire profession dedans six mois après la publication de ces présentes; et au cas qu'ils ne veulent faire ladite profession nous voulons qu'ils aient à vider et sortir hors de notredit royaume..." Protestant freedom of worship was also briefly revoked in 1568 and 1572.

set of demands: the publication of the decrees of the Council of Trent, purging royal officers suspected of heresy, establishing the Inquisition in France, and the execution of all heretical prisoners who refused to abjure.¹¹ These forces all culminated in the radicalization of Paris on May 12, 1588 in the municipal uprising known as the Day of the Barricades. The Parisian League, known as the *Seize* for the sixteen *quartiers* in the city, had developed outside of Guise control, and, without his knowledge, had turned into a revolutionary committee that planned and executed a take-over of the city itself, forcing Henri III to flee his own capital. While Guise entered Paris against Henri III's orders and was received as a Catholic hero, the *Seize* and their attempts to bring other municipalities across France into their urban Catholic League, whose goals were not always aligned with that of the League nobles, were another force to be reckoned with in this increasingly complicated conflict.

The Day of the Barricades was a turning point for Henri III; he had lost control of Paris and the tide of the war was not going his way. In July, two months after fleeing Paris, he made another attempt to take control of the Catholic League with the Edict of Union confirming the 1585 Edict of July and ordering all his subjects to take the oath to use "all their strength and means" to exterminate the heretics. The edict contained additional provisions that recognized the cardinal de Bourbon as his heir instead of Henri de Navarre and ceded military matters in the realm to the duc de Guise. In it, the king also agreed to publish the decrees of the Council of Trent in France and not to make any future alliances with Huguenots. Like so many edicts before it, the Edict of Union also stipulated that the king call an Estates General in order to coordinate the fight against French Calvinists and the Huguenot army.¹² The 1588 Estates

¹¹ Konnert, *Local Politics*, 185 and fn. 8.

¹² *Edict du Roy sur l'union de ses subjects Catholiques*, (Paris, 1588). "Volvons & ordonnons que tous noz subjects, Princes, Seigneurs, tant Ecclesiastiques, Gentilshommes,

General was, like that of 1576, a wholly Catholic assembly, only this time it was dominated not by Henri III, but by the duc de Guise. Frustrated at his inability to regain control of his kingdom and seeing the Guises in the position to take over royal governance, Henri III made the fateful decision to eliminate the threat by having the duc and his brother the cardinal de Guise assassinated by royal guards in December of 1588. This gamble backfired, further radicalizing the League and leading to outright revolt across the kingdom; this was especially complicated due to the murder of a cardinal of the Church. The faculty of theology at the Sorbonne did not even wait for the official excommunication of Henri III by the pope; they declared the king deposed and urged revolt. Catherine de Medici, chief negotiator for her son until the end, died in January. As conflict escalated and Henri III was decried as a “murderous tyrant,” he was left yet again with few options. On April 3, 1589, he made a formal alliance with Henri de Navarre against the League and recognized Navarre as heir. While the king qualified the recognition by stating that he hoped Navarre would soon convert to Catholicism, he did not insist on conversion. On August 1, the Jacobin monk Jacques Clément assassinated Henri III outside of Paris.¹³ Henri IV was now France’s first non-Catholic king, but it would take years of warfare culminating in his conversion in 1593 before he re-entered Paris in 1594 and could begin pacifying the realm, and it was many more years before the last battle was fought.

Rejecting Liberty of Conscience to Unify France

habitants des villes & plat pays qu’autres, de quelque qualité & condition qu’ils soyent, s’unissent & joignent en ceste cause avec nous, & facent pareil serment d’employer avec nous toutes leurs forces & moyens jusques à leurs propres vies pour l’extermination desdits heretiques” (6). See also Sutherland, *The Huguenot Struggle for Recognition*, 365-6.

¹³ Holt, *The French Wars of Religion*, 130, 132-133.

While motivations for joining the League against the king and his declared Protestant heir varied between Paris and the provincial cities, once the League took over Paris and Henri III was forced to leave his capital city, the rest of the kingdom had to make a choice. The rejection of Navarre reinforced and renewed a rejection of liberty of conscience. It also led to a renewed conflict between Catholic loyalists to the crown who continued to advocate for toleration through liberty of conscience and French Catholics who insisted that the rejection of heresy was the paramount requirement for the boundaries of citizenship. The difficulty historians have in trying to delineate motivations, positions, and designations in these various factions is a direct result of the uncertain boundaries that existed between them.¹⁴ Depending on power dynamics and local politics, temporizing was not uncommon amongst municipal governments who faced pressure from competing authorities with competing moral, social, religious, and even legal arguments for their support.¹⁵ The designation of who was or was not a *politique* was particularly tricky. It was a term often used disparagingly, especially by the League in the 1580s, against those who sought compromise and toleration of French Calvinists to avoid war.¹⁶ In part due to Henri IV's

¹⁴ For a concise explanation of the variety of designations applied to various factions during the League period and the multiplicity of motivations within them, see Sylvie Daubresse and Bertrand Haan, "Aux frontières de la Ligue," the introduction to *La Ligue et ses frontières. Engagements catholiques à distance du radicalisme à la fin des guerres de Religion*. (Rennes: Presses Universitaires de Renne, 2015), 7-18. I attended the *journée d'études* on March 22, 2013 at the Sorbonne organized by Daubresse and Hann on which this volume is based, and for the inspiration of this chapter I am indebted to the engaging perspectives on re-thinking the history of the Catholic League presented by its authors.

¹⁵ Konnert, *Local Politics*, 197.

¹⁶ Holt, *The French Wars of Religion*, 126. On the *politiques*, see Mack P. Holt, *The Duke of Anjou and the Politique Struggle during the Wars of Religion* (Cambridge: Cambridge University Press, 1986). See also Edmond M. Beame, "The politiques and the historians," *Journal of the History of Ideas*, 54 (1993), 355-79 on the way the term has been used and Mario Turchetti, "Middle Parties in France during the Wars of Religion," in Philip Benedict et al., ed., *Reformation, Revolt and Civil War in France and the Netherlands*, Amsterdam: Royal Netherlands Academy of Arts and Sciences, 1999), 165-83.

victory over the Catholic League, from the seventeenth century on historians have assumed that a hard line can be drawn between *ligueurs* and *politiques*; members of the *Sainte Union* are assumed to be zealots consumed with irrational religious hatred. However, while *ligueurs* shared a vision for a unified Catholic France and *ligueurs* polemic was uncompromising, in practice neutrality, compassion, and compromise were not any less common amongst members of the League than they were amongst French subjects with other primary affiliations.¹⁷ The passing of the royal line from the House of Valois to the House of Bourbon, and hence to Henri de Navarre as the senior male heir to Louis IX, on the death of Henri III added a new complication. It led to a conflict between the Catholicity of the king and the Salic Law, by which succession to the throne was passed down through male primogeniture.¹⁸ The Salic Law was redefined as limiting the inheritance of the throne to male primogeniture only in the fifteenth century in the context of the fourteenth century succession crisis and English claimants to the throne; it was a recognized legal principle by the sixteenth century. Catholicity of the king, while assumed, was not legally mandated.¹⁹ Until Henri de Navarre, it was safe to assume that the Most Christian King would be Catholic; the French king was the head of the Gallican Church, a unified entity within the larger structure of the Catholic Church. The king of France swore at his coronation that he would prevent heresy from taking root in the kingdom, and he was made a quasi-sacerdotal

¹⁷ Daubresse and Haan, “Aux frontières de la Ligue,” 11.

¹⁸ Ronald S. Love, *Blood and Religion: The Conscience of Henri IV, 1553-1593* (Montreal: McGill Queen’s University Press, 2001), 149; Elie Barnavi, *Le parti de Dieu: Étude sociale et politique des chefs de la Ligue parisienne, 1585-1594* (Louvain, 1980), 176.

¹⁹ For recent studies of the history of the Salic Law, see Ralph E. Giesey, *Le Rôle méconnu de la loi salique. La succession royale (xiv^e-xvi^e siècles)*, (Paris: Les Belles Lettres, 2007) and Éliane Viennot, *La France, les femmes et le pouvoir. L’invention de la loi salique (v^e-xvi^e siècle)*, (Paris: Perrin, 2007). The Catholicity of the king was not a legally-recognized fundamental law, but it was an assumed one; it had never needed to be established before the Wars of Religion (Holt, *The French Wars of Religion*, 121).

figure when he was anointed with holy oil before taking up the symbols of his office. He was then able to take the Eucharist in both kinds (something normally reserved for priests) and to heal victims of scrofula with his touch, which he often did. The king was titled the Most Christian King (*Rex christianissimus*) by the pope, and the central gallican tenet was one faith, one law, one king (*une foi, une loi, un roi*).²⁰ The Catholic League argued for the primacy of Catholicity over the strict primogeniture of the Salic Law, declaring Henri de Navarre's uncle, the cardinal de Bourbon, Charles X until his death in 1590. This led to a new crisis over the royal succession within the League itself; solving this problem was one of the primary motivations for the illegal Catholic League Estates General in 1593.

The situation was also marked by the lack of cohesion within the factions. Local studies show that motivations for joining the Catholic League could be characterized as any combination of religious devotion, clientage, political pressure, or even a desire to renew local liberties. In almost no instance was the entirety of any group following one platform from a central authority blindly or without variation. Investigations into new forms of Catholic piety in the late sixteenth century overlap in the history of the League with what has been a long and enduring interest in studying religious violence during the civil wars, serving as the backdrop to a broad range of historical inquiries about motivations during the wars, be they economic, political, noble,

²⁰ For the fusion of the sacred with the kingdom and the monarchy, see Joseph R. Strayer, "France: The Holy Land, the Chosen People, and the Most Christian King," reprinted in *Medieval Statecraft and the Perspectives of History: Essays by Joseph R. Strayer* (Princeton: Princeton University Press, 1971 [1969]), 300-14. See also "Une histoire sainte," in Alain Tallon, *Conscience nationale et sentiment religieux en France au XVI^e siècle. Essai sur la vision gallicane du monde*. (Paris: Presses Universitaires de France, 2002). On the coronation, see Richard A. Jackson, *Vive le roi. A History of the French Coronation from Charles V to Charles X* (Chapel Hill: University of North Carolina Press, 1984) and Ralph Giesey, *Cérémonial et puissance souveraine. France XV^e-XVII^e siècles*, Cahier des Annales, no. 41 (Paris: Armand Colin, in cooperation with EHESS, 1987).

bourgeois, anti-monarchical, or religious.²¹ In the first decades of the seventeenth century, historians of the wars did not paint the League in a positive light. The representation of *ligueurs* as religious zealots who acted as traitors under the pernicious influence of Spain began under the reign of Henri IV and the official policy of erasing the memory of conflict in the Edict of Nantes, and the literal erasing of the League from the court archives.²² This historical lacuna combined with existing partisan accounts meant that the League period remained one of the least understood phases of the Wars of Religion, motivating an impressive list of historians to tackle it in recent decades. Local studies that have examined the phenomenon of the League in relation to or in comparison with its establishment in Paris are particularly instructive.²³ Of all of these motivating factors that have been examined in the case of the League, the only one that comes close to encompassing them all is the examination of religious violence in relation to new forms of Catholic piety that developed in the late sixteenth century, both in response to the pressures of confessionalization and the increasingly urgent millenarian context.²⁴ Even these, however, can be disputed on a local level; if there was not ritual or popular violence in a town, can religion be

²¹ For a concise historiographical summary of these divergent interpretations, mainly divided between “systems of belief” and “structures of society,” see Barbara Diefendorf’s review article “The Catholic League: Social Crisis or Apocalypse Now?” *French Historical Studies* 15, no. 2 (Autumn, 1987): 332-344. On the shared religious world view and its millenarian context of the League, see Crouzet, *Les guerriers de Dieu*. For analyses of the League as reactions to the absolutist state in the context of municipal rights, see Bernard Chevalier, *Les Bonnes Villes de France du XIVE au XVIe siècle* (Paris: Aubier Montaigne, 1982) and Robert Descimon, *Qui étaient les Seize? Mythes et réalités de la Ligue parisienne (1585-1594)*, Mémoires de la Fédération des Sociétés Historiques et Archéologiques de Paris et de l’Île de France, 34 (Paris, 1983).

²² Daubresse and Haan, “Aux frontières de la Ligue,” 10. For the construction of the “black legend” of the Catholic League, see Robert Descimon and José Javier Ruiz Ibáñez, *Les ligueurs de l’exil. Le refuge catholique après 1594*. (Champ Vallon, 2005).

²³ For example see Philip Benedict, *Rouen during the Wars of Religion* (Cambridge: Cambridge University Press, 1981) and Mark W. Konnert, *Local Politics in the French Wars of Religion*.

²⁴ Crouzet, *Les guerriers de Dieu*.

downgraded as a motivating factor beyond the general “context” of the time?²⁵ These studies of particular places or groups of League adherents have revealed what should not be surprising: their motivations were multi-fold. The breadth of the phenomena has been explored through their religious convictions, their political or social ties, and in the context of a corresponding rise of real millenarian fears as the end of the millennium approached. Depending on the region, local circumstances, and patronage relationships, whether or not a town allied with the Catholic League could be the result of Guise influence or as a form of rejecting perceived royal incursions on the liberties or towns or groups of bourgeois. And, unsurprisingly, the experience of the Catholic League in Paris is distinct from how League affiliation or royal rebellion occurred in the rest of the kingdom. Despite these differences in local motivation on a social, economic, or religious level, *ligueurs* had a shared objective in their civic politics: the reconstruction of communal unity based on a “traditional ecclesiastical institution, with its confraternities, its local saints, its rites of union, its communal confessions.”²⁶ To achieve this unity, moreover, the *Sainte Union* enacted the shared logic of French citizenship by which the border between the private and the public that separated the politico-theological public sphere from that of conscience was eliminated. The *Sainte Union* advocated for a unified political, religious, and

²⁵ Historians of Nantes have claimed that, as opposed to Paris, Toulouse, and Troyes, there were few Protestants there and Catholicism was not under threat, “religious radicalism” was not the motivating factor for joining the League. See Robert Harding, “Revolution and Reform in the Holy League: Angers, Rennes, Nantes,” *Journal of Modern History* 53 (1981): 379-416 and Elizabeth Tingle, “Nantes and the Origins of the Catholic League of 1589,” *The Sixteenth Century Journal* 33, no. 1 (Spring, 2002): 109-128.

²⁶ Descimon and Ibáñez, *Les ligueurs de l'exil*, 47. “Pour eux [les ligueurs], l’objectif était de reconstruire envers et contre tout l’unité de la communauté au sein de l’institution ecclésiastique traditionnelle, avec ses confréries, ses saints locaux, ses rites d’union, ses confessions communautaires. Ils développaient leurs propres conceptions théologiques sur la base des héritages venus de la Sorbonne et d’une politique civique qui mobilisait les populations dans des communions unanimistes dominées par les notables urbains.”

social sphere, and actively worked to enforce this new boundary, both locally and nationally, but it did so not under the overarching logic that citizens were foremost subjects to French king as protector of the Gallican Church, but that French citizens were above all members of a united Catholic polity. This difference in the face of a Protestant king had far-reaching consequences for the legal and conceptual basis of both citizenship and kingship in France.

Redrawing the Boundaries of Citizenship and Extirpating Heretics

After the royally-sanctioned assassination of the Guises in 1588, the Catholic League began to echo the earlier Huguenot Monarchomach treatises calling for rebelling against tyrants after the 1572 Saint Bartholomew's Day massacres. Resistance was further compounded with Henri III's alliance with Henri de Navarre and the recognition of the Protector of the French Reformed Church and, for the *ligueurs*, the most prominent heretic in France, as his heir. The Catholic League actively sought to purge their local polities of heretics and their supporters; newly League-controlled Paris lost no time in pursuing other potential League cities to take the oath and join the *Sainte Union*. The *Seize* from their *conseil* in Paris tried to act as a centralized government for this network of cities, but, as numerous local studies show, neither Paris or the Guises controlled the provincial cities, whose decisions to join or not were based on local factors and their relationships to the various armed forces vying for power. Taking the oath and joining the League was not just ceremonial; a military force since 1585, from 1588 until the re-conversion of Henri IV to Catholicism in 1593, the Catholic League, with the backing of Phillip II of Spain, pursued open warfare against both the Huguenots and the crown. The earliest adherents to the oath were in areas with ties to the Guise family and their clients, but also in those places where the Huguenot army and the forces of their Protestant German or English

allies were most likely to cross into the kingdom. During the Wars of Religion, the battle against heresy became a battle to defend homes and property from confiscation, towns from occupation, and co-religionists from massacre. It was not a battle to enter lightly. First and foremost, the League framed its opposition as the extirpation of heresy from the kingdom, which meant above all rejecting the conception of liberty of conscience that allowed the toleration of Calvinist French subjects instead of pursuing them as heretics. But this also included all those who sought toleration for the Calvinists, and thereby condoned heresy. The boundaries of local communities were made public, and inhabitants were forced to publicly state their allegiances.

Despite the variety of factors that served as the primary motivations for joining the League, and in spite of the variety of the social distinctions and religious fervor of provincial *ligueurs*, all those who took *Sainte Union* oath participated in re-drawing the boundaries of their communities. Joining the League not only eliminated liberty of conscience in affected towns, it presented a communal model in which *ligueurs* swore to apply all of their means to the extirpation of heresy and the defense of their communal corporation, including their own lives. The religious component of the Catholic League is an example of the conceptual fallacy created by imposing a political/religious and public/private binary on sixteenth-century French society. The League, regardless of individual piety or position in the corporate order, was a religious, political, and social movement. These elements were entwined so that, while in each League town individuated causes for joining and contexts for resistance are found, the logic of the *Sainte Union* was an incorporated community with an integrated public/private dimension united in the defense of the faith. Internal boundaries that made plurality possible were eliminated, and the boundary was pushed to the boundaries of the community itself. Robert Descimon wrote that the mentality of the *Sainte Union* can be understood “as an attempt to form a central confraternity on

the scale of the entire citizenry.”²⁷ Similarly, Philip Benedict describes the *Sainte Union* in Rouen as a literal holy league. When the League city government was formed, it included clerics for the first time since its founding in the late twelfth century on its the ruling council. This re-formulation of governing structures and the breaking down of corporate barriers was to become, Benedict argues, “a characteristic of the entire period of League domination: the tendency to abolish divisions between cleric and layman, the secular realm and the sacred, so that priests became magistrates and magistrates sanctified their power by priestly rite.”²⁸ What this meant in terms of defining citizenship in the politico-theological sphere and its relationship to sovereign power can be understood in the *ligueur* rejection of *liberty of conscience* and the attempt to implement a living *corps mystique* that was defined by Catholic brotherhood more than subjection to the Gallican king.

The *ligueur* oath demonstrates this concept of a unified community. In part due to its location between the Île de France on one side and both the Guise territory of Lorraine and France’s Protestant neighbors on the other, League pressure in Picardy was early and strong. While many towns were not motivated to declare for the League until Henri III’s ill-advised decision to have both the duc de Guise and his brother the cardinal de Guise murdered in December of 1588, the town of Amiens quickly decided to take an oath to join the *Sainte Union* after the uprising in Paris on May 12. In a general assembly consisting of two hundred esteemed inhabitants (*principaux habitants*) that included the bishop, the decision was made to ally with

²⁷ Robert Descimon, “Jacques Auguste de Thou (1553-1617). Une rupture intellectuelle, politique et sociale,” *Revue de l’histoire des religions* 226, no. 3 (2009): 485-86. Quoted by Barbara B. Diefendorf, “Introduction: Robert Descimon and the Historian’s Craft,” in Barbara B. Diefendorf, ed., *Social Relations, Politics, and Power in Early Modern France: Robert Descimon and the Historian’s Craft* (Kirksville, MO: Truman State University Press, 2016), 8.

²⁸ Philip Benedict, *Rouen during the Wars of Religion*, 186-187.

the League in Paris. After the oath had been read, the bishop spoke in support, citing it as “just and reasonable,” and adding that those who did not want to swear the oath to the League should leave the city so that those who remained could “live in peace with a united will.”²⁹ When asked by the mayor, who appeared less certain and interrupted several times to ask if anyone objected to signing the oath as it stood, they answered that they would “sign with their blood, if need be.”³⁰ No dissension is reported. The wording of the oath taken in Amiens itself is instructive regarding the fusion of religion and politics in relation to League affiliation, and to the re-drawing of the boundaries around who was a true *habitant* of the city. This list of goals that adherents to the oath swore to pursue, with all of their means and even their lives, reveal multiple religious, political, and urban affiliations: “for the honor and service of God, the conservation of the holy Catholic, apostolic, and Roman religion, the extirpation of heretics and their supporters; for the service and obedience owed to your most Christian and Catholic king; for the conservation of your [corporate] privileges, exemptions, and liberties.” With no acknowledgement of the apparent contradiction, the oath continues with the requirement not to recognize any other authority than that of League-controlled Paris and their locally-elected mayor. *Habitants* are also required to inform Paris of any defectors from this Holy Union, “without regard for blood ties or particular affection.”³¹ The first criteria for membership in the

²⁹ August Dubois, *La Ligue. Documents relatifs à la Picardie d’après les registres de l’échevinage d’Amiens* (Amiens, 1882), 24. “Je suis d’avis que la proposition est juste et raisonnable et offre signer et jurer et que ceux qui ne voudront on les mette hors de la Ville affin que ceux qui resteront puissent vivre en pais et sous une même volonté.” On the signing of the oath in Amiens, see also Constant, *La Ligue*, 268-275.

³⁰ Dubois, *La Ligue*, 25.

³¹ B.N., Français, 3409, fol. 60r. “Vous jurez et prometez tous messieurs par le serment que vous devez a dieu sur le peril et damnation de vos ames que vous serez tous uniz pour employer tous voz moyens et voz vies pour l’honneur et service de dieu conservation de la saint Religion Catholique apostolique et romain extirpation des heretiques et de leurs fauteurs pour le service et obeissance deue a notre roy tres chrestien et Catholique pour la conservation de voz

Holy Union was to be Catholic, but this is presented as synonymous with the active pursuit of heretics, as well as any Catholics who tolerate them. The Catholic rejection of heresy, in other words, and not subjection to a Catholic king, is the defining factor for membership in this League. Obedience, likewise, is owed to the king, but to the Catholic king, and, relatedly, *habitants* are exhorted to defend the privileges of their town, which, since they originate from the king, he is also expected to protect. In this oath, the communal unity of the faithful was to come before political, familial, and patronage relationships. Oath-taking in the sixteenth-century, in a corporate society of *fidélités*, was no small matter. An oath was “an affirmation made with imprecation,” by which in terms of the Old Testament God was called upon to destroy the oath-breaker.³² Any discussion of the relationship between religion and politics in League affiliation cannot dismiss the seriousness of taking an oath that required the damnation of one’s soul if broken. On this level, the apparent tensions in this oath between politics, religion, and authority were resolvable by those who took it, or simply not tensions at all. When towns took the League oath, the municipal boundaries became those of the *fidèles*; Protestants and those who tolerated them were either to abjure or leave.

A wholly catholic France required the identification of uncooperative citizens, but it also meant that French Calvinists in League towns faced abjuration, exile, or potential prosecution.

privileges franchises et libertez et de ne permettre pour quelque cause et occasion que ce soit que la force et Gouvernement de ceste ville soit recongnuer et accepter dau[ltre] aucto[rite] que de la no[tre] et de ceux qui seront par vous cy apres elleuz maieur de ceste ville que sy aucunes des vous descouvrent quelque chose qui puisse apporter quelque prediudice directem[ent] ou indirectem[ent] con[tre] l’establissement de ceste Saint Union vous nous en adv[er]tir[ez] en dilligen[ce] sans aucun respect de parente ou au[ltrement] affection particulier...”

³² Jean de Vigueurie, “Contribution à l’histoire de la fidélité: Note sure le serment en France à l’époque des Guerres de Religion,” *Annales de Bretagne et des pays de l’Ouest* 82, no. 3 (1975): 291. See also the entry for ‘curse’ in Madeleine S. Miller and J. Lane Miller, *Harper’s Bible Dictionary* (New York: Harper & Row, 1973).

While enforcing either the 1585 Treaty of Nemours or the 1588 Edict of Union was not a priority for the king, it certainly was for the League army, led by the duc de Guise and his network, and towns that chose to take the oath were under pressure from them to enact it. Funded by Spain, the League army quickly took hold of towns in Champagne, Burgundy, and Normandy after the Declaration of Péronne.³³ In 1585, the League army in Normandy, despite additional financial support from the bourgeois of Rouen, primarily represented the nobility without a great deal of active support in the towns; by early 1588, the League took steps to increase control in Normandy and had taken possession of it by April. By this time, Henri III's support in the *gouvernement* had dwindled, in no small part because he could not pay for military support.³⁴ From 1585, evidence can be found that the combined military and local juridical support for the League successfully enforced the Treaty of Nemours and the Edict of Union in parts of Normandy. A series of documents from the *vicomté* of Coutances makes it possible to ascertain the organizational efforts of magistrates on the local level to enforce the repeal of the boundaries of conscience, as well as the responses of French Calvinists who subsequently faced the choice of abjuration or exile. All four documents uniquely consist of a list of names of French Calvinists, each accompanied by a place of residence, collected by the magistrates of the *vicomté* in response to both the 1585 Treaty of Nemours and the 1588 Edict of Union.³⁵ The first of the

³³ Konnert, *Local Politics*, 163-64.

³⁴ Carroll, *Noble Power*, 198, 204-05.

³⁵ The four documents are preserved in B.N., MS Français, 11941, fol. 1-13 and reproduced in *Bulletin de la Société de l'histoire du protestantisme français*, vol. 36 (Paris: 1887): 246-258.

The *vicomté* of Coutances included the towns of Coutances, Saint-Lô, Granville, and Villedieu; it was bordered by the English Channel. A *vicomté* (spelled in the documents *viconté*) was a lower court territorial jurisdiction of a *bailliage* or *sénéchaussées* in Normandy, the equivalent of a *prévôté*. See Roland Mousnier, *Les institutions de la France sous la monarchie absolue, 1598-1789* (Paris, 2005; orig. 1974), 843.

two lists collected by the *vicomte* contains the names of approximately 428 Reformed subjects - men, women, and some children - who chose to convert to Catholicism in 1585. This list was first compiled in 1585, and then copied and sent along with the three other lists in this series of documents to one of the *lieutenants generaux* of the *gouvernement* of Normandy, the *chevalier* Longaunay, who requested them on November 22 1588.³⁶ The document is signed by four officers of the king in the royal seat of Coutances, and was sent just one day after Longaunay requested it.³⁷ The list of abjurations from the *vicomté* of Coutances shows that, whatever Henri III's intention, the 1585 Treaty of Nemours was enforced as the law of the land in places with an early and strong League military presence like Normandy; French Calvinists had to examine their consciences and choose between abjuration and exile. Not all chose to abjure. The second list from 1585 in this series contains forty-two names of those who sent *attestations* that they had left for England. While most names are only followed by place of origin, several include a further designation, such as *escuyer* or *ministre*.³⁸ Choosing exile was not an anomaly in Normandy; though the Reformed population in Rouen had diminished by 1585, when given the

³⁶ B.N., MS Français, 11941, fol. 1-8; *Bulletin de la Société de l'histoire*, vol. 36: 249-254. *Roolle des personnes de la V[iconté de Coutances] qui ont esté de l'opinion nouvelle et [lesquelz] suyvant l'edict du mois de Juillet [M.D.] IIF^{xx} et cinq, soy sont réduictz en l'église catholique apostolique et romaine, et on fait profession de foy et abjouré leur erreur; pour estre ce present roolle envoyé à monsieur de Loncaulney, chevalier de l'ordre du Roy, gentilhomme ordinaire de sa chambre, capitaine de cinquante hommes d'armes de ses ordonnances et l'ung des lieutenants généraulx au gouvernement de Normandye, suyvant lettres dudict sieur, datées du jour d'hier (1585; copied 1588)*. Approximately 428 names because the list is not always clear on when children are included in the count. The *lieutenants generaux* were military heads in the provinces; *gouvernements* were often divided up into two or three *lieutenances générales*. See Roland Mousnier, *Les institutions de la France*, 1033.

³⁷ B.N., MS Français, 11941, fol. 13; *Bulletin de la Société de l'histoire*, vol. 36: 258.

³⁸ B.N., MS Français, 11941, fol. 11; *Bulletin de la Société de l'histoire*, vol. 36: 255-256. *Roolle de ceulx de la Viconté de Coustances qui sont repputez estre aux Isles [angloises], par les attestations qu'ilz ont envoyé (1585; copied 1588)*.

option to abjure or emigrate, most chose to leave for England or Zeeland.³⁹ The list shows evidence that, if possible, the attestations were confirmed, and that when new information was discovered, the list was amended accordingly; it is noted, for instance, that the sieur de Moigneville died in England. The list also reveals that, at least in some instances, the provisions of the Treaty of Nemours that stipulated Calvinist ministers had one month to leave France and that other Calvinists had six months to either abjure or leave were enforced. One Christophe Manger was apprehended on his return and punished by public humiliation, forced to walk with a noose around his neck while being flogged for three days, followed by the confiscation of his inheritance and banishment in perpetuity.⁴⁰ A certain Michel de Conte, however, fared much better; on his return, he was apprehended and taken prisoner, but he “nevertheless was condemned by a fine.”⁴¹ Clearly, local variations and individual circumstances played a part in the application of the edict. The lists contain a diverse cross section of French subjects: the nobility, notables, and the third estate are represented. It appears that, when the edict was enforced, it was not limited to one *corps* over another. Additionally, French Calvinists of similar quality are shown to have made divergent choices. The seigneurs des Isles and the seigneur de Pienne have been identified as noble protectors of the Reformed Church in Bricqueville-la-Blouette. The des Isles are found in the list of abjurations from 1585, while the seigneur Jean de Pienne is on the list of those who took up arms against the king; fellow Piennes show up as

³⁹ Benedict, *Rouen during the Wars of Religion*, 172.

⁴⁰ B.N., MS Français, 11941, fol. 11; *Bulletin de la Société de l'histoire*, vol. 36: 256. “...estant retourné et aprehendé pour ce quil ne s'est voullu réduire, a esté battu de verges par trois jours de marche, la corde au coul, et bany à perpétuité, et ses héritages confisquesz.”

⁴¹ Ibid. “...touteffois est retourné, et aprehendé, et constitué prison[nier]; s'est reduict et néantmoingz condamné en amende.”

rebels or exiles.⁴² The list of “rebel” Protestants identified as joining the Huguenot army that contains the de Piennes was compiled in 1588; it is made up of about one hundred names.⁴³ While the list states that these Protestants had been fighting the king, this is because the king was technically allied with Guise and the *Sainte Union* in 1588; they would have been directly fighting the Catholic League. While single and married women appear on the list of both abjurations and exiles, the final list from 1588 consists of around eighty-eight women who had not abjured and refused to attend mass.⁴⁴ The document does not specify why only women’s names were collected. Some of the women are listed by their names alone; others are listed as wives under their husbands’ names. Some widows are listed under their own names as well as their husbands; women of rank are also afforded both. It is safe to assume that some of these women had sons, but when children are included, it is only the daughters. It is possible that this list was made because the women’s husbands had already departed or abjured, though no obvious matches appear with the men on the other lists. Perhaps the edicts had been less strictly enforced for women; it is unclear if this collection of names was collected in order to pursue the women as Protestants. In any case, the lists were compiled in *procès-verbaux* for the execution of the king’s edicts against Protestants in July of 1585 and July of 1588, and lieutenant general Longaunay requested a copy of them in November of 1588.

⁴² See Marcel Cauvin, “Le Protestantisme dans le Cotentin. Eglise de Bricqueville-la-Blouette,” *Bulletin de la Société de l’Histoire du Protestantisme Français (1903-2015)* (Jan.-Mar., 1968): 114.

⁴³ B.N., MS Français, 11941, fol. 9-10; *Bulletin de la Société de l’histoire*, vol. 36: 254-255. *Roolle des personnes de la Viconté de [Coustances] qui sont repputez porter les armes contre la majesté du roy et qui ne se sont reduictz par ce quilz n’ont envoyé attestation du lieu où ils se sont retyrés* (1588).

⁴⁴ B.N., MS Français, 11941, fol. 12-13; *Bulletin de la Société de l’histoire*, vol. 36: 254-255. *Roolle des femmes de la viconté de Coustances qui ne se sont réduictes et ne vont à la messe*.

The League had military control of much of Normandy in 1588, but its governor was one of Henri III's men. While governors were the technical heads of each *gouvernement*, it was their lieutenant generals that saw to the actual administration of the provinces, overseeing the king's edicts and orders in the areas under their jurisdiction. According to Philip Benedict, the lieutenant generals in Normandy acted primarily as "autonomous royal servants," having little contact with their governors of higher quality.⁴⁵ The governorship of Normandy had been a source of consistent complaint of the Catholic League; in 1583 the king named the duc de Joyeuse, one of his favorites, to the position. After his death, Henri gave the title to another of his favorites, the duc d'Épernon, in 1588; both Joyeuse and Épernon were made ducs and peers of France by Henri III in 1581. The League's 1585 Declaration of Péronne had accused both of corruption; they were certainly not able to counter the League presence in Normandy.⁴⁶ Longaunay pre-dated both Joyeuse and Épernon, having been a lieutenant general in Normandy since the governorship of their predecessor, François d'O, who had also been one of Henri's favorites. Henri III had been in Normandy just months before; when he arrived in Rouen on June 13 he stayed one month in the Norman capital. The king was attempting to shore up support in key cities and to prevent them from taking the League oath being circulated by the Paris *Seize* since he had been forced to leave Paris in May. Normandy, and Rouen in particular, were strategically important because they served as an entry point for, or a point of defense against, the English. It was in Rouen that Henri negotiated the Edict of Union with the League; it was issued that July, and shortly thereafter Henri III was allowed to return to the Louvre in Paris.⁴⁷ While the League and Henri III were technically allied again, Henri III was not in full

⁴⁵ Benedict, *Rouen during the Wars of Religion*, 33.

⁴⁶ Carroll, *Noble Power*, 197.

⁴⁷ Benedict, *Rouen during the Wars of Religion*, 174-176.

control of his kingdom, and the Edict of Union had put the duc de Guise in charge of the king's military. The lieutenant governor of Normandy, a *chevalier* in the king's army, was in all likelihood requesting the lists of known Protestants in Normandy so that the League could eliminate a potential fifth column by enforcing the Edict of Union and expelling remaining French Calvinists.

Fighting Heresy to Save France: The Logic Defining the Polity in the Sainte Union

Tatiana Debaggi Baranova establishes that the increased production of both print and manuscript *libelles* created a new kind of participatory public sphere in the sixteenth century. The pamphlet production of the wars changed how pamphlets were both written and read; the reader began to participate in the public by making their own judgements on the opinions and debates put on paper in the urgency of the civil wars. Pamphlet production unsurprisingly peaked during the League period, and, while anonymous pamphlets had been printed since the start of the wars, they also increased in this period, but with a twist. Starting in 1589, after Henri III assassinated the Guises and was targeted as a tyrant, the *Conseil* of the *Seize* in Paris centralized much of this production. Even though pamphlets were often printed anonymously, the *Conseil* knew who the authors were and approved both the subject matter and the printing. Writing a *libelle* was a way for lay persons to participate in the defense of the faith, and many of them did.⁴⁸ After 1588, Henri III and then Henri IV appear in pamphlets as the enemies of God

⁴⁸ Tatiana Debaggi Baranova, *À coups de libelles. Une culture politique au temps des guerres de religion (1562-1598)*, (Geneva: Droz, 2012) 101, 106, 109-110. Baranova contrasts this idea of public with that of later "public opinion." She also objects to calling this literature "polemic" or "propaganda," arguing these are anachronistic terms, and objects to "pamphlet" because it originates in the seventeenth century and has a political association in France that originates in the nineteenth and early twentieth centuries. She prefers *libelle*, which was a word used in the sixteenth century. The word is not neutral; it indicates an accusation of a person or

and the people, and much of the literature turns to the theme of heretical kings, the former having been excommunicated for his role in the assassination of the Guises and the latter being a Protestant, and to theories of legitimate resistance to tyrants. Despite the transition to open rebellion against the monarchy, the logic of the *Sainte Union* remained the defense of a Catholic *corps mystique* that required revoking the toleration accorded to the consciences of heretical French citizens. Asking whether pamphlets responding to the definition of heresy, the legitimacy of conversion, or the obligations owed to a heretical ruler (whether he be Catholic or Protestant) are either political or religious is, in Lucien Febvre's words, *une question mal posée*. In the decade after Henri de Navarre became the royal heir, both the politics and theology of conscience were heightened, as were the myriad ways in which they were interconnected. Additionally, the League-era *libelle* can be understood as both a product of devotion, and a means for the practice of devotion. In this way, it is both private and public. The purpose of these tracts is to identify the enemies of God in order to preserve the collectivity, or to unmask the enemies of the "public good." The community was expected to exert control over morality, and *libelles* were a way to regulate communal life by denouncing those who threatened it; this was much more straightforward for Catholics during the Wars of Religion. Defaming Protestants as heretics was to act from the majority opinion, and heresy was a crime of *lèse-*

an institution (26-36). I generally use the word pamphlet because it is a neutral word in English, and the pamphlets I am most interested in are seeking to persuade, but are often framed as appeals as opposed to attacks. Also, the English libel implies that it is false; a *libelle* does not work on that same level. As Baranova notes, attempting to ascertain the "sincerity" of a *libelle* is a badly-put question (30). Pamphlets may be printed or in manuscript form, and may take the form of treatises, letters, appeals, *libelles*, poetry, or sermons. Essentially, a pamphlet is an expensively printed or manuscript document (manuscripts can be printed, and printed documents copied into manuscripts) that is meant to be circulated and influence others in some way. They can be produced by authorities and those challenging them.

majesté against God; Protestants faced more rhetorical restrictions because of their minority status. This literature, in other words, belongs to the category of “la police.”⁴⁹

Baranova’s careful analysis of themes in and the use of *libelles* is accompanied by a warning that historians of ideas do not often enough take these patterns of production, politico-religious constraints, and communal meaning into account when they refer to pamphlet literature.⁵⁰ Conversely, the recurrent themes in League pamphlets and their devotional and politico-theological policing of the polity are precisely what makes them a useful way to discern the logic through which *ligueurs* understood the boundaries of the polity and the role of conscience within it. The *Discours sur l’edict de pacification revoqué par le Roy, & de la punition de la Heretiques* is one such League pamphlet from 1588 that defies easy categorization as either a political or a religious tract.⁵¹ The anonymous author of this pamphlet asks whether or not heretics should be brought to justice through legal means and, if found guilty, which punishment is appropriate. The pamphlet picks up the question, in other words, of whether or not France should return to the practice of prosecuting Calvinists for heresy that was abandoned after the death of Henri II in 1559. In the style of a scholastic debate, the author of the *Discours* presents both sides of the question, addressing objections in turn, but his conclusion indisputably reveals his support for the position of the League that heretics must be pursued, and then some. The *Discours* contains the key *ligueur* themes of extirpating heretics, the need to reform abuses in the Catholic Church, and the need to accept the decrees of the Council of Trent in France, but it is the question of heretics and their consciences that the author of the *Discours* is most

⁴⁹ Ibid., 92, 99, 110, 751.

⁵⁰ Ibid., 31-32.

⁵¹ *Discours sur l’edict de pacification revoqué par le Roy, & de la punition de la Heretiques* (1588).

concerned with. The pamphlet can be read as a refutation of the logic of granting liberty of conscience by analytically rejecting arguments against the forcing of consciences.⁵²

The nature of conscience itself is the key to the argument in the *Discours*. Debates about the nature of conscience were not new before the Protestant Reformation, but in the past, Christians were supposed to rely upon the ecclesiastical hierarchy of the Catholic Church when faced with an uncertain conscience. Once conscience was unmoored from this hierarchy and rooted in a series of competing confessions, mistaken consciences, from the Catholic perspective, were now being confirmed instead of corrected. Forced conversion could not be true conversion – erroneous consciences had to be led back to the faith. But what if they were not? The problem of conscience is that a heretic does not think he is committing heresy, but “thinks to do right, by holding the opinion that he believes has been impressed on the spirit, and that he believes in his conscience to be the pure truth.”⁵³ If a crime is defined by the intent to do harm, then could heresy be considered a crime at all? While the author posits a sort of natural right to conscience, he also concludes that conscience allows direct access to natural law, meaning that if someone sins against her conscience, even if she does not know about the law, then she has committed a crime. For without conscience, how could Jews before the law was given to them know that it was wrong to kill? Thus, conscience does not operate like the law, and intent to do harm is not required for mistaken conscience to be criminal in nature: “But it is another thing when one sins against his conscience, which God put in man from the beginning in

⁵² On reforming abuses in the Church, see *Discours*, fol. 15-16; for accepting Trent, see fol. 36.

⁵³ *Discours*, fol. 4. “Si donc l’heretique pense bien faire, que tenir l’opinion qui luy a esté imprimee en l’esprit, & qu’il croit en sa conscience estre la pure verité, comme est-ce que lon le jugera criminal pour le punir?”

order to judge good and evil before he had even given the law.”⁵⁴ The author further argues that pagans, via Saint Paul, knew they sinned against the “law of nature” because “they had the law written in their hearts, which rendered to them witness by their conscience whether they did good or evil.”⁵⁵ The problem here remains that heretics *believe* their conscience is correct. The argument against punishment continues by addressing the problems inherent in various punishments for heresy: the risk is that punishing heretics by death will only increase their influence as martyrs. Even so, the author goes on to argue that banishment from the kingdom is not a solution because exiled heretics will only spread the contagion, making French Catholics responsible for growing heresy in the kingdom of God, not just the kingdom of France. The larger problem was that there are so many heretics that to expel them or kill them would be nearly impossible. “The king,” he writes, “would be the king of cinders, not of the French, if he wanted to burn all of those who are at present heretics in his kingdom.”⁵⁶ The author of the *Discours* acknowledges the long-argued theological problem of the two swords: “the maladies of the spirit must be healed by the spiritual sword and not by the corporal sword.”⁵⁷ This, however, is exactly how heretics were punished in France prior to the first edicts of toleration, after heretics were tried in royal, and not just Church, courts. And the edicts that ended this practice and ushered in the toleration required by liberty of conscience are at the heart what the

⁵⁴ Ibid., fol. 5. “Mais c’est autre chose quand on peche contre sa conscience, laquelle Dieu a mise en l’homme dés la commencement pour juger le bien & le mal avant mesmes qu’il y eust loy donnee...”

⁵⁵ Ibid., fol. 6-7. “...c’estoit pource qu’ils pechoient contre le droit de nature. Saint Paul dit que quand les Payens (qui n’ont point de loy) font les oeuvres de la loy, ils font la loy à eux-mesmes, monstrant qu’ils ont la loy escrite en leur Coeur, qui leur rend tesmoignage en leur conscience ce de ce qu’ils font bien ou mal.”

⁵⁶ Ibid., fol. 12-13. “Le Roy seroit Roy des cendres non des François s’il vouloit faire brusler tous ceux qui sont à present heretiques en son Royaume” (13).

⁵⁷ Ibid., fol. 18. “Les maladies d’esprit doivent guerir par le glaive spirituel & non par le glaive corporel.”

anonymous author of the *Discours* wants to discredit. For, as the title of his tract indicates, he is writing in support of the Edict of Union in which Henri III was forced to rescind all former toleration and turn all French Calvinists back into heretics who, by nature of their crime, were no longer French citizens.

For the author of the *Discours*, the problem of punishing heretics has been compounded by the previous practice of toleration. The monarchy's edicts of pacification allowed heretics to "live in this religion, permitting them to be baptized in it, be instructed in it, to preach the doctrine by the authority of the king."⁵⁸ The author ponders "how many souls have been lost in this kingdom since, by the edict of pacification, heresy has been freely and publicly preached." The damage, he concludes, is "infinite and irreparable."⁵⁹ How, then, can the heretics now be condemned, when for twenty-five years they have been allowed to preach publicly in approved assemblies under the king's edicts? Many have been born into this faith, having always been taught that the Catholic Church was "full of abominations."⁶⁰ This means that French heretics have the double problem of erroneous conscience and erroneous education. Having established the scope of the problem for which toleration itself can be blamed, the anonymous author addresses the problem of punishing heretics despite their ignorance and their lack of intent to do harm. His first line of attack is original sin itself. Adam was ignorant and did not intend harm when he believed that eating the fruit of the tree of life would give him knowledge of good and

⁵⁸ *Discours*, fol. 17. "Mais puis que par les Edicts de pacification il a esté permis de vivre en ceste religion, de s'y faire baptizer, que lon y a pris son instruction, que lon a presché ceste doctrine par autorité du Roy..."

⁵⁹ *Ibid.*, fol. 33. "...combien d'ames ont esté perdüe en ce Royaulme, depuis que par l'Edict de pacification, l'heresie à esté preschée librement & publiquement qui est un dommaige infini & irreparable."

⁶⁰ *Ibid.*, fol. 18-19.

evil. Does this not mean that the first sin was really that of ignorance?⁶¹ He gives another example of God having punished the people of Israel despite their ignorance, this time for worshipping a false idol before Moses had even returned with the decalogue; the law had not yet been given, but they were punished nonetheless.⁶² The author of the *Discours* continues to assail ignorance as a defense by disavowing the entire premise of the early reformation. For how, he asks, can it be argued that the heretic sins in ignorance at all? He knows, or should know, that the Church alone can interpret holy scriptures, and, after all, if it was so easy to understand, then why did Luther, Calvin, Bèze, and others of their sects not agree?⁶³ It is not, he concludes, “pure” ignorance that separates the universal or Catholic Church.⁶⁴

Tolerating heretics instead of burning them did not solve the problem of heresy, the author contends, and heretics have only multiplied to the point of armed revolt against the king; they have even dared to “seize conquered towns.”⁶⁵ This rampant heresy, the author argues, has thus damaged the majesty of the king because its nature is to “subvert the state of a kingdom.”⁶⁶ If heretics will not convert and remain obstinate, then he suggest that it is better “that a few suffer than the rest be infected.” Sometimes amputation is necessary, for “if someone is

⁶¹ Ibid., fol. 21. “Aussi diray-ie que ce nest point moindre heresie de dire qu’un heretique n’est point criminal que tenir sa religion erronee, & affin que ie satisfice à ce qui a esté dict qu’un homme qui peche par ignorance est excusable, j’ameneray ce qui est dit de la faute de nostre premier pere Adam qui fut deceu & trompe par le serpent. Si donc il fut circonvenu pensant que le sepent [sic] luy dist la verité, & qu’en mangeant du fruit de vie il auroit la cognoissance du bien & du mal, qu’est-ce sinon l’ignorance qui le feisst pecher?”

⁶² Ibid., fol. 24-29. “Ce n’est donc pretexte suffisant pour pecher que l’ignorance de l’heretique” (25).

⁶³ Ibid., fol. 21-23.

⁶⁴ Ibid., fol. 24. “Je dis donc que ce n’est pas ignorance pure que de se separer de l’Eglise universelle ou Catholique.”

⁶⁵ Ibid., fol. 14.

⁶⁶ Ibid., fol. 34-35. “Quand doncques il n’iroit que de la Majesté humaine, chacun voit comme l’heresie subvertist l’estat d’un Royaulme.”

corrupted by gangrene or Saint Anthony's Fire" it is necessary to "cut off the infected member for fear that it becomes worse and he loses the remainder of the body."⁶⁷ The kingdom must be saved, and this can only be done, the author concludes, if the gangrenous members are excised from the body politic. Heresy, the author of the *Discours* declares, is a crime that deserves punishment. It is a crime against God, natural law, the majesty of the king, and the kingdom itself. But how should it be punished? The author acknowledges that the king made the right choice to revoke the edicts of pacification and their tolerance for Calvinists, declaring that God has shown his pleasure by giving the king a "miraculous victory" in order to witness that "when God's divine majesty is conserved, he will reward it by conserving the majesty of our prince."⁶⁸ After praising this "inspired" move, the author of the *Discours* relays his displeasure with the king's subsequent banishment of heretics, calling it "exceedingly gentle and humane" that he allowed them to receive the proceeds of their confiscated property. While he admits that the law of exile permitted criminals in ancient Rome to avoid execution, the author of the *Discours* argues that these heretics who do not obey God or his Church will also not obey the king; they will not leave! They remain obstinate in their heresy and their rebellion, and would "prefer to be burned alive rather than go to mass."⁶⁹

⁶⁷ Ibid., fol. 37.1. "Mais s'il demeure obstiné il vaut trop mieux que peu de gens souffrent que tout le reste soit infecté. Si quelqu'un est gasté d'une cangrene ou feu de saint Anthoine, encores que personne ne haïsse se chair ainsi que dit l'Evangile toutefois il fait couper le membre qui est infecté de peur que pis ne luy advienne & qu'il perde le reste du corps." Folios 37 and 38 are both numbered as 37; I have indicated the difference by designation 37 as 37.1 and 38 as 37.2. The language of heresy as an illness that must be healed or surgically removed is common throughout the debates over toleration throughout the civil wars.

⁶⁸ Ibid., fol. 41. "Aussi Dieu voulant monstrier que ceste revocation d'Edicts luy estoit agreable, a tesmoigné par la Victoire miraculeuse qu'il a donné à nostre Roy, que quand on a voulu conserver la majesté divine, il a en recompense conservé celle de nostre Prince."

⁶⁹ Ibid., fol. 41-42. "Or est l'Edict fait par lequel il est enjoint aux heretiques de vuider ce Royaume, se contenant nostre Roy d'une punition fort douce & humaine pource qu'il ne confisque leurs biens, mais souffre qu'ils soient vendus & que le prix leur en soit baillé. C'est la

This is the not-so-subtle introduction to the next question tackled in the *Discours*: Since the edicts of pacification have been revoked, does it follow that France should also return to the punishment of death for heresy that existed before the first edict of toleration? The Protestants' refusal to leave had only resulted in rebellion against the king and sedition against the "*patrie*," making heretics, the author concludes, even more deserving of punishment than before the wars began.⁷⁰ On this basis, the author dismisses the Roman precedent of allowing for banishment in lieu of death, insisting that if the Roman emperors had known the malice of France's contemporary heretics, then "they would not have been so gentle towards them."⁷¹ This argument is supported by more recent precedents for burning heretics, such as Hus, Wycleff, Anabaptists in the Germanies, and even the burning of Servetus by Calvin in Geneva.⁷² Finally, the author of the *Discours* refutes any claim that French Calvinists are true martyrs or "innocent

loy Porcia qui fut à Rome, qui permettoit à ceux qui estoient criminels de s'en aller en exil pour éviter la peine de mort. Mais le mal est que les hetetiques [sic] qui n'ont de coustume d'obeir ny à Dieu ny à son Eglise ne veulent obeyr au Roy, & se trouvent encore quelques uns ès païs de l'obeysance du Roy, je dis de son obeysance, car ie ne mets en compte la Rochelle, Montauban & les villes qu'ils occupent, que je n'estime ester de l'obeissance du Roy. Or es-til escheu que quelques uns s'estans trouvez en ceste ville & mis és màins [sic] de la justice, apres avoir esté admonestez de leur salut par des docteurs en Theologie, & que ils sont demeurez obstinez, jusques à dire qu'ilsaimeroient [qu'ils aimeroient, sic] mieux estre bruslez vifs que d'aller à la Messe."

⁷⁰ Ibid., fol. 44-45. "...ce qu'ils ont negligé, d'abondant si du temps de noz peres les heretiques estoient punis de mort pour l'heresie seulement, puis que outre l' heresie ils ont adjousté la rebellion envers leur Prince, ont esmeu des troubles & seditions en ce Royaume, ont ouvert le chemin aus Reistres ennemis de nostre patrie. Il semble que les heretiques de maintenant soyent beaucoup plus punissables qu'ils n'estoient devant les troubles suscitez en ce Royaume."

⁷¹ Ibid., fol. 50.2. "Or ces Empereurs là ne cognoissoient pas encores la malice des heretiques comme depuis nous l'avons cogneuë & experimentee de nostre temps, que s'ils eussent sceu combien l'heretique couue de maux, & combien il devient audacieux quand il se voit fort & puissant: les Empereurs n'eussent esté si doux contre eux." After folio 51, the folio numbers start over from page 49 to the end. I have marked the second occurrence of a folio with the addition of '.2' after it.

⁷² Ibid., fol. 51.2.

lambs” like the early Christian martyrs; they are charged with the crimes lèse-majesté and of “thousands and thousands of cruelties,” having fought battles and attacked towns.⁷³ The heretics, he insists, must be eliminated, not just for the sake of the kingdom, but for the sake of God, for “those who receive the sword of justice must not leave blasphemy unpunished and avenge their wrongs without also avenging the wrongs done to God.”⁷⁴

The author of the *Discours* thus supported the League position that the erroneous conscience of the heretic could not be tolerated and that obdurate heretics were guilty of criminal intent. He presented the pursuit of heretics as both a religious and a political duty, and he explicitly criticized a *politique* solution to this problem that tolerated heretics for the sake of peace or political expediency. In the *Discours*, Catholics are directly criticized for putting their own interests ahead of defending those of God. In addition to the concluding sentence that the sword of justice must be used in God’s defense, the author insists that God will favor the just cause of the Catholics “if we do as much for our religion as we would do for the state of the kingdom.” “We must not,” he adds, “make impure justice by doing as much for the honor of God as for our particular interest.”⁷⁵ The argument of the *Discours* represents the real fear that toleration will give way to domination under a non-Catholic monarch. What had changed with a Protestant king was the new threat that a non-Catholic could lead to a plural France. If

⁷³ Ibid., fol. 52.2. “...ils sont bien differens des bons martyrs de la primitive Eglise, que l’on conduisoit au supplice, comme brebis innocent, là où ceux cy sont chargez de rebellions de crime de leze Majesté, de mille & mille cruautez, les ayans veus en armées, en batailles & assaux de villes, avec autre maintien que n’estoit les anciens martyrs.”

⁷⁴ Ibid., fol. 54.2. “Tant y a que ceux qui ont receu de Dieu le glaive pour faire justice ne doivent laisser le blaspheme impuni, & venger leur injure sans aussi venger l’injure faite à Dieu.”

⁷⁵ Ibid., fol. 53.2-54.2. “...nostre cause est tant pleine de justice que Dieu la favorisera si nous faisons autant pour nostre religion que nous voulons faire pour l’estat de ce Royaume, & que pour un inconvenient il ne faut laisser à faire justice des meschans faisant autant pour l’honneur de Dieu que pour nostre interest particulier.”

pluralism or, even worse, the triumph of the Reformed Church over the Catholic Church in France was at stake by tolerating heretics, then heretics could not be tolerated.

League rejection of Protestants as heretics was not a rhetorical exercise or a political gambit, but it was also not the result of irrational religious fanaticism. It was not an idea limited to polemic, propaganda, or *libelles*. The logic of rejecting liberty of conscience in this League pamphlet reflects the oath of the *Sainte Union*. The oath was both personal and communal, private and public; individuals took the oath and promised to uphold it at the expense of their lives, but the oath was also the same for all its adherents regardless of quality, and it was taken publicly. The boundaries of the community were not private, and if any *habitants* did not want to abide by the new boundaries, they were to be exposed and banished outside the communal walls, both literally and figuratively. The logic and functioning of this public unification of all the *habitants* in a municipal corporation is also present in the 1585 Treaty of Nemours and the 1588 Edict of Union on a larger scale. This is the logic expressed and theoretically justified in the 1588 *Discours*, but this interpretation of the necessity of eliminating liberty of conscience and extirpating heretics to save Catholic France had been articulated in League appeals to the king since its formation. One such letter to the king illustrates the ways that rejecting liberty of conscience was tied to the idea of reviving and defending a communal France unified in the Catholic faith. By 1586, the League, under the leadership of the duc de Guise, had consolidated its hold over much of north and eastern France, including Champagne. This Catholic stronghold, had one weak point: the independent principality of Sedan ruled by the Huguenot duc de Bouillon through his marriage to Charlotte de La Marck. Just as it was vital to secure Normandy in order to prevent an English incursion from the west, Sedan served as a staging ground and entry point for Huguenot troops in the east. The principality was known as a “little Geneva” for

giving refuge to heretics; it was even referred to as a “nest of Huguenots.”⁷⁶ In February of 1586, the League army began trying to secure this border by taking towns near Sedan; in November, Sedan retaliated by capturing the town of Rocroi, whose governor was killed in the fighting. The duc de Guise retaliated by laying siege to the town, and then continued to take towns in northern Champagne along the border with Sedan into 1587. The Huguenots in Sedan responded with continued raids into Champagne. Henri III managed to broker a truce on April 27, but it was short-lived. John Casimir was already assembling 30,000 troops to cross the border into Lorraine; they reached Champagne by September. While the king hoped that the Germans would weaken Guise and his army, the League’s victories only strengthened the support for the *Sainte Union* and, after Henri III intervened to prevent Guise from destroying the German troops, weakened support for the king.⁷⁷

Before the conflict escalated, the League appealed to Henri III in 1586 to argue that Huguenot refuge in Sedan had to be prevented. The appeal begins by defining the parameters of the self-proclaimed *dévots* in language repeated in the *Sainte Union* oath and in the *Discours*; the authors recognize their obligation to God to sacrifice all of their possessions and their lives, for they were given by God “to serve and honor him, and not for our own pleasure and profit.”⁷⁸

⁷⁶ Konnert, *Local Politics*, 183.

⁷⁷ Konnert, *Local Politics*, 184-85. Henri III had sent the royal army to engage with Henri de Navarre in the southwest to prevent him from joining Casimir in 1587, but Navarre’s forces defeated the king’s. Instead of killing two birds with one stone, Henri III was left with two empowered rivals, Navarre and Guise. He sent Casimir supplies, financial support, and an escort out of France. Catherine de Medici negotiated an agreement with Guise that he would not attack Sedan in the spring of 1588, but the conflict in France did not improve.

⁷⁸ B.N., MS Français, 3344, fol. 97 (n.d., c. 1586). “Le devois que nous avons recognu a dieu nre createur destre obligé de sacrifier non que demployer po[ur] lacroissem[ent] de sa gloire et honneur et exaltation de sa s[ainte] eglise toutes les facultez que nous avons et la propre vie non comme choses nres mais siennes, et quil nous a donné en garde po[ur] le servir et honorer et non po[ur] nre seul plaisir et commodite.” Thanks goes to Brian Sandberg for bringing the contents of the following two documents to my attention.

The heretics must be stopped from vanquishing the true Church, and their pernicious intent against the king must be prevented. According to the authors, the heretical threat to French Catholics is not just religious; they unjustly accuse Catholics of being idolaters “and therefore infidels unworthy of possessing territory.”⁷⁹ The *dévots* identify their first obligation as chasing all blasphemy from the kingdom in order to please God, so that the king’s worthy subjects will be “delivered one day from the persecution and affliction of pernicious heresy that has vexed us for twenty-four years.”⁸⁰ This, they continue, is the king’s will, as described in both his coronation oath and the “holy edict” resulting from the 1585 Treaty of Nemours.⁸¹ The appeal frames the king’s fight against heresy as integral to the office and sovereign government granted to him by God; the purpose of the current war against heretics is for the “sovereign surgeon” to heal his subjects, and there is nothing the king can do in greater service to both God and his crown than to eliminate the “asylum and places of refuge” the heretics have in Sedan.⁸² From

⁷⁹ Ibid., 3344, fol. 97. “...contre les hereticques de vre royaume po[ur] les empescher comme a este fait jusques a point de supediter leglise de dieu ou parvenir a leur pernicleux dessaing estimant voz ma[jestez] treschrestiennes et nous tous voz subjectz tres catholicques idolastres et par consequence infidelz et indignes de posseder aucune terre, chose certe tres inique.”

⁸⁰ Ibid. “Nous, sire, au continuant nre p[re]mier deuoir et desir de voir chassé hors de vre roy[aume] tout blasfeme et qu’en icelluy dieu y soit servy et loué comme il appartient et par consequen[ce], nous tous voz subjectz tres fidelz delivrez ung jour de la persecu[ti]on et affliction q[ue] la pernitleuse herezie nous a travaille depuis vingt quatre ans.”

⁸¹ Ibid. “En ce ainsi que vre ma[jeste] tres dignement a declare sa vollonté estre telle non seullem[ent] a son sacre mais par ung si saint eedict quelle a trouué bon de faire en recognoissem[ent] des innumerables bienfactz quelle a receu de dieu.”

⁸² Ibid. “Et po[ur] saquiter de la charge et souverain gouvernem[ent] quil vous a mis en main dun si grand et puissant roy[aume] que nestans par vre ma[jeste] employez po[ur] lheure pñte en ceste guerre, quelle a intimé et preparé contre les hereticques de vre roy[aume] pour rendre tous voz subiectz en la sirgerie et recognoissance duquel et souuerain sirgier ou les aneantir que ne pouuions mainten[ant] faire service plus agreable a dieu ny profitable a vre couronne q[ue] de denycher des cavernes de Sedan et jamais occupez et tenuz en souveraineté. Vraies asilles et retraictes des hereticques plus ostinez, perfides, et sedicieux de vre roy[au]me...”

this refuge, they plot “new conspiracies, treasons, and usurpations against the Catholic and Roman Church and [the king’s] dignity...dissuading and separating the faith and will of [his] good and faithful subjects, which is the true means of subverting a monarchy.”⁸³

In contrast to the logic of a Catholic body politic requiring the king as surgeon to rid it of heresy as God’s will in this appeal, Henri III’s response in April of 1587 to the escalation of war with Sedan in a letter to the duc de Montpensier demonstrates the monarchical logic for drawing the boundaries of citizenship through liberty of conscience that Catherine de Medici first employed in 1562. It also epitomizes the *politique* approach to pacification that was so vilified by the League.⁸⁴ While Henri acknowledged his anger at the occupation of Rocroi by Sedan the preceding fall, however, he wanted to see peace between his cousins Bouillon and Guise in Champagne. The situation was doubly complicated for the king; Bouillon was allied with Henri de Navarre, and both Bouillon and Guise were Henri’s subjects as well as holders of principalities in Sedan and Lorraine respectively. That Henri III wrote to Montpensier about Bouillon and his position in Sedan was not coincidental; the duc de Bouillon was the son of the duc de Montpensier’s sister, Charlotte de Bourbon, who herself was married to the Prince of Orange who led the revolt against Spain in the Netherlands. Accordingly, Henri III insists in the letter that he does not believe that Bouillon was responsible for the assault of Rocroi, and, “in order to put things on the path of pacification,” he wants to send his representatives to both ducs to broker peace.⁸⁵ Henri did not ignore the religious conflict or the behavior by those he could

⁸³ Ibid. “...nouvelles consp[er]a[ti]ons, trahisons, & entreprises contre leglise catholique et romaine et vre estat, tachant po[ur] ce f[air]e de dissuader et separer les creances et vollontez de voz bons et fidelz subiectz, qui est le vray moien de survertir une monarchie.”

⁸⁴ A.N., K 108, fol. 123⁴, *Henri III to duc de Montpensier* (Paris, April 19, 1587).

⁸⁵ Ibid. “Et pour mettre les choses en ce chemin de pacifica[ti]on, je voulluz depescher le s[ieu]r de Rambouillet et president ____ vers luy et mond[ict] cousin le duc de Guyse et par eulx leur f[air]e entendre ma volunte & intenti[o]n, mesmesment ce que je voullloys que fait vred[ict]

only have believed to be heretics; he did complain about the offenses committed by Huguenot troops on his Catholic subjects, including the pillaging of churches and a reported incident in which the host was snatched from the hands of a priest and derisively stomped on. For these sorts of impieties he “everyday receives infinite *plaintes*.”⁸⁶ Despite this, the king insists that he wants “to put an end to all these disorders.” He tells Montpensier that he has written instructions for his representative that guarantee Bouillon will be able to “remain peacefully in his places” with the king’s protection, and he adds that he is seeking to have the duc de Guise “cease on his part all acts of hostility.”⁸⁷ He wants the duc de Bouillon to understand that his intention “is none other than to maintain and conserve him in the same protection as his predecessors.” However, Henri adds, “being of another religion that they were,” Bouillon must take care to govern Sedan and his other holdings so that the current trouble can be avoided. The duc’s holdings cannot serve as places of retreat to all the Huguenots fleeing his kingdom,

nepveu pour me donner assurance que de ses places, il nadvient plus de semblable mal que celluy de Rocroy.” The duc de Bouillon denied any knowledge or involvement in the attack of Rocroi. See Konnert, *Local Politics*, 184.

⁸⁶Ibid. “Sur laquelle, je vous diray en passant que sil a souffert de grandes et notables pertes en ses terres. Les gens de guerre quil a euz dedans nen ont pas moins fait sur mes subiectz tant au Retheloyz que ailleurs mesmes sur ceulx de Levesché de Verdun qui sont en ma protection ou avec les pilleries tresgrandes qui y ont esté exercees lon a fait plus[ieu]rs sacrileges et pillages de glises jusques a avoir pris la ste hostie en aucunes entre les mains du prestre lors quilz celebrait la messe et conculque icelle aux piez avec beaucoup de derision et impiete contre nre ste religion catholique, dont je recoys encores tous les jours infines plaintes.”

⁸⁷ Ibid. “Mais pour tout cela n'estant demeuré de ma première volonté de mettre fin à tous ces désordres, jay de nouveau voulu despescher le s^r de Cuchy qui est à vredit nepveu, auquel jay baillé un mémoire bien ample de ce que je veulx qui face pour demeurer en repos en ses places avec la continua[ti]on de ma protection et montrer toute occa[si]on de défiance quil nen puisse plus naître aucun mal. Ayant au mesme temps donné charge au s[ieu]r de Bellieure que jay aussy despesché vers mond[ict] cousin le duc de Guise de faire instance envers luy à ce quil face cesser de sa part tous actes d’hostilité et remettre les choses en une bonne pacifica[ti]on et intelligence en étant satisfait par vredit nepveu à ce que je luy aya mandé.”

providing them with a convenient location to take over the king's towns.⁸⁸ The king desires "good pacification," as well as a check on the League, to the extent that he also warns Montpensier that he has heard artillery has been placed near the border with Sedan.⁸⁹ Henri III repeatedly offers to "embrace and protect" the Protestant Bouillon, presumably from the League. Henri's ability to take neither the side of the Huguenot Bouillon or the *ligueur* Guise, while still maintaining his insistence that Catholics and Protestants in his kingdom must return to "good order," exemplifies the logic of liberty of conscience and its compatibility with the privileges of nobles who had their own jurisdiction. Under Henri's plan, Bouillon would be permitted to rule his holdings as he wished, but the borders between the larger kingdom and his own properties had to be maintained. The offenses that Henri complains of are offenses against the exercise of the Catholic faith: pillaging churches, iconoclasm, harassing priests, blasphemy. In other words, the very public performance of the heresy that he argues must be tolerated for the sake of peace.

Conclusion

To all those in the League

Unnatural Frenchmen, bastards of this France

⁸⁸ Ibid. "Ce qui fut ja advenu si vred[ict] nepveu ne se fut tant esloigne de satisf[i]e aux chose que je luy ay faict scavoir de mon inten[io]n, qui nest aultre que de le maintenir et conserver en la mesme protection que ont este ses predecesseurs. Mais estant daultre religion quilz nestoient, il fault quil se gouverne de telle facon au trouble ou sont aujourdhuy les choses reduictes que sa ville de Sedan et ses au[tr]es places ne servent pas de retraicte a tous les huguenotz reffugiez de mon roy[aume] pour leur donner commodite par le voisinance et proximate dentreprendre sur mes villes, comme il est advenu de celle de Rocroy et a cuyde advenir au mesme temps de troys ou quatre aultres sur lesquelles il sest assez clairement veriffié que Mouy et aucuns reffugiez aud[ict] Sedan avoient entreprise."

⁸⁹ Ibid. "Ce qui na que a mon gré trop continué et viens mesmes destre adverty p[oi]ntement que lon a faict descendre de Sedan quelque pieces dartillerie sur la riviere de Meuze pour assieger Donchery appartenant a mon cousin le duc de Nivernoys, distant dune lieue et demye dud[ic]t lieu. Ce qui viendroit mal a propoz et seroit bien loing dacomoder les aff[air]es a quelque bonne pacifica[ti]on, laquelle je desire pour ma part."

Who can only be tamed by its own hand,
Stripped now of the barbarous courage
That swelled you with arrogance, and decayed you with ignorance.

Petits Princes Lorrains, abandon your hope.
Follow no more the error of this Cumean ass.⁹⁰
Who wearing the skin of a great Roman Lion,
Glimpsing the true Lion lost courage and heart,

And you, Parisians, where would you have recourse?
Whether you like it or not, without hope of succor,
Yield to duty, where you the law requires.

But if you provoke your king against you,
You will be punished: children and fools
If they are not punished never learn.⁹¹

With the start of the eighth, and technically final, civil war in 1585, the assassination of Henri III in 1589, and the contested accession of Henri IV to the crown, the conflict between rival Catholic and Protestant claims to citizenship escalated until it reached its apex with the illegally-held Catholic League Estates General of 1593, the mockery of which inspired the poem above, “To all those in the League.” The parameters of French citizenship and kingship were

⁹⁰ The Cumean ass is a reference to Aesop’s fable about an ass that posed as a lion in Cumae; it implies falsely valuing the absurd because it is novel. Aesop’s fables were published in France in 1582, and the adage was also used by Erasmus. See *Satyre Menippeee*, 430, fn. 1105 and Ingrid de Smet, *Menippean Satire and the Republic of Letters, 1581-1655* (Geneva: Librairie Droz, 1996), 239, fn. 71.

⁹¹ “XXXV Sonnet. À tous ceux de la Ligue,” in Martial Martin, ed., *Satyre Menippeee de la vertu du Catholicon d’Espagne et de la tenue des Estats de Paris (1594)* (Paris: Honoré Champion, 2007), 149. “François desnaturez, bastards de ceste France / Qui ne se peut dompter que par sa propre main, / Despouillez maintenant ce courage inhumain / Qui vous enfle d’orgueil, et vous perd d’ignorance. / Petits Princes Lorrains, quittez vostre esperance. / Ne suyvez plus l’erreur de cet asne Cumain. / Qui vestu de la peau du grand Lyon Roman, / Voyant le vray Lyon perd Coeur et assurance, / Et vous, Parisiens, où aurez vous recours? / Il faut bon gré mal gré, sans Espoir de secours, / Vous ranger au devoir, où les loix vous obligent, / Mais si vous irritez vostre Roy contre vous, / Vous serez chastiez: les enfans et les fous / S’ils ne sont chastiez jamais ne se corrigent.”

paramount in this dramatic assembly, in which the League attempted to both retain the legitimacy of a proper Estates General with the king at its head, officially barring foreigners from the proceedings, while negotiating with Spain in an attempt to undermine King Henri IV by overturning the Salic Law in order to elect a Catholic king. The League Estates opened in Paris in January of 1593; Paris was controlled by the *Seize* and at war with Henri IV. The presence of the royal army meant that the League Estates opened with barely fifty deputies and was adjourned until it reached around 128 in February, compared to the nearly 400 at both previous Estates Generals. Many Catholics, and nearly all the princes and nobility, also refused to attend an Estates that had not been called by the legitimate king.⁹² Finding a king, however, was the purported purpose of the meeting itself. There was no shortage of contenders: the duc de Mayenne, the newest duc de Guise, a Habsburg Archduke, the prince of Savoy. And, with the support of the *Seize*, Philip II of Spain through his ambassador insisted that whoever was chosen should marry his daughter and the granddaughter of Henri II, the Infanta Isabella. The suggestion that a foreign princess marry a foreign prince who would be elected to the throne was a step too far for most deputies; Gallican sentiment was still too strong not to be shocked by these various suggestions, and, far from rubber stamping Spain's plans, the assembly was divided. The possibility of overthrowing the Salic Law was so shocking that it precipitated the restoration of the Parlement of Paris to its role as the defender of Gallican France. The Parlement, due to League purges since the first in 1589 and the defection of royalists, was reduced to half its size in 1593, of which only at most a quarter supported the most radical of the League positions. Over the course of the League Estates General, members of the Parlement

⁹² Ronald Love, *Blood and Religion: The Conscience of Henri IV, 1553-1593* (Montreal: McGill-Queen's University Press, 2001), 260.

who felt the Parlement must uphold the fundamental laws of the kingdom argued that this included the Salic Law and began to assert themselves.⁹³ With the League threat of electing a foreign king or queen as proposed by the Spanish ambassador, parliamentary objectors broke their silence. In May, they ruled against the proposal, but when it was brought officially before the League Estates on June 27, the parliamentary deputies in opposition called for a plenary session of the entire court on June 28 at which Guillaume Du Vair delivered an impassioned oration, the circumstances of which have been compared to “Cicero’s orations against Catiline” due to “the atmosphere of emergency and impending danger to the state.”⁹⁴ Du Vair calls upon the Parlement to save France, as “all those French Hearts, resolved to save themselves...turn their eyes to you.” He equates the defense of the Salic Law “that has conserved this kingdom for twelve hundred years” with the defense of France:

What blame and opprobrium will not be ours if today we refuse to defend France, which has nourished us in sweet liberty, allowed us to enjoy the gracious rule of

⁹³ Nancy Lyman, Roelker, *One King, One Faith: The Parlement of Paris and the Religious Reformation of the Sixteenth Century* (Berkeley: University of California Press, 1996), 403. Roelker cites Maugis’s estimate that there were between sixty-seventy *parlementaires* in Paris in 1593, but often only fifty or fewer present for voting. Of these, about a dozen can be identified as full League supporters. See Édouard Maugis, *Histoire du Parlement de Paris de l’avènement des rois Valois à la mort d’Henri IV*, 3 vols (Paris, 1913), 2:99.

On the Paris Parlement and its various positions during the *Seize* in Paris, see Sylvie Daubresse, “Le parlement de Paris pendant la Ligue: entre divisions et prudence,” *La Ligue et ses frontières*, 55-74. On the role of the parlements as the defender of the fundamental laws of France and Gallican liberties, see Henri Morel, *L’Idée gallicane au temps des guerres de religion* (Aix: PUAM, 2003). The transition to the parlements as the prosecutors of heresy under François I is discussed in chapter one. Tyler Lange argues that the radicalization of the Parlement of Paris in 1588 is in part explained by the close ties between it and the Faculty of Theology at the University of Paris. See Lange, *The First French Reformation*, 65-66.

⁹⁴ Roelker, *One King, One Faith*, 407-08. DuVair’s speech can be found in Antoine Loisel, *La Guyenne de M. Ant. L’Oisel, qui sont huict remonstrances faictes en la Chambre de justice de Guyenne sur le subject des édicts de pacification. Plus une autre remonstrance sur la réduction de la ville & restablissement du Parlement de Paris* (Paris, 1605). I use Roelker’s translation here.

our kings, honored us with the highest offices in her gift, if we rob her of defense by her laws which she entrusted to our care.⁹⁵

The speech was not lacking in Spanish aspersions, reminding the parlementaires, among other Spanish misdeeds, of the “cruel fate” of the Indians when considering France under Spanish rule. The speech ends by calling for a remonstrance to be delivered to the duc de Mayenne and the Leagues Estates General declaring any agreements made against the Salic Law invalid, at the risk of lèse-majesté.⁹⁶ The remonstrance was delivered to the Estates General by the president, Jean Le Maistre, The resulting arrêt states that “no treaty can be made to transfer the crown to the hands of a foreign prince or princess.” The Parlement protects the fundamental laws of the kingdom and executes the decrees of a Catholic and French king; on this authority they stop the transfer of power to a foreigner “under the pretext of religion.”⁹⁷

Despite all of its drama, and associated posturing and ultimatums sent to Henri IV, the position of the Parlement illustrates that the 1593 Estates General was never a real threat to the king.⁹⁸ If anything, the proposals for replacing the king forced royalists and *ligueurs* with Gallican sensibilities and a belief in the Salic Law to reiterate their willingness to accept Henri

⁹⁵ Roelker, *One King, One Faith*, 408.

⁹⁶ *Ibid.*, 408-09.

⁹⁷ *Arrêt du parlement séant à Paris qui annulle tous traités faits ou à faire qui appelleraient au trône de France un prince ou une princesse étrangère, comme contraire sà la loi salique et autres lois fondamentals de l'état* (Paris, June 28, 1593), in F.-A. Isambert, *Recueil general des anciennes lois françaises*, 29 vols. (Paris, 1827-1833), vol. 12, 676-681 (no. 51), 71, “Que les lois fondamentales de ce royaume soient gardées et les arrêts donnés par ladite cour pour la declaration d’un roi catholique et françois exécutés; et qu’il y ait à employer l’autorité qui lui a été commise pour empescher que sous prétexte de la religion, ne soit transférée en main étrangère contre les lois du royaume.”

⁹⁸ Love, *Blood and Religion*, 260. None of the princes of the blood, officers of the Crown, marshals of France, or presidents of the parlements, and few members of the nobility, attended.

IV as their legitimate king if he would only convert. Conversion, however, was the requirement, and it was not only so from the standpoint of the League. While the League Estates General had increased the pressure on Henri IV to convert, his decision to do so in the end was not because there was a real threat of being usurped by a foreign king, but because even his royalist supporters were becoming disillusioned that he had not begun instruction in the Catholic faith as he had previously agreed to consider.⁹⁹ The king's conversion was the central issue for his support; at a conference between royalists and willing *ligueur* deputies held at Suresnes starting in April, officially to discuss peace and Catholic reunification, meetings quickly turned to negotiating the king's conversion. Catholics who had been publicly beseeching Henri IV to accept Catholic instruction for conversion since he first became king were wary; why had he waited so long, and how could they be sure his conversion was legitimate? A date was finally set in July to begin Henri's royal catechism. Henri IV had wrestled with his conscience and peace in his kingdom and, after resisting for four years, had made his decision. Knowing what this would mean to his co-religionists, Henri added the provision that his Catholic court formally swear to uphold the provisions he had granted French Calvinists in 1591, in the Edict of Mantes, which had reinstated the 1577 Peace of Bergerac.¹⁰⁰

The announcement in May of Henri IV's conversion did not pacify all adherents of the Catholic League; he was not crowned until February 1594, and did not re-take Paris for another month. When Henri IV finally subdued Paris, he actively sought to erase the League, having both court records and propaganda burned.¹⁰¹ But the king's abjuration and conversion did begin

⁹⁹ *Ibid.*, 271-72.

¹⁰⁰ Michael Wolfe, *The Conversion of Henri IV: Politics, Power, and Religious Belief in Early Modern France* (Cambridge, Mass.: Harvard University Press, 1993), 125-131.

¹⁰¹ Benedict, *Rouen During the Wars of Religion*, 168.

the process of pacification that would officially end the eighth civil war with the Edict of Nantes in 1598, and it consolidated the Gallican basis for royal power. The conversion itself was a deeply formal and ceremonial affair on July 25; the League Estates General, having justified its existence on Henri's status as a heretic, closed in the first week of August. Despite the concerns about a legitimate conversion, and the difficult choice Henri III had to make regarding his own conscience, the rebellion that led to the 1593 Estates in many ways guaranteed Henri IV's eventual conversion and the confirmation that French kingship was Catholic, with the result that, while French citizens could be Protestant, they could also only continue to be tolerated by a willing Catholic monarch. Although the League's ties to Spain and their rebellion against Henri IV embodied in the holding of an Estates General, a meeting of the body of France, in order to replace the king left them more than vulnerable to accusations of sedition and their representation as "unnatural" and "bastard" French subjects in the *Satyre Menippée*. *Ligueurs*, however, were trying to defend a Gallican conception of the French polity. For French subjects who joined the *Sainte Union*, the "unnatural Frenchmen" were in truth French Calvinist heretics and the Catholics that continued to recognize the latter as French citizens.¹⁰² The League continued to insist on this definition of the body politic and French citizenship that it had made from its inception. A pamphlet in manuscript form from the period of the League Estates General, *La forme d'un monstre et le certificat du chirurgien qui l'a anatomisé; interprétation de ce que dessus par la Ligue*, explains the League position that heretics are unnatural and separate

¹⁰² For a discussion of League, royalist, and Huguenot rival claims to being "*le bon François*," see Arlette Jouanna, "Être 'bon Français' au temps des guerres de Religion: du citoyen au sujet," in Ouzi Elyada and Jacques Le Brun, eds., *Conflits politiques, controverses religieuses: essais d'histoire européenne aux 16e-18e siècles*. *Recherches d'histoire et de sciences sociales* 96 (Paris: EHESS, 2002), 19-32. See especially 28-29.

from the polity by comparing them to the body of a scientifically described unnatural being. While the manuscript is anonymous, the author claims to be “a man of means who is in the company of the *conseil* of the *Seize*, also called the *Compainie Ligueuse de l’Union Saincte*,” offers his interpretation of a monstrous birth. While the unforgiving, and often virulent, interpretation of French Calvinists, royalists, and *politiques* should be put into the context of a Paris that had been under siege multiple times by Henri IV in 1589 and 1590, the author’s explanation for intolerance in relation to the polity echo those from the start of the eighth war nearly a decade before.

The document begins with what is purported to be the notes of a surgeon of the faculty of medicine in Paris detailing his dissection of a “monster.” The affidavit, dated February 14, 1593, swears that the daughter of the *curé de St. Jacques*, married to a *procureur* of the League in Paris, gave birth to twins. One of them, living and composed of all its members, was baptized; the other was “a monster, strangely deformed, and born dead.” A detailed description is then given of this “monster” and its deformities, concluding with the declaration that “this monster was so deformed and its members so composed and situated by such disorder, that it was everywhere contrary to the form of the other perfect and natural body.”¹⁰³ The description of the prodigy, with, among other monstrous features, a beak, deformed limbs, the virile member of a twenty-four-year old, and no heart or lungs, follows the formula for monsters and prodigies prominent in the sixteenth century, made up of composite parts. They were also usually

¹⁰³B.N., Dupuy, 770, fol. 213-223. *La forme d’un monstre et le certificat du chirurgien qui l’a anatomizé; interprétation de ce que dessus par la Ligue* (c. 1593), fol. 222. “Comme l’Auteur proferoit ce Discours, ung homme e Bien qui est de la Compaignie du Conseil des Seze...” and fo. 216, “ce Monstre estoit si difforme et ses membres composees et situer par ung tel desordre, qu’il estoit du tout contraire a la forme des aultres corps parfaicts et naturels.”

associated with temptation, punishment, and sin.¹⁰⁴ The League interpretation of this prodigy following the certification by the surgeon begins by comparing the mother of these two twins to France itself:

This woman can be compared to this poor France, which in the year 1562 conceived and bred two children...one who is a child dedicated to God, who represents the body of the true Catholics of the *Union Saincte*, represented by the living child...The other dead child, it is the child dedicated to the devil, who represents the body of the heretics, schismatics, and *politiques*, their supporters. All together make the body of the synagogue of Satan represented by the monster.¹⁰⁵

There then continues a description, body part by body part, including internal organs and their regulation of humors, that associates each monstrosity with a different pollutant to the polity related to the heretics. The derision directed at the *politiques*, those who would compromise with heretics, is no less than that for the heretics themselves. All those who do not take the oath of the *Sainte Union* and swear to extirpate heretics are acting outside of the body of the faithful and the body politic, since they are united. In the monster, the *politiques*, as companions of the heretics, are equated with the beak the monster has instead of a mouth. Just like the duck who, “having just drunk the beautiful, clear water” proceeds to “thrust his beak in the stinking and filthy mud of the river bank,” the *politiques* attend Mass with the *ligueurs*, only to pollute it with their complicity.¹⁰⁶ The polluting nature of heresy is a repeated theme; the large “virile member”

¹⁰⁴ Lorraine Daston and Katharine Park, *Wonders and the Order of Nature* (New York: Zone Books, 2001), 182.

¹⁰⁵ B.N., Dupuy, 770, fol. 216. “Ceste femme peult estre compare a ceste pauvre France, laquelle des l’année 1562 conceut & engendra deux Enfans quelle a tousjours du despuis nourris; A sçavoir l’un qui est l’Enfant dedié a Dieu, qui represente le corps de vrais Catholiques de l’Union Saincte, represente par cest Enfa[n]t vivant, qui a veceu le character de salut de St. Baptesme. L’aultre Enfant mort, c’est l’enfant dedié au Diable, qui represente le corps des heretiques, schismatiques, & politiques leurs fauteurs. Tous ensemble font le corps de la Sinagogue de Satan representé par le Monstre susdit.”

¹⁰⁶ Ibid., fol. 217. “La beauté du chef de l’homme est une belle bouche, au lieu de laquelle ce Monstre avoit ung *bec de cane* qui represente les politiques fauteurs des heretiques,

of the monster represents the “lechery and filth” of the heretics.¹⁰⁷ Heretics are portrayed as immoral, living “like atheists in total liberty, without being examined in their consciences.” Their only fear is that “this poor France be privileged by a Catholic king,” as they fear “being examined and hindered in their savage lives and worse idolatries.”¹⁰⁸ This interpretation of liberty of conscience succinctly expresses why it was seen as pernicious to so many French subjects. While this sentiment is from the Catholic League, the same fears, of atheism and possible heresy if consciences were not properly instructed by a church, appeared in both Protestant and Catholic objections to the monarchy’s limited liberty of conscience in 1563. The monstrous body also has no arms, representing the body of heretics without nobility, for “the nobility joined with the head must serve in order to defend the rest of the body.”¹⁰⁹ Although it has no arms, it does have hands, protruding directly from its shoulders. This is interpreted in two ways. First, as the “vengeful hand of God who wants to destroy the monster in all its parties, as he will destroy by fire heretics and the *politiques* their supporters, as well as carrying our

lesquels comme le Canard qui vient boire a la belle eau Claire, aussi tost va fourrer son bec dans la bourbe de la rive de ruisseau quelque ordre et puante qu’elle soit; ainsi font les politiques qui viennent avec nous en nostre Eglise, feignants de noirse de ceste bell’eau Claire de la pure parole de nostre Seigneur en la sacrée messe & predication de St. Evangille: Et aussi tost qu’ils en sont sortir retournent a barboter...” *A bec de cane* was a tool shaped like a duck’s beak with teeth, for holding and extracting bullets. See “*bec*” in Randle Cotgrave, *A Dictionarie of the French and English Tongues* (London, 1611).

¹⁰⁷ Ibid., fol. 219. “Le membre viril de ce Monstre, ainsi grand comme il a esté trouvé represente le lubricité & orde ___ de tous les heretiques...”

¹⁰⁸ Ibid., fol. 217. “Et les aultres afin de vivre comme Atheistes en toute liberté, sans estre recherche en leurs consciences. Car c’est le vray But ou ils adspirent, ne craignants aultre chose sino[n] que ceste pauvre France soit pourveue d’un Roy Catholique: daultant qu’ils qu’ils craignent estre rechercher & empescher en leurs vies brutalles & pires idolatries.”

¹⁰⁹ Ibid., fol. 217. “Le Corps des heretiques estant sans Noblesse, peult estre comparé a ung corps sans bras. La Noblesse joincte avec le Chef doibt server pour deffendre tout le reste du Corp.”

shield.”¹¹⁰ The second meaning offered is that it is “a shrunken arm that has lost its strength,” for having rejected God and embraced vice, “justice has no place...between heretics, schismatics, and politiques there is only impiety and injustice.”¹¹¹ The monstrous body, in sum, is the opposite of the body politic united in the Catholic Church; there can be no toleration of heresy in a healthy polity. It is all or nothing; the deformities are not on an otherwise healthy body. There are two bodies, one perfect, whole, and baptized in the Catholic faith, and the other polluted, deformed, and consumed by vice like the devil. The boundaries of the communal polity in the *Sainte Union* cannot be mapped onto households where consciences are unexamined in the private sphere; heresy excludes one from the polity, and failing to extirpate heretics can only pollute the body politic.

The communal conception of citizenship that emerges from League actions and rhetoric, combined with its Gallican rejection was opposed not only to the boundaries of conscience, but to corporatist absolute kingship. The election of a king is a drastically different logic for royal power than that supported by the history of Gallican institutions. However, the unity of the body politic required the purging of heretics and the removal of the boundaries of conscience that had allowed their toleration. A heretic was a heretic, regardless of his royal lineage. While individual motivations for taking the oath and the personal religiosity of League members did vary by place and local circumstance, understanding local motivating factors does not change the fusion of religion and politics that upon which the League’s rejection of liberty of conscience

¹¹⁰ Ibid., fol. 217. “La premiere ou la peult pre[n]dre pour la main vengeuesse de Dieu qui vault destruire ce Monstre en toutes ses parties, comme il destruirea par feu & [sic] les heretiques & les politiques leurs fauteurs, ainsi que porte nostre Escusso[n].”

¹¹¹ Ibid., fol. 218. “...c’est a dire rejettée & reprouvée de Dieu, comme vilanie, roturiere & pleine de tous vices, ou le vice regne, Justice n’a lieu; Aussi entre les heretiques, schismatiques & politiques ny a qu’impieté & injustice.”

was built.¹¹² Despite the tendency to explain League phenomenon in terms of either “systems of belief” or “structures of society,” Barbara Diefendorf has pointed out that in both what emerges is “a fusion of the social, political, and religious facets of the League into a shared vision of an early modern world that did not distinguish among these elements.”¹¹³ All Leaguers strongly rejected the possibility of a non-Catholic king, as did many non-League Catholics, but they did not stop there. What distinguished the position of the League from other possible Catholic positions was its insistence on prosecuting French Calvinists as heretics. Even if individual *ligueurs* compromised for the sake of co-existence, the logic of the polity of the *Sainte Union* was not based only on opposition to Calvinist public worship or the official recognition of a French Reformed Church. It relied on an objection to the very possibility that any French subject could retain citizenship and not be Catholic. The League rejected outright the formula for toleration that the monarchy first presented in 1562 when it declared that all French subjects were entitled to freedom of conscience in their households. When Leaguers rejected liberty of conscience, what they were really rejecting was not the separation between religion and politics, but the separation between the private and the public sphere that precluded its use. There was politics, and there was religion, but, for Leaguers, there was no element of French citizenship

¹¹² For example, Elizabeth Tingle determines that “religious radicalism” was not the main factor for League involvement in Nantes, while Philip Benedict argues that in Rouen, the defense of the faith and the characteristics of League piety were not secondary to its political aims. See Tingle, “Nantes and the Origins of the Catholic League of 1589,” 109-128 and Benedict, *Rouen during the Wars of Religion*.

¹¹³ Barbara Diefendorf, “The Catholic League: Social Crisis or Apocalypse Now?” *French Historical Studies* 15, no. 2 (Autumn, 1987), 332-344; 344. Diefendorf describes the “different priorities” of these two strands of historiography as “too firmly rooted in competing historiographical traditions to be fully reconcilable,” but finds that in their conclusions “the literature on the League is thus approaching a synthesis in which the social, political, and religious interpretations are fruitfully combined” (344).

that was not Catholic. Thinking of League actions in terms of a duality between religion and politics does not reflect the reality of sixteenth-century attachments and practices, any more than it does those of contemporary secularized liberal democracies. What had changed with the threat of a Protestant king was that the politico-theological public, which had remained unabashedly Catholic under a Catholic king despite attempts at toleration, could officially become religiously plural or entirely Calvinist. The motivations of the Catholic League and its proponents are a particularly difficult case to disentangle, but the logic of League citizenship that emerges from its resistance to the crown is integral to the history of freedom of conscience and Catholic France. They both lost the war and succeeded in ensuring that France, first and foremost, would remain a Catholic kingdom with a most Catholic king.

Chapter Five

Calvinist Rejection of Liberty of Conscience for a Reformed Gallican Citizenship

Introduction

Once it was clear that Henri IV was seriously considering converting to Catholicism, the French Reformed Church leapt into the public debate about his possible conversion. For French Protestants, the stakes of this battle for the king's conscience could not have been higher; the king's conversion in 1593 was a horrible blow. In the debate over what should take precedence, the Salic Law or the Catholicity of the king, in the end both had been required. Henri IV's battle with the Catholic League for his legitimacy had both contributed to the articulation of the idea of fundamental laws in the French kingdom and reified the Catholicity of the king. After Henry IV converted in order to retain the support of his Catholic subjects, there was little question that either the Salic Law or Catholicity would ever again be questioned. The defeat of the *Sainte Union* and its communal vision of a French polity free of heretics marked the end of the possibility that a Calvinist could be king; Gallican corporatism and its institutions had defeated the League. Calvinists, however, were still dissatisfied with the limitations placed on the exercise of their religion through the edicts of pacification. The toleration of Calvinists, as opposed to the official recognition of their church, required the *politique* version of citizenship that was created by granting a liberty of conscience that made it possible to tolerate Calvinists despite their heresy, but did not allow them to be fully-participating citizens with their own Gallican legal or religious institutions. From its inception, however, the French Reformed Church conceived of itself as the true Gallican Church of France, not as an offshoot of Calvin's Geneva. After the king's conversion was announced in 1593, the Reformed Church responded

with a *mémoires* “to the Great King going to mass to embrace the Catholic Religion.”¹ In it, they remind Henri IV that their safety “after God, is held in the hands of our Prince, who knows very well our equality.”² While their ecclesiology and doctrine were far different from that of their Catholic *concitoyens*, French Calvinists wanted the same access to public worship, an organized church, and the legal system as their Catholic counterparts. If they could not be the one Church of France, they at least wanted equal standing.

Already in 1593, the French Reformed Church had a functioning administrative organizational structure within which to claim a place in the tradition of a French system of hierarchically ordered corporate assemblies. Calvinist assemblies had been meeting throughout the wars, often with the king’s permission during times of peace. This chapter establishes that this organizational structure was institutionally Gallican, mirroring the hierarchically organized system of local and provincial assemblies that were prevalent in sixteenth-century France. This Gallican structural organization was finally codified by the Protestants in 1594. When combined with the demands of French Protestants for religious and institutional equality to Catholics, this structural organization helps map the ways that Protestants sought full access to all of the public forms of Gallican citizenship in France. It also demonstrates just how Gallican French Protestants actually were. The Protestant assembly records in response to Henri IV’s conversion attest to their rejection of a freedom of conscience that only allowed Protestants to be fully Protestant in their homes, and only publicly Protestant as a royal favor. The monarchy may have declared that French Protestants remained French, but this formulation without full legal

¹ Bibliothèque Mazarine, MS 2593, fol. 271r-281v (1593). *Memoires dressees par ceux de la Religion Reformée lors que le Roy le Grand allant a la Messe Embrassa la Religion Catholique cequy fut en l’an mil cinq cens quatre vingt Treize.*

² *Ibid.*, fol. 272r. “...chercher nostre secours apres dieu entre les mains de nostre Prince qui connoit tres bien nostre equité.”

recognition and access to the politico-theological sphere denied the legitimacy of Protestant Gallicanism.

From the ecclesiastical assemblies of Catholic priests to the assemblies of notables, and from provincial estates to the hierarchically organized system of local and provincial assemblies that met in order to put together *cahiers* that would then be taken by their elected representatives to national Estates General, assemblies were exceedingly common, and even frequent, during the tumultuous period of the French civil wars. Preparing for such large, representative assemblies had long involved the incorporation and consolidation of local and regional grievances in various levels of assemblies that were then finally represented at a national level, a practice also followed by the Catholic League in their technically illegal Estates of 1593. Excluding this illegal assembly, the national Estates General alone met four times from 1560 to 1588. While the king's decision to convert effectively ended the Catholic League's Estates General in July, it set off a new series of Protestant assemblies in order to address the place of Henri's Protestant subjects under their former protector. The first of these national assemblies, the Protestant general assembly of Mantes, was held after Henri IV's conversion; it officially opened in November. Mere months after the closing of the League Estates General, called to debate the crisis of a Protestant king, the Protestant general assembly took up the crisis of the king's conversion to Catholicism. In both cases, the institutional organization of the political structures of these subjects played a part in their larger claims that they were the true "*bon françois*," loyal subjects to the king (even if they did not always agree who the king should be), and, above all else, rightful *citoyens* of the kingdom of France.

The assemblies called in the first year after the king's conversion, held at Mantes in 1593 and at Sainte-Foy in 1594, set the stage for what would become the negotiations for the 1598

Edict of Nantes.³ In all, eight national Protestant assemblies were held from 1593 to 1598, and still more were held after 1598 regarding its implementation. While the processes of this negotiation have been well-documented, this chapter is based on the existing records related to the Protestant political assemblies that met in 1593 and 1594, which are used to demonstrate that French Reformed subjects were arguing for full participation in the French kingdom and legal recognition of their church. While French Calvinists were in a vastly different position than they had been in 1563 and France had a new ruling dynasty, the limited toleration of the *liberté de conscience* that Catherine de Medici and Charles IX had used in 1563 was again the law of the land. This conception of freedom of conscience took conscience seriously – it was based on the conviction that consciences should not be forced – but it also limited the public role of the Reformed Church and the ability of French subjects to participate in public life. The assemblies that met in the wake of Henri IV’s conversion do not reveal a group that had been covered into

³Although they had not yet begun official negotiations, the assemblies starting in 1593 participated in the preliminary negotiations for what would become the Edict of Nantes in 1598. See Alexis de Jussieu, “Notice sur les assemblées de protestants qui eurent lieu en France à la suite de la conversion de Henri IV à la religion catholique romaine Jusqu’à la Promulgation de l’Édit de Nantes” (n.p., n.d.), 279, as noted by Emma Lorimer, “Huguenot General Assemblies in France, 1579-1622” (University of Oxford Dr. Phil. Thesis, 2004), 76, fn. 150. A letter from November 25, 1596 to the Protestant General Assembly from its deputies at court, dated November 15, reveals that the official negotiations for the edict had begun (Arsenal, MS 5411, fol. 485, art. 217: Vendôme 1596-7). As noted by Emma Lorimer, this supports the claims by Léonce Anquez, Francis Garrisson, and Janine Garrisson-Estèbe that negotiations began in 1596, as opposed to the General Assembly at Châtellerauld that began the following year as claimed by Arthur Herman and Mario Turchetti. See: Léonce Anquez, *Histoire des assemblées politiques des réformés de France, 1573-1622, I* (Paris: Auguste Durand, 1865), 71; Francis Garrisson, *Essai sur les Commissions d’Applications de l’Édit de Nantes. Première partie. Régime de Henri IV* (Université de Paris, Faculté de Droit, 1950), 17; Janine Garrisson-Estèbe, *Protestants du Midi 1559-1598* (Toulouse: Edouard Privat, 1980), 194-5; Arthur Herman, “Protestant Churches in a Catholic Kingdom,” *Sixteenth Century Journal*, XXI, n. 4 (1990), 548; Mario Turchetti, “L’arrière-plan politique de l’édit de Nantes, avec un aperçu de l’anonyme *De la concorde de l’Estat. Par l’observation des Edicts de Pacification (1599)*” in Michel Grandjean and Bernard Roussel, eds., *Coexister dans l’intolérance. L’édit de Nantes (1598)* (Geneva: Labor et Fides, 1998): 106.

submission and was content to finally accept a limited *liberté de conscience*. Instead, they reveal how Henri IV's Reformed subjects expected to be fully integrated into the kingdom of France now that their former protector had become king. The Gallican organizational structure of Protestant general assemblies and their proceedings make evident that Calvinist French subjects wanted to secure legal recognition and the full practice of French citizenship, both in their demands for freedom of worship and in their requests for equal representation to Catholics in Gallican public institutions. These assemblies do not reflect a group seeking to secede from the kingdom. After Henri IV's conversion, French Protestants actively sought to be officially integrated into the legal framework of the kingdom as equal to their Catholic *concitoyens*. In the process they found themselves continually arguing for an interpretation of *liberté de conscience* that not only allowed all French subjects to hold their own religious opinions, but that also gave an unlimited freedom of worship to French Protestants. They wanted the king to recognize and affirm the public role of their church, as well as the citizenship of its members.

A Gallican Church: The Organizational Structure of the French Calvinists

Henri IV's conversion increased the urgency for French Protestants of insisting on their legitimacy, which amounted to claiming their proper legal and religious place in the kingdom as French *citoyens*. They did so by turning to their elaborate system of ecclesiastical and political organization. As the number of Reformed churches in France grew, Protestant churches that had formed independently before the 1550s joined with them in a national synodical system. Robert Kingdon argues that the importance of ecclesiastical institutions was the "most important single attitude" that distinguished Calvinist churches from other Protestant confessions. While all Protestant confessions agreed that there were objective "marks" that set them apart as the true

Church, such as preaching the word of God and the correct administration of the sacraments, Calvinists added the “marks” of ecclesiastical institutions that had been created at God’s command. In the 1559 Confession of Faith of the French Reformed Church, its institutional structure was even made an article of the faith. The true Church had pastors, elders, and deacons; in its early stages, its structure was a matter of contention, in part because of the influence of the Church of Geneva. As the French Reformed Church developed, it borrowed some institutions and practices from Geneva, while it developed others under the supervision of pastors from Geneva, where all pastors were elected and trained. Despite the importance of Geneva to its growth, because it was an illegal church the French Reformed Church could not adopt the established Calvinist organizational structure with its supervision by the civil government.⁴ Glenn Sunshine argues that, although the French Reformed Church did not adopt the organization of the Genevan Calvinist Church, the unique French Reformed Church’s national organizational structure was not directly influenced by Gallicanism or the Estates General system. Despite this, however, he acknowledges that the organizational structure corresponded to a combination of both civil and Catholic structures.⁵ This chapter explores the Gallican nature of those structures and the implications of this influence.

⁴ Kingdon, *Geneva and the Consolidation of the French Protestant Movement*, 38-40.

⁵ Sunshine, *Reforming French Protestantism*, 59. While many authors focus on the particularity of the French Reformed Church’s ecclesiastical structure, scholars of the Protestant political assemblies have generally agreed that they developed out of the existing French tradition of local political assemblies and provincial estates. See Emma Lorimer, “Huguenot General Assemblies in France, 1579-1622” (University of Oxford D. Phil. Thesis, 2004), iv and especially fn. 3; Mark Greengrass, “War, Politics and Religion in Languedoc during the Government of Henri de Montmorency-Damville, (1574-1610)” (University of Oxford D. Phil. Thesis, 1979), 149 and “Financing the Cause: Protestant Mobilization and Accountability in France (1562-1589),” in *Reformation, Revolt and Civil War in France and the Netherlands 1555-1585*, Philip Benedict, et al., eds (Amsterdam: Royal Academy of Arts and Sciences, 1999), 248; Garrisson-Estèbe, *Protestants de Midi*, 336 and *L’Homme Protestant* (Paris: Hachette, 1980), 28-9; John Russell Major, *Representative Government in Early Modern France*

When members of the Reformed Church in France met in their first national synod in 1559 to agree upon their Confession of Faith, Calvin supplied a text from Geneva, but the document was adapted to the French context and was significantly named the Gallican Confession. The Reformed Church was faced with attempting to unify churches from across the kingdom with their own regional peculiarities and, much in the same way that French kings had long embraced provincial particularism as a way to unite the kingdom, the Huguenots attempted to create a system that did not allow any one region or church to dominate another in order to avoid conflict. Within the hierarchically ordered local, regional, and national synods of the Gallican Confession, individual churches were radically equal.⁶ This meant in practice that the French Reformed Church consisted of a hierarchy of synods in a “federation of churches.” The synods would be responsible for ecclesiastical policy and appointing ministers, but they were only a part of the organizational structure that developed in France, made up of local consistories, colloquies of ministers, provincial synods, and national synods. Consistories were vital to this system, taking on financial responsibilities in addition to applying church discipline and the implementation of synodical decisions.⁷ Despite its innovations, the Reformed Church’s use of synods and political assemblies was reminiscent of the long tradition of French estates and assemblies. Even though assemblies and estates varied with the regional diversity of France, as subjects, however remote their *pays*, they were a part of the larger legal apparatus of French governance. Additionally, the regional and national assemblies of the three estates of the clergy,

(New Haven: Yale University Press, 1980), 226, 229-30, 253; Bernard Cottret, *1598: L’Édit de Nantes. Pour en finir avec les guerres de religion* (Paris: Librairie Académique Perrin, 1997), 74; and Philip Conner, *Huguenot Heartland: Montauban and Southern French Calvinism during the Wars of Religion* (Aldershot: Ashgate, 2002), 164.

⁶ Sunshine, *Reforming French Protestantism*, 27-28.

⁷ Benedict, *Christ’s Churches Purely Reformed*, 136, 283-285. Benedict chronicles the objections to this system and its implementation on pp. 136-137.

the nobility, and the third estate were called for equally by Calvinists and Protestants alike during the period of the civil wars; it met six times from 1560 to 1614.⁸ Each national meeting branched into a complex network of local assemblies; after 1484, all deputies were elected locally from *bailliages* or *sénéchaussées*. Initially, the northern provinces had their own assemblies, the estates of Languedoil, and the southern the estates of Languedoc. In the fifteenth century some provinces lost their right to hold these provincial estates general, creating the difference between those that retained it, the *pays d'états*, and those that did not, the *pays d'élections*. Even *pays* that no longer held regional estates, however, participated in national Estates General, which, though relatively rare before the sixteenth century, remained.⁹ In the *pays d'élections*, the king could form consultative bodies, although in these regions the king usually communicated with town magistrates directly. The provincial estates met on a rather regular basis throughout the civil and religious wars, and separate meetings of the clergy and nobility were also commonly approved by the monarchy.¹⁰ The estates, however, tended to be dominated by Catholics, while French Protestants formed their own representative political

⁸ The national Estates General met in 1560 (Orléans), 1561 (Pontoise), 1576 (Blois), 1588 (Blois), 1614 (Paris), as well as the illegal Estates General in 1593 (Paris). The changes that occurred in the governing of France after the wars of the sixteenth century included the disappearance of the national Estates General. The Estates in 1614 under Louis XIII was the last one called until 1789.

⁹ Salmon, *Society in Crisis*, 62-63.

¹⁰ John Russell Major, *From Renaissance Monarchy to Absolute Monarchy* (Baltimore: Johns Hopkins University Press, 1994), 6, 33-34. Major points out that local government was necessary for the king to govern France. Regarding the sixteenth century, he says, "Certainly an army of 20,000 men was not enough to hold a nation of 15,000,000 people and 130,000 square miles in subjection. The people of France were therefore left to their own devices. What government there was lay largely in their hands. There were thriving institutions at the provincial, bailiwick, town, and village levels. Of these none was more important in much of France than the provincial and local estates" (33). Major's claim is that the nobility was necessary to the king and powerful for this reason.

assemblies, in addition to synods, in some *pays*.¹¹ The emergence of a politically organized, national Reformed Church, despite its radical nature, was thus recognizable to the rest of Catholic France.

The Reformed Church's church-wide consistory system policed the faithful and served as an ecclesiastical judicial body on questions of conscience that ranged from whether or not Catholic magistrates had to be obeyed to the possibility of breaking marriage betrothals if the betrothed was a Catholic. In addition, the French Calvinists developed a healthy synodical system in which Reformed churches elected members to various types of regional bodies for national synods, which could make decisions and appeal to the monarchy. Provincial synods were vital to the synodical system, meeting often in order to review and comment on decisions made in national synods, all of which met regularly during the civil and religious wars. While, in contrast to the Reformed Church, Catholic ecclesiastical structure was hierarchical, archiepiscopal authority in France was not strong thanks to the Gallican idea of the episcopal autonomy of all bishops.¹² The Gallican Catholic clergy also had a long tradition of meeting in both synodical and political assemblies. In addition to its role as the First Estate in national Estates General, assemblies of clergy had a history of meeting both to appeal to the king or at the king's request, often as a result of requests from the monarchy for funds in times of need. It is

¹¹ Burgundy, Brittany, Languedoc, Provence, Béarn, Guyenne, and Dauphiné maintained their estates in the sixteenth century, while Paris and its surrounding region did not. See Mack P. Holt, *Renaissance and Reformation France 1500-1648* (Oxford: Oxford University Press, 2002), 217. On local assemblies, see Major, *From Renaissance Monarchy to Absolute Monarchy*, 6. On provincial estates, see Major, *Representative Government in Early Modern France* (New Haven: Yale University Press, 1980), 207-53.

¹²Bergin, *The Making of the French Episcopate, 1589-1661*, 42. Until 1622 (when Paris was made an archbishopric), the Church was divided into fourteen provinces, each headed by an archbishop. There were a total of 113 dioceses, making the French Catholic Church the largest "national" Church in Europe in the sixteenth century (28).

unclear how often assemblies met across the kingdom before the civil wars, but it is certain that, in response to the First Estate's financial support of the monarchy in its war efforts against the Huguenots, after 1560 the Catholic clergy was granted the right to meet in regular assemblies. These assemblies were made up of deputies who were elected by provincial assemblies, and their members often found themselves serving simultaneously in both these clerical assemblies as well as in local estates and national Estates General.¹³ Pastors met in regional or national assemblies, through which they wrote remonstrances or petitions to the king or his agents in order to have their privileges enforced. In addition, Calvinism was an international movement, and Calvin had recognized it as such. Calvinist rhetoric often sounded very similar to that of the Catholic Church regarding one family of Christendom, though this family was bound by brotherly love instead of the pope as the head of their metaphorical body.¹⁴ While the French Reformed Church was part of this international movement, French Huguenots often used their Frenchness as a defense for their actions, especially to the monarchy, and referred to their Gallican or French nature. For instance, a Protestant political assembly in Nîmes in 1562 called upon towns and dioceses "to draw into their association all those who retain fidelity to the king and country who would like to remain within the association contracted at Orléans by the Prince of Condé for the service of the king."¹⁵

¹³ Ibid., 28-29, 42. Bergin argues that these regular meetings unified the clergy as a corporate estate known as the *clergé de France* (28).

¹⁴ See Graeme Murdock, *Beyond Calvin: The Intellectual, Political and Cultural World of Europe's Reformed Churches, c. 1540-1620* (Palgrave, 2004), 32.

¹⁵ *Collection des procès-verbaux* (Nîmes, Nov. 1562). Quoted in Conner, *Huguenot Heartland*, 149-50. On Protestants in Nîmes, see Allan Tulchin, *That Men Would Praise the Lord: The Triumph of Protestantism in Nîmes, 1530-1570* (Oxford: Oxford University Press, 2010).

The scale of French Calvinist organization led both contemporaries and later observers to believe that the Huguenots of the south were the equivalent of secessionists. The historiography on Huguenots in the twentieth century was largely divided between those who saw them as a “state within a state” or as a developing *corps* within the state, with various differences within these camps.¹⁶ It is true that they could be described as one or the other in different times and places during the course of the civil wars. A document of questionable authenticity supposedly drafted in the wake of the St. Bartholomew’s Day Massacres in order to set up a Huguenot republic, known as the Huguenot constitution, hints at the intent of southern French Protestants to create their own system of governance. Despite this possible intent, the Huguenots of the Midi did not drastically change their organization during the wars; on the contrary, Huguenot political structures were consistent throughout the period. Overall, however, while the rhetoric of separatism can be found, in practice the political assemblies and negotiations with the king show that the Huguenots knew that legal status within the state was necessary for survival. Far from being inherently radical, Protestant political assemblies and institutions had “enduring respect” for royal authority and consistently “provided a forum for dialogue between royal and Protestant interests.”¹⁷ While it is possible to refer to a distinct Protestant identity, especially during the later civil wars, already existing cultural and institutional elements made this identity

¹⁶ On the uniqueness of the Protestants in the Midi see Janine Garrisson, *L’Homme protestant and Protestants du Midi, 1559-1589*.

¹⁷ See Conner, *Huguenot Heartland*, 148-149. Conner questions the historical reality of the Huguenot “state within a state” and other assumptions about the trajectory of Protestantism in France.

a possibility. Indeed, similar organizational structures were put in place by the Catholic League when it fought against both Henri III and Henri IV.¹⁸

Representing the Faithful: The Organization of Protestant Political Assemblies

French Reformed churches had been sending deputies to provincial and national assemblies since at least the start of the civil wars; the first assembly during this period for which records survive was held in November of 1562 in Nîmes.¹⁹ These meetings of Protestant deputies, first called “political” assemblies by royalists in the seventeenth century to distinguish them from synods, which also met throughout the period of the wars, have for the most part been studied in the context of early representative assemblies and Huguenot political thought.²⁰ The assemblies were made up of deputies from across France, though that of 1579, in Montauban, was the first time that deputies from north of the Loire were present. Twenty-two of these

¹⁸ Conner acknowledges this himself: “Despite the attempt to equate the Protestants of the Midi with a project for a separate state, there is much more in common between the Catholic and Protestant modes of organization than is often supposed.” (*Huguenot Heartland*, 146).

¹⁹ “Collection des procès-verbaux des assemblées politiques des réformés de France pendant le XVI^e siècle. Assemblée des réformés du Languedoc (2-13 novembre 1562),” J. B. Loutchitzki, ed., *B.S.H.P.F.*, 22 (1873): 506-16, 546-58.

²⁰ The most extensive recent works on the assemblies are Emma Lorimer, “Huguenot General Assemblies in France, 1579-1622” (University of Oxford D. Phil. Thesis, 2004) and “Une ‘voie publique pour efficacement agir’. Les assemblées générales des Eglises réformées de France (1579-1622) devant l’insécurité des guerres civiles,” *B.S.H.P.F.*, vol. 154.3 (2008): 464-480; Joseph Airo-Farulla, “The Political Opposition of the Huguenots to Henry IV, 1589 to 1598” (University of Washington D. Phil. Thesis, 1969); Arthur L. Herman, “The Saumur Assembly of 1611: Huguenot Political Belief and Action in the Age of Marie de Medici (Johns Hopkins University D. Phil. Thesis, 1984) and “Protestant Churches in a Catholic Kingdom: Political Assemblies in the Thought of Philippe Duplessis-Mornay,” *Sixteenth Century Journal*, vol. 21.1 (1990): 543-57. See also Janine Garrisson-Estèbe, *Protestants du Midi*. Before these works, the most comprehensive study was by Léonce Anquez, *Histoire des Assemblées politiques des Protestants 1573-1622* (Paris, 1859) and *Un nouveau chapitre de l’histoire politique des réformés de France (1621-1626)* (Paris, 1865). See also P. de Felice, *Les protestants d’autrefois* (Paris, 1896-98). Regarding assemblies as early representative institutions, see for example M. Reulos, “Synodes, assemblées politiques des réformés français et théories des états,” *Anciens pays et assemblées d’états*, XXIV (1962): 97-111.

general assemblies were held from 1579 until the last met in October 1622, though local assemblies continued to meet.²¹ Political assemblies carefully maintained their own records, further proof of their claims to be fully-sanctioned legal entities, and it was not uncommon for these records to be printed.²² These documents were written in French, as were all legal and judicial documents after the royal edict of Villers-Cotterêts in 1539. Records for the general assemblies from 1593 on were catalogued in the Protestant stronghold of La Rochelle, and were transferred to Paris when Richelieu confiscated the entirety of its treasury and charterhouse after its surrender to the monarchy in 1628. Many of these documents were burned during the siege of La Rochelle, however, and most of the rest probably burned in Paris in the fires of 1737 and 1870. Thus, aside from manuscripts related to the Protestant assemblies that can still be found in local or regional archives, the verified manuscript sources for the political assemblies are found in collections at the *Bibliothèque nationale*, the *Bibliothèque Mazarine*, and the *Bibliothèque de la Société de l'Histoire du Protestantisme français*.²³ The sources from the political assemblies reflect the assemblies' main objectives. In addition to organizing self-defense in Protestant

²¹Lorimer, "Huguenot General Assemblies," iv, especially fn. 5 and 6.

²² Ibid., especially fn. 8.

²³ There are two collections at the *Bibliothèque Mazarine* covering the period from 1562 to 1629, of thirteen and ten volumes respectively, most of which are duplicates of those in the Brienne collection at the *Bibliothèque nationale*. In addition to original copies that over time were added to the royal library, the manuscripts at the *Bibliothèque nationale* consist of seven volumes for the years from 1572 until 1629 in the Brienne collection, the manuscript collection of Henri-Auguste de Loménie, the count of Brienne (1595-1666), which was added to the royal library in 1661. These copies were created by a *procès-verbal* from the parlement of Paris in 1652. In 1852, the *Société de l'Histoire du Protestantisme français* was founded, and its mission included collecting manuscripts, either originals or direct copies, of acts from the political assemblies. Consequently, the *Bibliothèque de la Société de l'Histoire du Protestantisme français* contains manuscripts not found in the royal library collections, as well as duplicates of many records from these collections. The provenance of the political assembly records at these locations, summarized above, is found detailed by Emma Lorimer in her dissertation, "Huguenot General Assemblies," v-viii.

strongholds, from 1579 to 1584 and 1593 to 1616 they were expressly sanctioned by the monarchy to aid in the implementation of the edicts of pacification.²⁴ They also played a key role in the negotiation of the Edict of Nantes in the period from 1593 to 1598, for which they collected petitions that were presented in *cahiers* to the king.²⁵ The groundwork for these negotiations was to be laid in the assemblies held in 1593 and 1594 directly after Henri IV's conversion; in the decades after 1598, they dealt with the interpretation and implementation of provisions in the Edict of Nantes, a task made even more complicated because their existence was not officially sanctioned in the 1598 edict. Post-Nantes, the legality of Protestant assemblies, even more than before, was entirely dependent on the king's favor.

The size and composition of general assemblies varied; the largest assembly before 1601 was at Montauban in 1584, where there were fifty-five deputies as well as twenty noblemen and petitioners.²⁶ While there were ministers in attendance before 1593, the assemblies of 1593 and 1594 were dominated by them and focused on religious concessions, not surprising in light of the king's recent conversion to Catholicism, while that of 1595 dealt more directly with military matters in Huguenot-controlled areas, which has been attributed to its higher number of magistrates.²⁷ These earlier assemblies were not meant to make independent decisions, but to act on the instructions sent by the provinces. In 1597-98, however, the larger assembly incorporated the nobility present into its ranks as deputies and, on this basis, declared itself to have the

²⁴Between 1579 and 1584, general assemblies were convoked by Henri de Navarre and sanctioned by Henri III for the implementation of the edicts of pacification: Nérac in 1579, Fleix in 1580, and Coutras, also in 1580. That of 1588 was organized by Henri de Navarre for self-defense and was not royally sanctioned. Those held between 1593 and 1601 were sanctioned by Henri de Navarre, who had become Henri IV.

²⁵ Lorimer, "Huguenot General Assemblies," iv. Lorimer on pp. v-viii details the provenance and archival history of the existing documents.

²⁶ Ibid., 33.

²⁷ Airo-Farulla, "The Political Opposition of the Huguenots," 131-32.

authority to conduct negotiations for the Edict of Nantes on its own. Despite the overt role of general assemblies in royal negotiations, provincial assemblies continued to meet throughout the wars. The line between ecclesiastical synods and provincial political assemblies could be unclear, as synods did not limit themselves to questions of a purely ecclesiastical nature. This distinction was blurred further by the fact that both synods and provincial assemblies could elect deputies to the general assemblies, either together or independently.²⁸ That synods, and even individual churches, sent representatives or *cahiers* to provincial and national assemblies reveals to what degree these assemblies cannot be labeled “political” as opposed to “religious” in the modern sense, a misunderstanding that is often created by their seventeenth-century re-naming as political assemblies. These assemblies are best understood as consultative bodies that were meant to consolidate the needs and concerns of the members of the French Reformed Church and transmit them to the king.

The consultative nature of general assemblies meant that elected deputies were not able to act on their own, but only within the confines of the written instructions they had been given by the bodies that they represented for the duration of the assembly. The deputies that made up the general assemblies then claimed the right to appoint their own deputies to represent the larger body at court. These deputies conducted the actual negotiations with the king, again on the basis of written instructions from the general assembly, staying at court for up to three months at a time.²⁹ Their powers were also granted for a limited time.³⁰ In addition to their personal written instructions, the deputies to the court also delivered remonstrances from the greater assembly directly to the king. From 1595, the assembly declared that these petitions had to be signed not

²⁸ Ibid., 112, 117.

²⁹ Lorimer, “Huguenot General Assemblies,” 73.

³⁰ Airo-Farulla, “The Political Opposition of the Huguenots,” 117.

just by deputies, but by the Huguenot *grands*, principal governors, noblemen, and other notables in order to present a unified front that added weight to their royal requests.³¹ The structure of the assemblies and the election of Protestant representatives to the court were themselves issues of contention with the crown, as the king at various times attempted to claim the right to appoint the deputies to court himself against the clear opposition of the assemblies. The relationship of the assemblies with the crown became even more complicated when Henri de Navarre became the king of France in 1589. Until 1588, the assemblies were under the effective leadership of Navarre, or, in his absence, the prince de Condé. The assemblies instituted a council for Navarre for the governing of the towns and provinces under Protestant control, with which he was required to consult on matters of justice, police, war, and finance. Council members were tasked with implementing the decisions of this council alongside Navarre, and were employed for this purpose.³² The general assemblies were not only invested in Navarre becoming the king of France, but had helped put in place the beginnings of his royal government.

Henri IV's negotiations to end the civil war after the assassination of Henri III, as well as his treaties with the Catholic League, were seen as a direct threat to French Protestants. They had sought the repeal of the restrictive edicts against the existence of their church from 1585 and 1588, and had continued to insist on their rights as French *regnicoles* and *citoyens*. As their legal status continued to be threatened, however, the organization of their assemblies was increasingly standardized. Their need to be permanently incorporated into the kingdom became even more

³¹ Bibliothèque de la Société de l'histoire du protestantisme français (B.P.F.), MS 710, art. xxxii: Saumur 1595. "...tant pour montrer leur union et concorde qu'affin que leurs requestes aient plus de poids." Also cited by Emma Lorimer, "Huguenot General Assemblies," 71. Lorimer points out that Airo-Farulla was mistaken in his thesis when he said that it was in 1597 that the remonstrances were first countersigned by noble Protestants.

³² Lorimer, "Huguenot General Assemblies," 53. See also B.P.F., MS 710. In 1588, Navarre declared that this advisory council could also include Catholics.

urgent when Henri IV converted to Catholicism. Although Henri had reinstated the 1577 Edict of Poitiers in 1591, overriding the more restrictive edicts of the 1580s, this change was not recognized by the *parlements*, and Protestants continued to push for concessions that went beyond the 1577 provisions.³³

The elections for and organization of general assemblies varied greatly in the earlier period. From 1579 to 1588, the only constant was that the king of Navarre wrote the letters of convocation.³⁴ By contrast, the assembly held at Sainte-Foy in 1594 was the first to formalize the rules for electing deputies; these rules were amended in 1596 and then confirmed again in 1597. These rules stipulated that a general assembly was to meet once or twice a year, raising the number of deputies to be elected by provincial assemblies from ten to twenty. These changes were the direct result of the need to coordinate negotiations with the king for an edict of pacification.³⁵ To further the Protestant goal of instituting a system of permanent legal representation, the 1594 assembly at Saint-Foy instituted councils in the ten provinces that were meant to sit permanently, whose members were to be elected by the provincial assemblies.³⁶ Further codifying their institutional structure, beginning in 1593 general assemblies elected a president, a deputy, and one or two secretaries from the assembly to lead the proceedings. The deliberations of these meetings record decisions, but not any surrounding debates. Decisions were made by majority vote (*pluralité des voix*), and it seems that one vote was often given to each province.³⁷ The *cahiers* for each assembly were prepared by a committee of three to nine

³³ Lorimer, "Huguenot General Assemblies," 2.

³⁴ *Ibid.*, 4.

³⁵ B.P.F., MS 710, number 29¹, art. 2, 4: Sainte-Foy 1594 regulation. Also cited by Lorimer, "Huguenot General Assemblies," 5.

³⁶ *Ibid.* See Lorimer, "Huguenot General Assemblies," 7.

³⁷ Lorimer, "Huguenot General Assemblies," 57, 59. For a discussion of the use of *pluralité des voix*, see Olivier Christin, "La question du vote majoritaire à l'époque de l'édit de

deputies elected to review the memoranda from the provinces. Although these *cahiers* were not printed until 1611, they circulated in manuscript form, and their content appears in various League pamphlets from the period.³⁸ The existing *cahiers* reflect that the negotiations of the general assemblies from 1593 to 1598 were above all focused on trying to establish better terms for the Protestants.³⁹

In Good Faith: French Protestant Assemblies in 1593 and 1594 after the King's Conversion

The codification of the rules for Protestant general assemblies from 1593 on was determined through the experience of the assembly at Mantes in 1593 and finalized in that of Sainte-Foy in 1594. Such formalities were a direct result of Protestant attempts to gain official legal recognition of their status by Henri IV after his conversion in the summer of 1593. The Catholic League's denial of legally-recognized French royal authority led Protestants to accuse them of *lèse-majesté*: it was recalcitrant Catholics, negotiating with the king of Spain against Henri IV, who were not truly French. Once the king converted, however, French Protestants found themselves again thrust into the opposing position. The general assembly at Mantes, from

Nantes," in Lucienne Huber, et al., eds., *L'Edit de Nantes revisité. Actes de la journée d'études de Waldegg (30 oct. 1998)* (Geneva: Droz, 2000): 41-2. Christin claims that sixteenth-century French texts generally use this in the sense of a modern majority.

³⁸ Lorimer, "Huguenot General Assemblies," 64. Although it was not a rule, deputies on this committee were taken from the clergy, magistrates, and nobility, or all three estates.

Lorimer refutes Penny Roberts claim in "Huguenot Petitioning during the wars of religion," in Raymond Mentzer and Andrew Spicer, eds., *Society and Culture in the Huguenot World 1559-1685* (Cambridge: Cambridge University Press, 2002), 66 that the reach of petitions was limited because they were in manuscript form. See Lorimer, "Huguenot General Assemblies," 295. Lorimer further points out that this is also, according to John Russell Major, how *cahiers* were made in Estates General. See Major, *The Deputies to the Estates General in Renaissance France* (University of Wisconsin Press, 1960).

³⁹ Lorimer, "Huguenot General Assemblies," 75. See also Hugues Daussy, *Les Huguenots et le Roi. Le combat politique de Philippe Duplessis-Mornay (1572-1600)* (Geneva: Droz, 2002).

November 8, 1593 to January 23, 1594, was officially called in response to the League Estates General as an assembly of Catholics and Protestants in defense of the Salic Law. In practice, however, this assembly had been forced upon Henri IV by his Protestant subjects, who had begun lobbying for it in the spring of 1593 after the Conference of Suresnes between the royalist and *ligueurs* Catholics began in April and the announcement in May that Henri IV intended to convert.⁴⁰ Protestant leaders were not in agreement with how to proceed. Some believed that the king's conversion was the only solution, others saw the need to fight back and elect a new Protector for the Reformed Church to rival Henri IV, and yet others sought to try and moderate the king's response and perhaps prevent him from conversion with a conference where Protestants as well as Catholics were in attendance to present their respective theological positions. In the end, Henri IV agreed to call an assembly at Mantes in July of Catholics and Protestants to discussion pacification.⁴¹ Protestants had already begun to elect deputies to this assembly before the king's conversion on July 25; from that point, it became a Protestant assembly in response to this new paradigm. While the king ultimately approved the assembly for this purpose, it was not without ongoing negotiation from the Protestants. Under pressure to cancel the assembly in order to make reconciliation with the Pope more likely, in the end Henri IV bowed to the wishes of his Protestant subjects, who appealed not only to retain the assembly, but to keep it in Mantes.⁴² These negotiations were led by Henri IV's longtime advisor and Huguenot leader Philippe Duplessis-Mornay, who, rather remarkably for the period after the Saint Bartholomew's Day Massacre in 1572, continued to advocate for a general council for

⁴⁰ Constant, *La Ligue*, 411-417.

⁴¹ *Lettre du roy à MM. des Églises réformées*, Mantes (May 25, 1593), in *Mémoires et correspondance de Philippe Duplessis-Mornay*, vol. V (1824-1825), 431. Cited by Daussy, *Les Huguenots et le Roi*, 486.

⁴² Daussy, *Les Huguenots et le Roi*, 500-501.

church reform in order to reunite French Catholics and Protestants into 1593. By September, however, he had recognized that this was no longer a possibility, and instead pushed the king to accept the previously called assembly as an officially-sanctioned Protestant general assembly. He wrote to his skeptical co-religionist the duc de Bouillon to convince him that this was the best course of action, insisting that the Protestant deputies must be able to present their requests to the king for what was “necessary for the liberty and security of religion.”⁴³ The king did not really want such an assembly to meet; there had not been a Protestant general assembly during Henri IV’s reign, the last one being in 1588, the year before Henri III was assassinated. The threat he faced in the spring of 1593 until the assembly of Sainte-Foy in 1594 was that the Protestants would elect another Huguenot noble as their protector in place of the king, thereby authorizing one of his rivals. This was one reason Henri was not keen on allowing a general assembly to meet. But the suddenness of the king’s conversion was unsettling and threatening to Protestants; not allowing them to meet could have made the situation worse. Realizing he could not prevent an assembly, Henri IV then tried to move it to Vendôme instead of Mantes.⁴⁴ With Paris occupied by the League, Mantes had become the king’s de facto seat of power, first military and then administrative, since its surrender to the king in March of 1590.⁴⁵ Located approximately fifty kilometers west of Paris, and near the lands of several of his chief counsellors, it was a logical location for the displaced royal court. Foreseeing the trouble moving the assembly away

⁴³ *Lettre de Monsieur Duplessis à Monsieur de Bouillon* (September 18, 1593), in *Mémoires et correspondance de Philippe Duplessis-Mornay*, vol. V (1824-1825), 561. “...qu’ils doibvent achever leur voyage, et présenter leurs requestes au roy, qui consistent en la demande des choses nécessaires pour la liberté de la relligion.” Cited by Daussy, *Les Huguenots et le Roi*, 501.

⁴⁴ Daussy, *Les Huguenots et le Roi*, 501.

⁴⁵ François Gerber, *Lorsque Henri IV regnait à Mantes (1590-1593)* (Saint-Ouen-l’Aumône: Valhermeil, 2001), 56.

from the king's center of power would cause, Mornay persevered in convincing the Henri to abandon his plan. In the end, the 1593 general assembly met in the king's functional royal seat with his permission.⁴⁶

Once the assembly finally opened on November 8, the various *cahiers de doléances* supplied by the deputies from each province were turned into one *cahier de remonstrances générales*, with a short list of requests dealing with *faits particuliers* appended to it.⁴⁷ While the Protestants were continually threatened with new limits on their legal rights as a result of Henri IV's appeasement of League factions in 1593, the starting point for negotiation at the Mantes general assembly was technically the 1577 Peace of Bergerac, known as the Edict of Poitiers, which the king had reinstated in the 1591 Edict of Mantes. The Edict of Poitiers circumscribes freedom of conscience in much the same way as it was first instantiated in the 1563 Edict of Amboise, allowing French subjects the right to their religious opinions in their homes, especially in relation to matters of religion that may be against their consciences.⁴⁸ Worship is similarly

⁴⁶ Daussy, *Les Huguenots et le Roi*, 501.

⁴⁷The general *cahier* can be found in several manuscripts, including: *Cahier présenté au roy par ceulx de la Relligion prétendue réformée*, 9 décembre 1593, B.P.F., MS 1063, fol. 1-34 and *Copie du cahier contenant les demandes des Deputez de la Religion pretendue reformée assemblez à Mante au mois de Decembre 1593*, B.N., Dupuy, 213, fol. 12-46. Also Mazarine, MS 2593, fol. 285-329v, in which the articles have been numbered differently. I have verified they have the same content. The second, shorter remonstrance dealing with *faits particuliers* can also be found separately: *Très humbles requestes et remonstrances pour les faicts particuliers, que les dictz députés des Églises réformées de ce royaulme portent à Sa Majesté outre le contenu au cahier général*, 9 décembre 1593, Mazarine, MS 2593, fol. 330-333. See Janine Garrisson, *L'Édit de Nantes. Chronique d'une paix attendue* (Fayard, 1998), 66-80 and Hugues Daussy, *Les Huguenots et le Roi*, 500-14 for a summary of these documents and their context.

⁴⁸*Paix de Bergerac. Édit de Poitiers* (September 1577). Article 4: "Et pour ne laisser aucune occasion de troubles et differendz entre noz subjectz, leur avons permis et permectons vivre et demourer par toutes les villes et lieux de cestuy nostre royaume et païs de nostre obeïssance sans estre enquis, vexez, molestez ne abstraintz à faire chose pour le fait de la religion contre leur conscience, ne pour raison d'icelle estre recherchez es maisons et lieux où ilz voudront habiter, en se comportant au reste selon qu'il est contenu en nostre present eedict."

allowed to the nobility on their estates, but limited elsewhere to sites designated by the king.⁴⁹ The edict deals with a wide range of legal issues in its 64 articles, from delimiting acts of sedition, to ensuring Protestants could hold and maintain their public offices. It established the *chambres mi-parties* in the *parlements*, giving Protestants guaranteed representation in these judicial bodies.⁵⁰ It granted the release of religious prisoners, the return of exiles, and that confiscated property be given to the rightful owners. Overall, and especially compared to the edicts in the 1580s, it is a document favorable to Protestants in many ways. Its focus is on the rights of certain *corps* (nobility, towns, regions), but it maintains that all consciences, regardless of a subject's legal status, are free from coercion and persecution within the confines of the law and the restriction on public worship and assembly. That this right extends to all *regnicoles* based on their status as French subjects is underlined in article 40 of the articles *particuliers*, in the addendum to the Edict of Poitiers. This article specifies that the king will write to his ambassadors to inform them that all French subjects, regardless of their religion, must not be persecuted for their consciences nor subject to the Inquisition in Spain, Italy, and all other foreign countries, so long as they have not violated the laws of said country.⁵¹

The 1593 *cahier* from the general assembly in Mantes, however, is not concerned with guaranteeing that consciences would not be violated in the sense that *liberté de conscience* is used in the edicts of pacification. It begins by asserting that the 1559 Reformed confession of

⁴⁹ The specific concessions to nobles and individual towns or regions are further elucidated in an addendum to the edict, in the *articles particuliers*, containing forty-eight articles.

⁵⁰ *Paix de Bergerac*, see Articles 21-25.

⁵¹ *Paix de Bergerac. Articles particuliers* (17 septembre 1577). Article 40: "Sad. Majesté écrira à ses ambassadeurs faire instance et poursuite pour tous ses sujets de quelque religion qu'ils soient, à ce qu'ils ne soient recherchés en leur conscience ny sujets à l'Inquisition, allans, venans, survenans, negotians et trafiquans par toute l'Espagne, L'Italie et tous autres pays estrangers, alliez et confederez de cette couronne, pourveu qu'ils n'offensent la police du pays où ils seront."

faith, the Gallican Confession, “conforms entirely to the express word of God revealed in the canonical books of the Old and New Testament,” followed by an objection to those that have equated the possibility of the king giving Protestants “the opportunity and a safe and proper place” to live according to the scriptures with schism and heresy. French Protestants only want to “live and die” under their confession of faith and the true church of God, having left the Catholic Church for this reason.⁵² Do not, in other words, ask us to follow you in the abjuration of the Reformed faith. While they do not mention it explicitly, the kind of freedom of conscience that is guaranteed in the 1577 edict is thus implied. But it is not enough to not be Catholic; they want to “live and die” as Protestants. In this way, they require the public function of their faith in order to show by example that they have the “true” mark of God’s church. They are in no way content to keep their faith to themselves.

Moreover, their confession of faith expressly commands that they be obedient to legitimate magistrates. For this reason, they recognize Henri IV as their true king and protest that they also want to “live and die” under obedience to him, defending his authority and God-given royal dignity “with the last drop of their blood.”⁵³ Further, they desire nothing more than to live in union, peace and concord with Catholics as their “compatriots and fellow citizens.”⁵⁴

⁵²B.N., Dupuy 213, fol. 12-12v, Article 1. "...en tous ses pointz et articles entierement conforme à l'expresse parolle de Dieu Revelée es Livres Canoniques du viel et nouveau Testament, et sont prestz de maintenir par l'escriture S^{te} seule et parfaicte regle de verité contre tous ceux qui injustement les calompnient de schisme et heresie quant il plaira à sa Ma^{te} leur donner temps et lieu seur et commode..." and "Parquoy declarent et protestent comme en la prince de Dieu, quilz veullent vivre et mourir en lad^{te} confession et s^{te} doctrine sans iamais s'en departir...et maintiennent qu'ils ont les vrayes et essentielles marques dee l'eglise de Dieu, et par consequent qu'ilz font partie de l'eglise Catholique et Apostolique...Partant protestent vouloir vivre et mourir comme vrays membres de l'eglise..."

⁵³Ibid., fol. 13, Article 2.

⁵⁴Ibid., Article 3. For example, "Protestent en outre quilz ne desirent rien plus que vivre en bonne union paix et concorde avec ceux de l'eglise Romaine comme vos compatriciens et concitoyens..."

Indeed, the king, as the father of all his people, must ensure that his subjects, regardless of faith, share the same justice and are treated fairly and equally.⁵⁵ Simply reinstating the 1577 edict is therefore not enough. The hated edict of July 1585 that made Protestantism illegal under the League must be revoked, along with all subsequent anti-Protestant edicts, in an acknowledgement that they were only made under duress, “having been extracted by force and violence.”⁵⁶

The monarchy had refused to recognize the Reformed Protestants as an official church throughout the civil wars, referring to them repeatedly in the edicts of pacification as the “so-called reformed religion.” The deputies from Mantes declare to the recently-Protestant Henri IV that it is time for them to be properly recognized, and thus properly named:

...in all public or private proceedings, and likewise in all preaching, sermons, and harangues, books, pleas, and public discourse, when mention is made of the Reformed religion, these words will no longer be used: so-called religion, or so-called reformed, new opinion, heresy, Huguenot and similar insults that show contempt for those of the aforementioned religion and move the people to sedition, on pain of physical punishment.⁵⁷

One might ask, what’s in a name? In this case, quite a lot. French Protestants had been objecting to their official designation as *pretendue* since the start of the civil wars, and would continue to do so into the next century.⁵⁸ In the articles accepted by the national synod (not a

⁵⁵Ibid., fol. 13v, Article 4.

⁵⁶Ibid., Article 5. "A ces fins que son bon plaisir soit de revoquer l'edict de Juillet 1585 et tous autres l'edictz et Declarations faictes, en consequence d'iceluy contre ceux de lad. Religion comme extorquer par force et violence."

⁵⁷Ibid., fol. 15, Article 10. "...en tous actes publics ou privez et mesmem^t en tous presches sermons harangues, livres plaidoyers et discours publics lors quil sera faict mention de lad^t religion reformée, Il ne soit plus usé de ces motz pretendue religion, ou pretendue reformée, nouvelle oppinion heresie, huguenotz et semblables convices tendans à mettre ceux de lad^t religion en mespris, et esmouvoir le peuple à sedition à peine de puniton corporelle."

⁵⁸ While the Edict of January does not recognize the Reformed Church, it refers repeatedly to those of the “new religion” (“*Religion nouvelle*” and “*nouvelle Religion*”). The Edict of Amboise does not use this phrase, instead it refers to “the religion that they call

“political” assembly) held in 1612, the Protestant deputies at court were to tell the king that his subjects were being forced against the freedom of their consciences, which they had been granted, to condemn their own religion by using this name, and to ask again for the king to change their legal designation. Their argument for this change, that they had been granted freedom of conscience in the Edict of Nantes, demonstrates yet again the slippery nature of this concept as it appears in the edicts of pacification.⁵⁹

Proper recognition of the Reformed religion as an officially recognized and legal church was the first step in the quest for fair and equal treatment for Protestants that the 1593 deputies at Mantes outline in the rest of the *cahier*'s 110 articles. And the second step leaves no doubt as to the Protestants' opinion of the monarchy's use heretofore of *liberté de conscience*, which is not even mentioned in the *cahier*. Despite the fact that Henri IV was engaged in placating Catholics who feared this very thing, French Protestants here ask the king to guarantee that all of his Reformed subjects have the right to freely exercise their religion:

That it pleases his Majesty to rule and declare by a perpetual and irrevocable edict that the free, public, and general exercise of the Reformed religion is received and established in all the cities, *bourgs*, *bourgades*, villages, seigneurial lands, places, and strongholds of the realm...for *regnicoles* as well as foreigners, even in the court, army, and military companies. Without exception of any person, day, and place whatsoever they are able to

reformed” (“la Religion qu’ilz dissent réformée”) in Article 1, and then refers to “the aforementioned religion” in the rest of the document. By the Peace of Longjumeau, known as the Edict of Paris, at the end of the second civil war in 1568, the French Calvinists are officially referred to in the edict as “those of the so-called reformed religion” (“ceulx de la Religion pretendue réformée”).

⁵⁹ Article 16 of the *Matières Générales* of the *Synode National* held at Privas, May 23-July 4, 1612, reproduced in Jean Aymon, ed., *Tous les synodes nationaux des églises réformées de France*, vol. 1 (La Haye, 1710), 425-6. “A cette Fin lesdits Deputés Généraux sont chargés (aiant rendu de très-humbles Remercimens à Leurs Majestés des Graces & Faveurs dont Elles ont usé envers leurs très-humbles & très-fideles Sujets de la Religion, & specialement des quinze mille Ecus d’Augmentations pour leurs Pasteurs) de les supplier très-humblement de vouloir les exempter de la Necessité qu’on veut leur imposer (avec plus de Severité que l’on n’avoit fait ci-devant, & même contre la Liberté de leurs Consciences, qui leur a été accordée) de se nommer de la Religion *Pretendue Réformée*...”

come together to worship (assembling at the ringing of a bell if it is convenient for them), to pray, and to sing psalms; for the administration of baptism and the public Holy Communion; for the publication and celebration of marriages; and for corrections and censures, according to their religion holding consistories and convoking and assembling colloquies and synods, both provincial and national, according to the order and discipline established in the Reformed churches; to have schools and public lessons, and generally all other things belonging to the free and absolute exercise of this religion without any restrictions whatsoever; nor are they to be investigated or harassed by magistrates or others for the exercise [of their religion] and the administration of doctrine and ecclesiastical discipline.⁶⁰

Private worship and the freedom of one's conscience do appear in later articles, but generally in response to the current restrictions on Protestants that the deputies are seeking to have eliminated. For instance, the *cahier* stipulates that in places where public worship is currently prohibited, ministers should not be persecuted for leading worship in people's homes.⁶¹ The need for Protestant schools and colleges is often reiterated, and the deputies insist that all teachers and others employed by the church should not have to do anything that goes against their consciences.⁶² The *cahier* further stipulates that in the course of carrying out their duties and offices, Protestants will not have to violate their consciences by participating in oaths or

⁶⁰B.N., Dupuy 213, fol. 15v, Article 11. "Qu'il plaise à sa Majesté statuer et ordonner par l'edict perpetuel et irrevocable que tout exercice libre public et general de lad^t Religion reformée soit receu et estably en toutes les villes bourgs bourgades villages terres seig^{ries} lieux et places de ce Roy^{me} pays de l'obeissance de sa Ma^{te} tant de ca que dela les montz ? pour tous ceux qui s'y voudront trouver tant regnicoles qu'estrangers, mesmes en la Court armees et comp^{nies} de gens de guerre sans exception de personnes iours et lieux à quiconques ilz puissent appartenir pour y faire presches en s'assemblant avec son de cloche si bon leur semblez prieres chant de pseumes administration de baptisme et de la Cene Jeusne public, publication et celebration de mariages, corrections et censures, selon leur religion tenir Concistoires, convoquer et assembler Collques et Synodes tant provinciaux que nationaux selon l'ordre et discipline estable esd^t eglises reformées, tenir escoles et faire leçons publiques et generalement toutes autres choses appartenantes au libre et entier exercice dicelle religion sans sans restriction quelconque ny que pour raison dud^t exercice et administration de lad^t doctrine et discipline ecclesiastique ils puissent estre recherchez ou inquietez par les Magistratz ou autres en quelque manière que ce soit."

⁶¹Ibid., fol. 16, Article 12.

⁶²Ibid., Article 13.

ceremonies not approved by their faith.⁶³ Similarly, though conscience is not mentioned, additional articles assert that those who have abjured are released of their obligations, and that Protestants should not be required to participate in or observe Catholic feast days.⁶⁴ Relatedly, they ask that anyone who takes Protestant children and has them re-baptized as Catholics faces the death penalty.⁶⁵ Worship and its related ceremonies, such as marriages and burials, are detailed, and temples are requested.⁶⁶ More than anything, magistrates must let Protestants come and go for worship as they please.⁶⁷ The rest of the articles deal with specific rights and equal treatment of Protestants across the kingdom, and especially with the further establishment of Protestants in the *parlements* and other jurisdictional and public offices in order to ensure equal access to justice. In sum, in the *cahier* of the 1593 general assembly French Protestants did not ask for freedom of conscience. They did not ask for freedom of worship. They asked to be recognized as a fully functioning public church in the kingdom of France, serving the same function and having the same jurisdiction for French Protestants as the Catholic Church did for French Catholics, and that Protestants be guaranteed representation in all public offices in the same way.

Cahiers from the provinces not only support this element of the general *cahiers*, but make the distinction more starkly between a restricted *liberté de conscience* and a true freedom of worship. One request to the king sent with deputies from the third estate of the church in Montendre, a town south of Bourges, consists of twelve articles. First and foremost, the Protestants of Montendre request “that the exercise of our religion is allowed freely in all parts of

⁶³Ibid., fol. 17, Article 18.

⁶⁴Ibid., fol. 17v, Articles 19, 20.

⁶⁵Ibid., fol. 16v, Article 16.

⁶⁶Ibid., fol. 16v, 20-20v, Articles 14, 17, 30.

⁶⁷Ibid., fol. 16v, Article 15.

this kingdom.”⁶⁸ These requests from the third estate even have an article that specifies that nobility with their own seigneurial jurisdiction are allowed the free exercise of the Reformed religion on their lands and in their households. They also request that their ministers be protected by the king and that they be allowed to bury their dead, but most of the petition deals with equal treatment and Protestant representation in the various levels of royal justice. Royal officers, for instance, should not have to become Catholic in order to maintain their positions. Further, they argue that the *parlements* are biased against Protestants, and that *chambres mi-parties*, in which there are a specified number of Protestant judges, are needed.⁶⁹

Another, more detailed *cahier* with instructions for the deputies to the 1593 general assembly from Aunis, the province of La Rochelle, approaches the problem posed by *liberté de conscience* more directly.⁷⁰ Referring to the role of the king as the father of all his subjects, the petition begins by requesting that he recognize the Protestants as “his most faithful and most obedient subjects and servants, equal to all others” and, in this capacity, grant them “a full and entire freedom of conscience.”⁷¹ The Protestants of Aunis argue that members of the Reformed

⁶⁸ B.P.F., MS 710, piece 19. *Les requestes que le tier estat de leglise reformee a Montandre desire estre faictes au Roy par le depute envoye a sa maieste (n.d, n.p)*. “Que lexercisse de notre religion se face librement par rous les lieux de ce Royaume.” This document is not dated, but it has been placed in this manuscript collection directly before another that is dated 1593.

⁶⁹ B.P.F., MS 710, piece 19.

⁷⁰ B.P.F., MS 710, piece 24, *Memoires et Instructions donnees par les Pasteurs Anciens et Diacres des Eglises du Colloque d’Aunis au nom d’icelles à Messieurs Rotan & Chalmot, qui ont este deputez pour aller trouver sa maieste: Suyvant aussy la charge qu’iceluy Rotan avoit cy devant receuë du Synode provincial de Xainctonge (1 sept. 1593)*, n.p.

⁷¹ Ibid. “Premierement, qu’il plaise à sa ma^{te} suyvant l’affection qu’elles proteste avoir à l’endroit de tous ses subiects pour leur estre à tous père commun, nous recognoistre pour ses tresfideles & tresobeïssans subiects & serviteurs egalemeut avec tous autres, & en ceste consideration nous accorder *une pleine & entiere liberté de conscience.*”

religion everywhere should not be persecuted for their religion *or for exercising it*.⁷² They don't stop there, but go on to specify that this requires that "the exercise of the Reformed religion is granted in all freedom in all the regions and *seigneuries* of the kingdom, and to all people of any quality and condition." This includes "exhortations, public and private prayers, the singing of Psalms, the celebration of marriages, baptisms, and Holy Communion, the convocation of consistories, colloquies, and synods (provincial and national), the institution of schools and colleges..."⁷³

The similarity of the language in this *cahier de doléance* to the *cahier de remonstrances générales* from Mantes shows the correspondence between the concerns in the provinces and those of the general assembly. However, the problematic phrase at the heart of this provincial *cahier's* complaint, *liberté de conscience*, is conspicuously absent from the general *cahier*. We do not have a record of the debates from the general assembly, so we cannot assume that this was a conscious decision on the part of the deputies, but the deputies representing provincial *cahiers* in which it was used would have been present. The central problem with the monarchy's limited idea of *liberté de conscience* is directly stated in a provincial *cahier* from the historical province of Saintonge south of La Rochelle. While it contains the usual complaints related to the rejection of the narrow concept of *liberté de conscience* employed in the edicts of pacification, it also points to the need for legal and institutional equality with the Catholics, from receiving justice in

⁷²Ibid. "De manière qu'en quelque lieu que se puissent trouver ceux qui font ou feront par cy apres profession de lad^e Religion Reformee, ils ne soyent inquietez ny molestez pour l'egard de leur Religion ny exercice d'icelle." Emphasis added.

⁷³ Ibid. "Pour est effect que l'exercice de la Religion Reformee soit octroyé en toute liberté par toutes les terres & seigneuries de ce royaume & à toutes personnes de quelque qualité & condition qu'elles puissent estre...Et ce en toutes les parties de la vraye pieté, comme sont exhortations, prieres publiques & particuliers, chant des Psaumes, celebrations de mariages, Baptesme & sainte Cene, Convocation de consistoires, colloques, & synodes tant provinciaux que nationaux, institution d'Escoles & colleges..."

the king's courts to having their tithes pay for Reformed ministers.⁷⁴ This document reads much more like instructions to the deputies rather than an early version of a remonstrance directed to the king. Instead of the language typical of royal appeals (that they are obedient servants loyal to the king, etc.) this *cahier* addresses the king's conversion and the many vices for which the king should be reprimanded. It is not just that he has betrayed the true religion at the risk of violating his conscience. The king's own moral failings are also at issue; this *cahier* places his personal faults on par with the actions of his enemies in assigning blame for the ruination of his state. His "carnal affections" and "indecent love" are the vices they find most offensive. The *cahier* insists that the king must be counseled to forget these ways and return to the service of God's providence and to his vocation through piety and justice. On the matter of piety, the deputies are directed to admonish the king that he must "renew the good and holy ordinances made by previous kings against blasphemy, swearing, dancing, extravagant clothing, and all other dissolute things counter to pure obedience to God."⁷⁵ But the litanies of the constraints of conscience and the king's morality are coupled with the unfair treatment that Protestants have faced in the courts, where they have endured "great wrongs." Protestants have been deprived of their honors, and unable to obtain justice in either the lower or sovereign courts. The common themes of Protestant complaints are again present, such as not honoring Catholic feast days, and even denied the proper burial of their dead. Moreover, piety depends on true religion, the exercise of which requires ministers. The deputies are to beseech his majesty to have

⁷⁴ B.P.F., MS 710, piece 21, *Cop. des Memoires & instructions donnees par le synod provincial de Saintonge, à Messieurs Rotan & Paguard, qui ont esté deputez pour aller doners sa ma^{te}* (St. Jean-d. Angely, 6 juillet 1593), n.p.

⁷⁵ Ibid. "Sur le point de la pieté faut remonstrer qu'il est du tout necessaire qu'on renouvelle les bonnes & saintes ordoñances faites par les Rois ses predecesseurs contre les blasphemés, iuremens, danses, excès d'habillemens & toutes autres telles dissolutions contraires au pur service de Dieu."

compassion on the Reformed churches by enforcing the decree that their wages can be paid by the Protestants' tithes. Finally, the deputies are admonished that, if the king remains firm in his decision to ally himself with the Catholic Church, against God's will, in order to retain the crown, then, above all else, "it is necessary that we think of the security and conservation of the churches."⁷⁶

The importance placed on maintaining churches leads to the heart of the document and the deputies' specific instructions for their negotiations with the king. If the king is to be the father of all his subjects, those of one and of the other religion, then he must allow Protestants to exercise their religion. They are to humbly petition the king "to grant to us a general freedom, *not only of conscience*, but also of the exercise of piety in all the towns in his kingdom."⁷⁷ This statement recognizes that *liberté de conscience* as the monarchy has used it since 1563 does not mean freedom of worship, and it definitively rejects this as insufficient. This, however, is the starting position for negotiation, and the Calvinists of Saintonge acknowledge the recalcitrance of Henri IV to grant freedom of worship. The deputies are instructed that, if they cannot obtain such a general freedom of worship, at the least the king should grant them edicts that are "more favorable," such as the one that was granted in 1576. This was not a minor request; they are

⁷⁶ Ibid. "Que si le Roy demeure ferme en la resolution qu'il semble avoir prise de s'adjoindre[...] à ceux de l'Eglise Romaine (ce qu'à Dieu ne plaise) pour le fait de la religion afin de conserver la couronne; Il est du tout requis qu'on pense à la seureté & conservation des Eglises."

⁷⁷ Ibid. "Qu'il soit supplié treshumblement de nous accorder une liberté generale non seulement de conscience, mais aussy de l'exercice de la pieté par toutes les villes de son royaume." Emphasis added.

referring to the infamous Peace of Monsieur, which granted freedom of worship in most of France.⁷⁸

Parlementary resistance made it unlikely that the Protestant deputies would be able to secure a new edict that allowed unfettered freedom of worship like that of the 1576 Peace of Monsieur. For this reason, the deputies are given further instructions to negotiate yet another edict if this request is also refused. The provisions requested for this possible new edict remove any possibility that *liberté de conscience* was a Protestant ideal. In consideration of their “faithfulness and obedience,” the Protestants request that all the towns under their jurisdiction “will have no other exercise than that of the Reformed religion.”⁷⁹ This perhaps foreshadowed something like Louis XIII’s future use of the Edict of Nantes’s provisions to liberate the Catholics of Protestant Béarn. After all, a *liberté de conscience* granted to all French subjects could be used in defense of Catholics as well as Protestants. Furthermore, as this provision would be useless in provinces where the Protestants have not been granted jurisdiction or permission to worship, the deputies are instructed to request that the king allow the exercise of the Reformed religion in more towns. Public worship and public representation of Protestants in offices and courts are the overarching concern of this *cahier*, not private rights or a limited freedom of conscience. Read in conjunction with these provincial instructions to the greater assembly, the conspicuous absence of *liberté de conscience* in the general *cahier* is not

⁷⁸Ibid. “Que si on ne la peut obtenir, po^r le moins qu’il nous accorde des Edits les plus favorables qui nous ont esté donner par les Rois ses predecesseurs, comme celuy de l’an 1576.” See *Paix de Monsieur. Édité de Paris dit de Beaulieu* (1576).

⁷⁹B.P.F., MS 710, piece 21. “...en consideration de notre fidelité & obeissance, il luy plaise nous octroyer, que aux villes que nous tenons il n’y a aura autre exercice que de la Religion reformee.”

surprising. Their hope was that Henri IV, as their official protector, would give them much more than *liberté de conscience* allowed.

Henri IV's Protestant subjects were quickly disappointed in this hope. The king refused to meet with the deputies in the fall of 1593, and only met with the assembly to receive the *cahiers* on December 12. Even then, he would not discuss their requests, either verbally or in writing. When he finally did respond on January 21, 1594, he did so orally, and he did not give them much beyond the 1577 edict that had already been reinstated. The king denied the request of the Protestant deputies for freedom of worship in its entirety. Instead, he reinstated Catholic worship in all places where it had been prohibited by Protestants, but allowed Protestant worship only in specified towns and approved locations. In the court, public worship would only be allowed in the presence of the king's sister. If she were not at court, then Protestants could only worship in their rooms quietly. Likewise, worship in the military was only allowed in the quarters of commanders.⁸⁰ When the assembly officially ended two days later, the deputies returned to their provinces disappointed, but with royal permission for another general assembly, as well as for a Reformed national synod. But before either could meet, the political conditions of Protestants in France further deteriorated. As Henri IV proceeded to make peace with the Catholic League, he was forced to negotiate terms with various geographical factions in order to regain regions and towns that were in the League's control. In contradiction to the 1577 Edict of

⁸⁰ Daussy, *Les Huguenots et le Roi*, 514. See Mazarine, MS 2593, fol. 334-340, *Articles accordés par le roy sur les remonstrances de ceulx de la relligion prétendeue réformée par manière de provision tant seulement, 27 décembre 1593.*

Poitiers, which technically was supposed to be in force, these various treaties often outlawed Protestant worship not just in former League towns, but in large areas surrounding them.⁸¹

The continued weakening of the Protestants' position with each League treaty was alarming enough that the Huguenot leadership took steps to prepare for military action. Appeals were made to the ambassadors from England and the Netherlands for support at court, and at the start of March 1594 Protestant governors met at Thouars to discuss specific regions in need of possible defense and to take an oath of mutual defense.⁸² The overriding concern for defense was not only discussed by political and military leaders; the ecclesiastical institutions of the Church and the body of the faithful also participated in discussion in synods. Even though synods were intended to deal with church governance and religious matters, the line between Protestant synods versus assemblies had never been ironclad. A national synod had been called for Montauban in the spring of 1594. In preparation for it, provincial synods were to meet in advance, just as provincial assemblies met before national assemblies. The news reached Henri IV that at the provincial synod in Fontenay, held at the end of March, the deputies did not adhere to their mandate, addressing political as well as religious matters. The king wrote to Philippe Duplessis-Mornay in objection that not only ministers, but also nobility had been present at this supposedly religious synod where the king had been discussed. "You well know," he wrote to

⁸¹ Daussy, *Les Huguenots et le Roi*, 506. See also Michel de Waele, "Clémence royale et fidélités françaises à la fin des guerres de religion," *Historical Reflections/Réflexions historiques*, vol. 24, no. 2 (Summer 1998), 242-244.

⁸² Daussy, *Les Huguenots et le Roi*, 507-508. On the meeting of the governors, see *Lettre de Monsieur Duplessis à Monsieur de Calignon* (March 4, 1594) in *Mémoires et correspondance de Philippe Duplessis-Mornay*, vol. 6, 18 and *Mémoire de ce qui a esté convenu à Thouars le 2 mars 1594* in *Mémoires et correspondance de Philippe Duplessis-Mornay*, vol. 6, 14-15.

Mornay, “that I know sufficiently the difference between a synod and an assembly.”⁸³ In light of this deteriorating relationship between Henri IV and his Protestant subjects, as well as Henri’s long dislike of assemblies in general, the king understandably did not want to approve another Protestant General Assembly that was called directly to deal with this political crisis. His Protestant subjects, however, left him little choice.

Within a few short months after the end of the assembly at Mantes, a second general assembly opened at Sainte-Foy in 1594, meeting only from July 15 to July 31. Henri IV’s royal court had finally been able to take its place in Paris just as the Mantes assembly was closing in January; as Protestants were still not allowed in Paris, the Protestant general assembly could not follow suit.⁸⁴ The change of location from Mantes to Sainte-Foy is itself telling; Sainte-Foy-la-Grande is in the midst of the Protestant strongholds of southwest France, approximately one hundred kilometers east of Bordeaux. While this assembly had not been forbidden, it was also not expressly called by Henri IV.⁸⁵ Once it had begun, however, he legitimized it by sending a *brevet* for this purpose. The general assembly of Sainte-Foy opened on July 15, 1594, almost one year after the king’s conversion on July 25, 1594.⁸⁶ It had been a disappointing year for French Protestants, who were not necessarily in agreement about how they should proceed. The deputies at the general assembly in Sainte-Foy met directly after the king returned to Paris, and

⁸³ *Lettre du roy à Monsieur Duplessis* (March 30, 1594) in *Mémoires et correspondance de Philippe Duplessis-Mornay*, vol. 6, 41. Also quoted by Daussy, *Les Huguenots et le Roi*, 508. My translation.

⁸⁴ Gerber, *Lorsque Henri IV regnait à Mantes*, 90

⁸⁵ See Garrisson, *L’Édit de Nantes*, 112-13.

⁸⁶ B.P.F., MS 710, piece 29(2). *Originaux des actes de l’assemblée politique tenue à Sainte-Foy depuis le 18 juillet jusqu’au dernier de juillet 1594* (July 1594, n.f.). B.P.F., MS 710, piece 30 is a duplicate copy of this document: *Copie collation des remonstrances faites au roi, par les députés de l’assemblée de Sainte-Foy, fait à La Rochelle, le 15 aout 1594, signé Biard et Lasalle, notaires* (August 1594, n.f.). There were twenty-six deputies present.

they knew the stakes were high. They had lost the battle for a Protestant king, thereby losing the possibility that the Reformed religion would be recognized as an official church. They were still the “so-called reformed religion,” and, even though the Catholic League had been essentially disbanded with the close of the illegal Estates General in Paris, French Protestants knew they had not won. They needed Henri IV to acknowledge not only that their church had a right to exist in France, but that they themselves were justly and rightly French subjects who could remain in France. This concern is highlighted in the existing acts from this assembly. In their remonstrance to the king, the deputies point out that Catholics threaten, or even injure, Protestants as they travel to their designated places of worship with no consequences from the magistrates.⁸⁷ Equally widespread are places where Catholics have said that Protestants are “dogs, Turks, abnormal heretics of the new opinion, schismatics, sectarians, deserving of persecution by fire and by blood, and of being expelled from the kingdom entirely.”⁸⁸ The king, they argue, must enforce his edicts protecting his Protestant subjects, punishing Catholics, both magistrates and preachers, whose words are meant to incite contention and public factions (*ceddition*) against the Protestants. Protestants are still waiting for the king to designate sites for the “free and inviolate exercise of the [Reformed] Religion” in the rebel towns and cities that were taken over by the Catholic League, such as Paris, places where Protestants have been banished (*bannys*) and are not yet allowed to return.⁸⁹ The deputies further chronicle towns

⁸⁷ B.P.F., MS 710, piece 30. “...ceulx de lad. Relligion sont ordinayrement menassez, injuriez et oultragez par ceulx de la Relligion Rommayne mesmement quand ilz vont faire leurs exercices de pieté aux lieulx de leurs assemblees sans que les magistratz en facent aulcune punition ny mesmes informations avis au contraire...”

⁸⁸ Ibid. “...l’on ayt appellé ceulx de lad. Relligion Chiens, Turcqs, hereticques hétéroclites de la nouvelle oppinyon, schismaticques, sectaires, dignes d’estre poursuivyz par feu et par sang et d’estre entierement chassez du Royaulme.”

⁸⁹ Ibid. “...libre et entier exercice de led. Relligion...”

where Protestants have been granted royal permission to worship, yet have been prevented from doing so, or even chased out, since Henri ascended the throne. The “public exercise” of their religion is further being prevented in some places by the parlements themselves.⁹⁰ The remonstrance goes on for pages listing the various ways that the king’s edicts of pacification are not being implemented. They demonstrate that, since the king has not exiled Protestants from France, Catholics are working to eliminate them from their midst on a local level.

The Sainte-Foy assembly underlined the importance of the 1593 Mantes assembly, while at the same time confirming that the Protestants were not going to find the sympathetic ear they had hoped for in their newly converted Catholic king. Unhappy with Henri IV’s response to their original requests, the deputies at Sainte-Foy were to send two of their number back to the king with their remonstrances.⁹¹ Along with their grievances, these representatives were sent to the king specifically to present, again, the *cahier* from the general assembly at Mantes the year before, under orders not to accept any compromises to its demands.⁹² The assembly at Sainte-Foy thus confirmed the demands from the 1593 assembly, thereby making them the basis for the negotiations that would end with the Edict of Nantes in 1598. Importantly, this assembly also codified the structure of Protestant political institutions. Protestants had from the start mirrored

⁹⁰ Ibid. “Daultant que non seullement l’exercice public de lad. Relligion est Empesché en plusieurs lieux par les arrestz des Courtz de parlement...”

⁹¹ The representatives sent to the king were Pierre de Chouppes, the governor of Loudun, and the lawyer Texier. See Daussy, *Les Huguenots et le Roi*, 512.

⁹² B.P.F., MS 710, piece 29(2). *Originaux des actes de l’assemblée politique tenue à Sainte-Foy depuis le 18 juillet jusqu’au dernier de juillet 1594* (July 1594), n.p. This is an original copy of the document, signed by the deputies. The *cahier* that the deputies were to deliver to the king along with their remonstrances is identical to the one from Mantes; see Mazarine, MS 2593, fol. 285-329v, *Cahier présenté au roy par ceulx de la Relligion prétendue réformée* (December 9, 1593) and Mazarine, MS 2593, fol. 285-329v, *Cahier présenté au roy par ceulx de la Relligion prétendue réformée assemblés à Sainte-Foy en l’année 1594* (July 1594). For the circumstances surrounding this decision, see Daussy, *Les Huguenots et le Roi*, 511-12.

and claimed as their own Gallican institutional structures based on tiers of assemblies from the local to the national, both in their religious and their political organization. Now, in an effort to finally achieve legal recognition as a church in France as well as official equal representation on public legal and political bodies, French Protestants at the assembly of Sainte-Foy solidified this structure while also demanding its recognition by the king, setting the stage for the negotiations that were to follow. This was not, as is sometimes argued, primarily an attempt of Protestants to secede from France and create their own republic. By contrast, the history of the Reformed church in France attests to these final, repeated demands for unlimited religious freedom in combination with legal and political representation equal to Catholics as the apotheosis of claiming to be true French citizens who represented the true church in France. Such a claim could not be content with a *liberté de conscience* that required keeping one's religion at home, nor could it accept the diminution of the French citizenship of Protestants in a Catholic legal system, any more than it could their marginalization in the king's court. Huguenots claimed to be Gallican not just in word, but through their political and religious structures, and Gallican France was decidedly not secular. As they fought for the right to exist as a church and as equal French citizens under Henri IV, these Gallican claims and the need for legal recognition as the French Reformed Church were paramount. They did not believe that a limited freedom of conscience could give them what they needed to secure their place in France. Only equal recognition of their church and equal institutional representation could guarantee French Protestant citizenship on a sound legal footing that was not, like the toleration of Jews, based on royal favor. French Calvinists were, however, denied their vision of Gallican Protestant citizenship with its correlated institutions. The freedoms French Protestants would be allotted in the 1598 Edict of Nantes were still limited, and their very existence in France would be at the

king's pleasure. In the end, Protestant France was allowed on sufferance, and time would prove that toleration did not guarantee citizenship.

Protestant appeals reflect their attempts to secure what was essentially a Calvinist Gallican citizenship. Based on creating institutional conditions for Reformed legal and religious equality, their proposals would have created two separate politico-theological public spheres in France with the king at their head, the one bounded by the Catholic Church, and the other by the Reformed Church. The French Reformed Church still sought to be institutionally integrated into the Gallican kingdom, but in a parallel Gallican structure. This mirroring of Gallican institutions strengthened the power of the monarch upon which this conception both figuratively and literally relied. And, in a bid to further strengthen his position and his authority, the formerly Protestant Henri IV would as king embrace the very distinction between conscience and worship his co-religionists had pushed against from the start. Despite the provisions in the 1598 Edict of Nantes that Calvinists won for their participation in assemblies, legal bodies, and the court, the same formula for liberty of conscience separating it from worship that first appeared in the 1563 Edict of Amboise was enshrined in the 1598 Edict of Nantes so often referenced as the founding document of religious pluralism. Denied true legal and institutional equality, French Calvinists remained merely "tolerated" by the king's will until their expulsion in 1685.

Epilogue

The logic of royal power and the battle over citizenship during the Wars of Religion are not a pre-history of absolutism. Instead, freedom of conscience and the fight over boundaries of conscience and citizenship in the sixteenth century were enacted through the already existing politico-theological manifestation of royal power. In a paradoxical twist, it was the monarchy's previous secularization of heresy prosecution that provided the legal context for royally-enforced toleration. Further, freedom of conscience and toleration both radically re-defined French citizenship by de-coupling it from Catholicism and set unwelcome limitations of the experience of citizenship for French protestant subjects. Catholic and Protestant institutional options for revolt mirrored the French Gallican construction of a theologically-defined polity with the king as defender of the faith at the top. Absolute and sacralized royal power, in short, triumphed because it was already the framework for how citizens participated in governance, not because it was an innovation in response to the turmoil of civil war. I conclude that when the Protestant Henri IV re-converted to Catholicism in 1593, he stepped into the role that Catholic rebels had left open and were trying to fill, and reinforced the toleration of private conscience at the expense of public pluralism.

This dissertation is at heart a conceptual history that puts the idea of liberty of conscience into the context of how people used it, while at the same time ignoring artificial divisions between the religious history, political history, and the confessionally-based histories of Catholics and Protestants. My research reveals how French subjects practiced, debated, and lived the boundaries of French citizenship at a moment in which those boundaries were being challenged and redefined in response to both the threat of religious pluralism and the monarchy's use of liberty of conscience. Together, the five chapters of my dissertation act as a conjunction

of religious and political history in the explication of how French subjects and the French monarchy together challenged and re-shaped the boundaries of national belonging in France through the example of the real consequences that resulted in the fight for the meaning of one idea and its use: liberty of conscience. I conclude that the idea of liberty of conscience as applied in the Edict of Nantes represents not the birth religious freedom, with which it has historically been associated, but rather the failure of Protestants to successfully reject the monarchy's definition of it in favor of their own. My dissertation shows that the monarchy was successful in using private conscience to control public worship, while also demonstrating how both Catholic resistance to the monarchy's policy of toleration through a private sphere of conscience and Protestant attempts to be incorporated politically and judicially into this public strengthened the authority of Gallican monarchical institutions. The history of liberty of conscience during the French Wars of Religion demonstrates how religion, citizenship, and sovereign power were interrelated. The battle over the presence and absence of French Calvinists in public space and the protection of conscience within the boundaries of the household is the result of the legal structure of French royal power. In the end, the logic behind the exercise of royal power during the Wars of Religion, despite recurrent civil war, was not an aberration between the power of earlier Renaissance monarchs and later absolute monarchs, but the enactment of the legal power of the Gallican monarch through which the boundaries of the French polity were secured, and the Gallican institutional structures through which this power was confirmed. To understand why the toleration of French Calvinists in the 1598 Edict of Nantes was designed to be temporary, and was not the instauration of a plural France, requires an understanding of the nature of liberty of conscience and its relationship to royal power. In the end, the politico-theological public sphere remained Catholic, and time would prove that the

limited toleration of heretics did not guarantee their citizenship. This early example of individual religious rights in the sixteenth century demonstrates to what degree civil rights are constructed and negotiated, and in what ways they can be circumscribed by their very existence.

While histories of human rights see the sixteenth-century Reformation as foundational, they do not recognize the ways that the cultural and historical contexts of the rights they are tracing are elided once they talk about “rights” as though they are universal and timeless.¹ My research challenges histories of universal human rights. Through the specific example of freedom of conscience, I reveal that rights presumed to be universal are dependent on the acceptance of unstated assumptions, such as a division between the private and the public that has been mapped onto a division between the sacred and the secular. Perhaps this uncritical approach to rights that have specific, cultural histories explains in part why it has been so hard to enforce these categories in the modern world. Given the still all-too-relevant battle over the place of conscience in the public sphere and the very real, world-wide struggles between the sacred and the secular, examining the basis for our modern concepts of rights could be a place to begin evaluating their utility and in what ways they could be improved or adapted.

Acknowledging the assumptions that lie behind such rights and the conflicts these assumptions create could open up space for dialogue in the recurrent religious and ethical conflicts that exist beneath the challenges to their implementation. In the modern French context, the extreme model of *laïcité*, the French version of a completely secularized state, legally functions as if religion does not exist in the public sphere. This makes it nearly impossible to engage with the

¹ See John Witte, Jr., *The Reformation of Rights: Law, Religion, and Human Right in Early Modern Calvinism* (Cambridge: Cambridge University Press, 2007) for an argument regarding how sixteenth-century liberty of conscience became the basis for a range of human rights (2). Witte sees Calvinism as a precursor to human rights and the democratic revolution (32).

place of Islam in French culture, let alone Muslims in French society. The policy of *laïcité* may have eliminated all official traces of religion in the French public sphere, but it has certainly not eliminated religious conflict in France. The battle over what is and is what not allowed in the public sphere is in many ways another argument about who is and who is not allowed to exert their presence in public space. Why, for instance, is whether or not women wear a bikini or a burkini on a French beach a matter of law? The daily crises of conscience that French Muslims face in the public sphere attest to the real problems that result from the unquestioned acceptance of a correlation between the categories of private/public and sacred/secular that underlie so-called universal rights. Religion, in the modern sense of beliefs, and politics, in the modern sense of individual rights, developed interdependently in the West and have specific, cultural histories. These histories are the subject of my research. In the case of early modern France, they resulted from a choice by the French monarchy to stop prosecuting and killing French subjects for their religious opinions, and to deploy liberty of conscience in order to forestall the possibility of religious pluralism. These seemingly counterintuitive circumstances were historically specific. This suggests that modern-day attempts to apply such concepts universally, as well as the assumed distinction underlying them between the secular and the sacred, are problematic at best, and dangerous at worst. The interdependence and the conceptual histories of these ideas must be understood if we hope to critically examine the ethics behind their usefulness and application in the contemporary world, and that ignoring their conceptual dependence can uncritically lead to both political and religious fundamentalism in the still all-too-relevant battle over the place of conscience in the public sphere.

Bibliography

Primary Sources

1. Archival and Manuscript Sources

Archives Nationales, Paris (A.N.)

AN K Henri III, Henri IV et Louis XIII Henri III, Henri IV et Louis XIII.

AN X^{1A} Parlement civil

Bibliothèque Nationale de France (B.N.)

Dupuy 213 Recueil de procès-verbaux et de cahiers d'assemblées tenues par les Reformes. (1582-1625.) XVII^e siècle.

Dupuy 323 II 1597-1620. Édits, actes et mémoires concernant les Protestants, de 1533 à 1620 environ.

Dupuy 333 Additions aux premier et second volume des mémoires et actes concernans ceux de la Religion Pretendue Reformee, depuis l'an 1533 jusques en l'année 1620. Vol. III. XVI^e-XVII^e siècle.

Dupuy 428 Recueil de documents et de lettres, pour la plupart originales ou autographes, concernant l'histoire du Protestantisme, principalement sous les règnes de Charles IX et de Henri IV. XVI^e-XVII^e siècle.

Dupuy 770 Recueil divers d'escrits, tant anciens que modernes, traictans, pour la pluspart, de l'estat et affaires de France sous les règnes d'Henry III et Henry IV. XVII^e siècle.

Français 3329 Recueil de lettres et de pièces originales, et de copies de pièces indiquées comme telles dans le dépouillement qui suit. XVI^e siècle.

Français 3386 Recueil de lettres et de pièces originales, et de copies de pièces indiquées comme telles dans le dépouillement qui suit. XVI^e siècle.

Français 3409 Recueil de lettres et de pièces originales, et de copies de pièces indiquées comme telles dans le dépouillement qui suit. XVI^e siècle.

Français 3612 Recueil de lettres et de pièces originales, et de copies de pièces indiquées comme telles dans le dépouillement qui suit. XVI^e siècle.

Français 4028 Recueil de copies de pièces. De 1588 à 1614. XVII^e siècle.

Français 4048 Recueil de pièces relatives principalement aux protestants des bailliages de Dijon (fol. 2 à 9), Autun (fol. 10 à 68), Châlon-sur-Saône (fol. 69 à 76), Beaune

- (fol. 77 à 83), Auxonne (fol. 84 à 91), Châtillon-sur-Seine (fol. 92 à 104), Semur en Auxois (fol. 105 à 125), Auxerre (fol. 126 à 138), Mâcon (fol. 139 à 191), de 1561 à 1570, durant le gouvernement de Gaspard de Saulx-Tavannes. XVI^e siècle.
- Français 4053 Recueil de lettres et pièces originales, et de copies de pièces indiquées comme telles dans le dépouillement qui suit. De 1539 à 1614. T. 2. XVI^e siècle.
- Français 4636 Recueil de pièces concernant les affaires de Bourgogne, de 1561 à 1570. XVI^e siècle.
- Français 4873 Recueil de mémoires composés et de documents rassemblés par L. Chantreau Lefebvre, intendant des finances aux duchés de Lorraine et de Bar, pour servir principalement à l'histoire desdits duchés, dans ses rapports avec l'histoire de l'empire et de la France, et à la chronologie. XVII^e siècle.
- Français 15811 Pièces diverses concernant l'histoire du Protestantisme. (1557-1605). XVI^e-XVII^e siècle.
- Français 15878 Recueil de pièces, pour la plupart originales, relatives à l'histoire politique, militaire, maritime, diplomatique, etc., de la France. (1558-1566 et 1582-1640) VIII 1553 et 1563, juin-décembre.
- Français 15879 1563, janvier-mai.
- Français 15880 X Année 1564. Pièces diverses concernant l'histoire du Protestantisme. (1557-1605). XVI^e-XVII^e siècle.
- Français 15881 Années 1553-1567.
- Français 4636 Recueil de pièces concernant les affaires de Bourgogne, de 1561 à 1570.
- Français 4744 Recueil de pièces concernant l'histoire de France, principalement à la fin du XVI^e siècle et au commencement du XVII^e siècle.
- Français 3409 Recueil de lettres et de pièces originales, et de copies de pièces indiquées comme telles dans le dépouillement qui suit. XVI^e siècle.
- Français 11941 Rôle des Calvinistes de la vicomté de Coutances, qui ont abjuré, suivant l'édit de juillet 1585. (1588) XVI^e siècle.
- Nouvelles acquisitions françaises (N.a.f.) 1236 VI Charles IX (1563-1565). Copies et extraits par Gustave Bertrand des correspondances originales relatives à l'histoire de France, qui sont conservées dans la Collection des autographes de la bibliothèque impériale publique de Saint-Pétersbourg. (1467-1587).

Nouvelles acquisitions françaises (N.a.f.) 2284 Tome LX. Hérétiques.

Nouvelles acquisitions françaises (N.a.f.) 20598-20600 Lettres, dépêches, instructions et autres pièces originales servant à l'histoire du XVIe siècle 1562-1584.

Bibliothèque Mazarine (Mazarine)

MS 2588-2600 Edictz, arrestz et autres actes concernans ceux de la religion prétendue réformée.

Bibliothèque de la Société de l'histoire du protestantisme français (B.P.F.)

MS 95 Cahiers de doléances de l'assemblée générale de Montauban, 8 août 1584, avec les réponses du Roi

MS 710 Pièces (originales ou copies anciennes) sur les édits de pacification, les assemblées protestantes, Henri IV, les règlements des Églises réformées, etc.

MS 1063 Suppliques des protestants au Roi Henri IV à Mantes-1593-Réponse du Roi

2. Bibliothèque Nationale de France, Factum Series

B.N. F-46819 (9) (March 11, 1560). *Edict du roy, contenant la grace et pardon pour ceux qui par cy devant ont mal senty de la Foy*. Paris: J. Dallier, 1560.

B.N. F-46824 (1) (June 14, 1563). *Ordonnance du roy, par laquelle il est defendu a tous ceux de la religion qu'on dict reformée & autres de besongner de leurs mestiers & artz à huis & boutique ouuerts, les iours des festes cōmandées par l'eglise catholique Romaine, sur peine de punition corporelle*. Paris, 1563.

B.N. F-46825 (25) (December 12, 1563). *Déclaration et interprétation du Roy sur l'édit de la pacification des troubles pour le fait de la religion*. Paris, 1563.

B.N. F-46828 (4) (Toulouse, February 21, 1565). *Édict du Roy pour contenir les serviteurs et servantes en leurs devoirs*. Paris: R. Estienne, 1565.

B.N. F-47023 (9) (October 14, 1563). *Ordonnance et arrest faict par le Roy, sur le reglement, pouvoir & jurisdiction des Prevosts Mareschaux, & de leurs Lieutenans*. Paris: J. Dallier, 1563.

B.N. F-46831 (12) (November 20, 1566). Lettres du Roy portants défenses à toutes personnes de ne violer & enfreindre les édits de pacification, majorité, & autres, sur peine de la vie. Avec injonction de repurger la ville de Paris, des vacabons & gens inutiles, Paris: R. Estienne, 1566.

3. Printed Pamphlets

Admirable et prodigieuse mort de Henry de Valoys. Lyon, 1589.

- Advertissement aux catholiques, sur la bulle de nostre saint Pere, touchant l'excommunication de Henry de Valois. Avec plusieurs exemples des punitions estranges & merueilleux iugements de Dieu, sur les excommuniez....*, Troyes, 1589.
- Advertissement a Messieurs les deputez des estats, assemblez en la ville de Paris, au mois de ianuier*, 1593.
- Advis sur ce qvi est a faire tant contre les Catholiques simulez, que les ennemis ouuerts de l'Eglise catholique apostolique & romaine.* Paris, 1589.
- Apologie de l'Edit du Roy sur la pacification de son Royaume, Contre la Remonstrance des estats de Bourgogne*, n.d.
- Articles, respondus par le Roy en son conseil privé, sur la resqueste presentée par plusieurs habitans de la ville de Bourdeaux, & Seneschaulcée de Guyenne, sur le fait de la Religion qu'on dict reformée.* Bordeaux, 1565.
- Begat, Jean. *Remonstrances ces faictes au Roy de France, par les deputez des trois Estats du Duché de Bourgoigne, sur l'Edict de la pacification des troubles du Royaume de France.* Envers, published by Guillaume Silvius, 1564.
- _____. *Response pour les Deputez des trois Estatz du pays du Bourgoigne. Contre la calumnieuse accusation, publiée soubz le tiltre d'Apologie de l'Edit du Roy sur la pacification de son Royaume*, n.d.
- Bellièvre, Pomponne de. *Advis avx Francois, svr la declaration faicte par le Roy, an l'Eglise S. Denys en France, le xxve iour de iuillet*, 1593. 1593.
- [Bodin, Jean.] *Recueil de tout ce qui s'est négocié en la compagnie du Tiers Éstat de France en l'assemblée des trois Estats, assignez par le Roy en la ville de Bloys, au XV novembre 1576*, 1577.
- Bounin, Gabriel. *Harangue av Roy, a la Roine, et aux hommes françois, sur l'entreenement & reconciliation de la paix, & entree dudict Seigñr en ses villes.* Paris, 1565.
- La Cause du roy de France. Contre les pernicieuses maxims & conclusions des liguers rebelles.* Tours, 1594.
- Le Contrepoison contre les artifices et inventions des politiques & autres ennemis de la religion catholique. Remply d'infinis beaux passages des escritures à l'érudition & aduancement de tout bon Catholique. Avec le nombre des villes associees, euesques, iusticiers, & officiers de ce royaume.* Paris, 1589.

- Declaration des causes qui ont meu Monseigneur le cardinal de Bourbon et les Pairs, Princes, Seigneurs, villes et communautez Catholiques de ce royaume de France: de s'opposer à ceux qui pour tous moyens s'efforcent de subvertir la religion catholique et l'Estat.* 1588.
- Discours Catholique, sur les causes & remedes des Malheurs intentés au Roy, & escheus à son people, par les rebelles Calvinistes.* Lyon, Michel Jove, 1568.
- Discours sur l'edict de pacification revoqué par le Roy, & de la punition de la Heretiques,* 1588.
- Edict du roy contenant la grace et pardon pour ceux qui par cy devant ont mal senty de la Foy.* Paris, 1560.
- Edict du Roy sur l'union de ses subjects Catholiques.* Paris, 1588.
- Exhortation á la paix,* 1568.
- Harengue & remonstrance faicte aux habitans de Limoges, sur le benefice de la paix & plusieurs autres occurrences, par Monsieur De Chambery.* Paris, May 1576,
- Lange, Jean. *La harangue du peuple et tiers estat de toute la France au roy tres-chrestien Charles Neusième, tenant ses Estats generaux en sa ville d'Orlea[n]s la premier iour de ianuiier 1560.* Orleans, 1560.
- Le remerciement des Catholiques vnis, fait à la Declaration & protestation de Henry de Bourbon, dict Roy de Nauarre.* Lyon, 1589
- La Vacquerie, Jean de. *Catholique remonstrance aux roys et princes chrestiens, a tous magistrats & gouuerneurs de Repub. touchant l'abolition des heresies, troubles & scismes qui regnent aujourd'huy en la Chrestienté. Escripte en latin par m. Jean de la Vacquerie ... De nouueau mise en frãcois.* Paris, 1560.
- Lettres patentes en forme d'edict, sur la diligēte inquisition & iustice de ceux qui font conuenticules & assemblées illicites, & punition des iuges negligens de ce faire.* Paris, 1559 [February, 1560].
- Mayenne, Charles de Lorraine. *Articles accordez pour la tréue generale.* Paris, 1593.
- Proposition des princes, prelatz, officiers de la covronne & principaux seigneurs Catholiques, tant du conseil du Roy, qu'autres estants pres sa Majesté, tendant afin de paruenir au repos tant necessaire à ce royaume, pour la conseruation de la religion Catholique & de l'estat, faicte à Monsieur le Duc de Mayēne & autres princes de sa maison, prelatz, seigneurs & autres personnes enuoyees par aucunes villes & communautez, se trouuans à present assemblez dans la ville de Paris.* Tours, 1593.

Rebuffi, Pierre. *Les édits et ordonnances des roy de France depuis l'an 1226 jusque 1571*. Lyon, 1571.

Remonstrances faictes au Roy de France par Messieurs de la Court de Parlement de Paris sur la publication de l'Edict du moys de Janvier. Cambrai: Nicolas Lombard, 1561 [1562].

Remonstrances faictes au Roy par messieurs de la cour de Parlement de Paris, sur la publication de l'Edict du moys de Ianuier. Cambrai, 1566.

Requete au Roy, et derniere Resolution des Princes, Seigneurs, Gentils-hommes, villes, & communautez Catholiques, presentee à la Royne mere de sa Majesté, le Dimanche neufiesme Juing, 1585

Au Roy. Sur le faict de l'Edict de pacification, 1563.

Sainctes, Claude de. *Discours sur le saccagement des eglises catholiques par les heretiques anciens et nouveaux Calvinistes de l'an Mil cinq cens soixante et deux*. Toulouse, 1562.

Veritable discours d'un catholique paisible a un zelé de Paris sus la des-obeissance et rebellion pernicieuse de ceux qui ont haussé les armes à l'encontre de son Roy, 1589.

4. Other Printed Primary Sources

Aymon, Jean. *Tous les synodes nationaux des eglises reformées de France, auxquels on a joint des mandemens roiaux, et plusieurs lettres politiques, sur ces matières synodales*. Vol. I. La Haye: Charles Delo, 1710.

Barbiche, Bernard, ed., with the collaboration of Isabelle Chiavassa. *L'édit de Nantes et ses antécédants*. Éditions en ligne de l'École des chartes (Élec). Available at <http://elec.enc.sorbonne.fr/editsdepacification>. Accessed September 2014.

Bodin, Jean. *Jean Bodin: The Six Bookes of a Commonweale. A facsimile reprint of the English translation of 1606 corrected and supplemented in the light of a new comparison with the French and Latin texts*. Edited by Kenneth Douglas McRae. Cambridge: Harvard University Press, 1962.

_____. *De Republica libri sex*. Paris, 1586.

_____. *Les six livres de la République*. 1593. 6 Vols. Reprint, Lyon: Fayard, 1986.

_____. *Les six livres de la République/De republica libri sex: Livre premier/Liber I. Édition critique bilingue par Mario Turchetti*. Paris: Classiques Garnier, 2013.

- Calvin, Jean. *Institutes of the Christian Religion*. Vol. II. Translated by Henry Beveridge. London: James Clarke & Co., 1962.
- Cayet, Victor Palma. *Chronologie novenaire*, In *Mémoires pour servir à l'histoire de France*. Edited by J.-F. Michaud and J.-J. Poujoulat, 32 vols. Lyon, 1853.
- The Disciplinary Decrees of the Ecumenical Council*. Translated by H.J. Schroeder. St. Louis: B. Herder Book Co., 1937.
- Dubois, August. *La Ligue: documents relatifs à la Picardie d'après les registres de l'échevinage d'Amiens*. Amiens, 1882.
- Duplessis-Mornay, Philippe. *Mémoires et correspondance de Philippe Duplessis-Mornay*. 12 Vols. Paris, 1824-25.
- Haag, E., ed. *La France protestante, ou, Vies des protestants français qui se sont fait un nom dans l'histoire: depuis les premiers temps de la réformation jusqu'à la reconnaissance du principe de la liberté des cultes par l'Assemblée nationale: ouvrage précédé d'une notice historique sur le protestantisme en France, suivi de pièces justificatives, et rédigé sur des documents en grand partie inédits*. Vol. 10. Paris: J. Cherbuliez, 1858.
- Isambert, François-André, et al., eds. *Recueil general des anciennes lois françaises, depuis l'an 420 jusqu'à la Révolution*. 29 Vols. Paris, 1821-1833.
- John of Paris, *John of Paris: On Royal and Papal Power*. Translated by J.A. Watt. Mediaeval Sources in Translation. 1971. Reprint, Toronto: Pontifical Institute of Mediaeval Studies, 2002.
- La Boétie. *Mémoire sur la pacification des troubles*. Edited by Malcolm Smith. Geneva: Droz, 1983.
- Lalourcé and Duval, eds. *Recueil des pièces originales et authentiques concernant la tenue des Etats Generaux III*. Paris, 1789.
- L'Hospital, Michel de. *Discours*, in *La plume et la tribune*. Edited by Loris Petris. Geneva: Droz, 2002.
- _____. *Œuvres*. Vol. I. Edited by Pierre J. S. Dufey. Paris, 1824.
- Loutchitzki, J. B., ed. "Collection des procès-verbaux des assemblées politiques des réformés de France pendant le XVI^e siècle. Assemblée des réformés du Languedoc (2-13 novembre 1562)." *Bulletin de la Société de l'Histoire du Protestantisme Français*. Vol. 22. 1873: 506-516, 546. 558.

Luther, Martin. *On Christian Liberty*. Translated by W.A. Lambert. Fortress Press: Minneapolis, MN: 2003.

Mayer, J. *Des États Généraux et autres Assemblée nationales*. Paris: 1789.

Mémoires de Condé, servant d'éclaircissement et de preuves à l'histoire de M. de Thou, contenant ce qui s'est passé de plus mémorable en Europe, ouvrage enrichi d'un grand nombre de pièces. Vol. II. Edited by D.-F. Secousse. London, 1743.

Montaigne, Michel de. *The Complete Essays of Montaigne*. Translated by Donald Frame. Stanford: Stanford University Press, 1958.

Potter, David, ed. *The French Wars of Religion: Selected Documents*. New York: St. Martins, 1991.

Satyre Menippée de la vertu du Catholicon d'Espagne et de la tenue des Estats de Paris (1594). Edited by Martial Martin. Paris: Honoré Champion, 2007.

Thou, Jacques Auguste de. *Histoire Universelle de 1543 jusqu'en 1607*. Vol. 4 (1560-1564). London, 1734.

Lafaist, Louis (L. Cimber) and Félix Danjou. *Archives curieuses de l'histoire de la France*. Ser. 1, Vol. 4. Paris, 1835.

Secondary Sources

Agnew, David Carnegie Andrew. *Protestant Exiles from France, Chiefly in the Reign of Louis XIV: Or, the Huguenot Refugees and Their Descendants in Great Britain and Ireland*. Vol. 1. London: Reeves & Turner, 1886.

Airo-Farulla, Joseph. "The Political Opposition of the Huguenots to Henry IV, 1589 to 1598." University of Washington D. Phil. Thesis, 1969.

Armstrong, Megan. *The Politics of Piety: Franciscan Preachers during the Wars of Religion, 1560-1600*. Rochester, N.Y.: University of Rochester Press, 2004.

Anquez, Léonce. *Histoire des Assemblées politiques des Protestants 1573-1622*. Paris, 1859.

_____. *Un nouveau chapitre de l'histoire politique des réformés de France (1621-1626)*. Paris, 1865.

Baranova, Tatiana Debbagi. *À coups de libelles: Une culture politique au temps des guerres de religion (1562-1598)*. Geneva: Droz, 2012.

- _____. "Le rôle des écrits diffamatoires dans la formation de l'identité des partis politiques pendant la première moitié des guerres de religion (1559-1570)." In *Identités, appartenances, revendications, identitaires (XVIe-XVIIIe siècle)*. Actes du colloque tenu à l'Université de Paris X-Nanterre les 24 et 25 avril 2003. Edited by Marc Belissa. Paris: Nolin, 2005.
- Barnavi, Elie. *Le parti de Dieu: Etude sociale et politique des chefs de la Ligue parisienne, 1585-1594*. Brussels: Nauwelaerts, 1980.
- Bartolini, Lionel. "Liberté de conscience dans le vocabulaire français: une genèse romande (1530-1560)." In *La Suisse occidentale et l'Empire: actes du colloque de Neuchâtel des 25-27 avril 2002*. Lausanne: SHSR, 2004.
- _____. "Autonomie des communautés et liberté de conscience: l'argumentation des confédérés et de leurs alliés face à un îlot confessionnel (1531-1561)." *Traverse: Revue d'histoire* 7 (2000): 56-66.
- Baumgartner, Frédéric. *Radical Reactionaries: The Political Thought of the French Catholic League*. Geneva: Droz, 1976.
- Beame, Edward M. "The politiques and the historians." *Journal of the History of Ideas*, 54 (1993): 355-79.
- Beik, William. *Absolutism and Society in Seventeenth-Century France*. Cambridge: Cambridge University Press, 1985.
- Bell, David. *The Cult of the Nation in France: Inventing Nationalism, 1680-1800*. Cambridge, M.A.: Harvard University Press, 2001.
- _____. "Recent Works on Early Modern French National Identity." *The Journal of Modern History*. Vol. 68, No. 1 (Mar., 1996): 84-113.
- Benedict, Philip. *Christ's Churches Purely Reformed: A Social History of Calvinism*. New Haven: Yale University Press, 2002.
- _____. "Pour quoi luttaient les protestants en 1562? Sur la dissémination et réception des « Déclarations » du prince de Condé." In *Médialité et interprétation contemporaine des premières guerres de Religion*. Edited by Gabriele Haug-Moritz and Lothar Schilling. Boston: Walter de Gruyter GmbH, 2014.
- _____. "Un roi, une loi, deux fois: Parameters for the History of Catholic-Protestant Co-existence in France, 1555-1685." In *Tolerance and Intolerance in the European Reformation*. Edited by Ole Peter Grell and Bob Scribner. Cambridge: Cambridge University Press: 1996.

- _____. and Nicolas Fornerod. "Les 2,150 'églises réformées' de France de 1561-1562." *Revue historique* 2009/3 n. 651: 529-560.
- _____. and Nicolas Fornerod. "Les députés des Églises réformées à la cour en 1561-1562." *Revue historique* 2013/2, n. 666: 289-332.
- _____. *The Faith and Fortunes of France's Huguenots, 1600-85*. Aldershot: Ashgate, 2001.
- _____. *Rouen during the Wars of Religion*. Cambridge: Cambridge University Press, 1981.
- _____. "Of Marmites and Martyrs: Images and Polemics in the Wars of Religion." In *The French Renaissance in Prints from the Bibliothèque Nationale de France*. Los Angeles: Grunwald Center for the Graphic Arts, 1994.
- _____. "The Saint Bartholomew's Massacres in the Provinces." *Historical Journal* 21.2 (June 1978): 205-228.
- Bergin, Joseph. *The Making of the French Episcopate, 1589-1661*. New Haven, C.T.: Yale, 1996.
- Bernstein, Hilary. *Between Crown and Community: Politics and Civic Culture in Sixteenth-Century Poitiers*. Ithaca: Cornell University Press, 2004.
- Bien, David. "Offices, Corps, and a System of State Credit: The Uses of Privilege under the Ancien Regime." In *The Political Culture of the Old Regime*. Edited by Keith Michael Baker. Oxford: Pergamon Press, 1987.
- Bireley, Robert. *The Refashioning of Catholicism, 1450-1700: A Reassessment of the Counter Reformation*. Washington, D.C.: Catholic University of America Press, 1999.
- Blair, Ann. "Authorial Strategies in Jean Bodin." In *The Reception of Bodin*, Edited by Howell A. Lloyd. Series: Brill's Studies in Intellectual History. Vol. 223. Brill, 2013.
- Boizet, Jacques. *Les Lettres de naturalité sous l'Ancien Régime*. Paris: M. Lavergne, 1943.
- Bonet-Maury, Pasteur. "Les origines de la réforme à Beauvais." *Bulletin de la Société de l'Histoire du Protestantisme Français*, 23 (1874): n° 1, 73-88; n° 2, 124-137, 217-232.
- Brett, Anabel and James Tully, eds. *Rethinking the Foundations of Modern Political Thought*. Cambridge: Cambridge University Press, 2006.

- Bossenga, Gail. "Rights and Citizens in the Old Regime." *French Historical Studies* 20, no. 2 (1997): 217-43.
- Bossy, John. *Christianity in the West, 1400-1700*. Oxford: Oxford University Press, 1985.
- Bourdieu, Pierre. *The Logic of Practice*. 1980. Translated by Richard Nice. Stanford, CA: Stanford University Press, 1990.
- Braun, Harald E. and Edward Vallance, eds. *Contexts of Conscience in Early Modern Europe, 1500-1700*. New York: Palgrave Macmillan, 2004.
- Brubaker, Rogers. *Citizenship and Nationhood in France and Germany*. Cambridge, MA: Harvard University Press, 1992.
- Cameron, Keith. "Satire, dramatic stereotyping and the demonizing of Henry III." In *The Sixteenth Century Religious Book*. St. Andrews Studies in Reformation History. Edited by Andrew Pettegree, Paul Nelles, and Philip Connor. Aldershot: Ashgate, 2001.
- Carroll, Stuart. *Blood and Violence in Early Modern France*. Oxford: Oxford University Press, 2006.
- _____. *Noble Power during the French Wars of Religion: The Guise Affinity and the Catholic Cause in Normandy*. Cambridge: Cambridge University Press, 1998.
- _____. *Martyrs and Murderers: The Guise Family and the Making of Europe*. Oxford: Oxford University Press, 2006.
- _____. "'Nager entre deux eaux': The Princes and the Ambiguities of French Protestantism." *Sixteenth Century Journal* 44.4 (December 2013): 985-1020.
- Cauvin, Marcel. "Le Protestantisme dans le Cotentin. Eglise de Bricqueville-la-Blouette." *Bulletin de la Société de l'Histoire du Protestantisme Français (1903-2015)*, 114. Jan.-Feb.-Mar., 1968.
- Certeau, Michel de, Dominique Julia, and Jacques Revel. *Une politique de la langue: La Révolution française et les patois*. Paris, 1975.
- Charleville, Edmond. *Les Etats Généraux de 1576. Le fonctionnement d'une tenue d'Etats*. Paris, 1901. Reprint: Genève.
- Chartier, Roger. *Le jeu de la règle. Lectures*. Bordeaux: Presses Universitaires de Bordeaux, 2000.

- Chevalier, Bernard. *Les Bonnes Villes de France du XIVe au XVIe siècle*. Paris: Aubier Montaigne, 1982.
- Christin, Olivier. *Noble Power during the French Wars of Religion: The Guise Affinity and the Catholic Cause in Normandy*. Cambridge: Cambridge University Press, 1998.
- _____. *La paix de religion: L'autonomisation de la raison politique au XVIe siècle*. Paris: Seuil, 1997.
- _____. "La question du vote majoritaire à l'époque de l'édit de Nantes." In *L'Edit de Nantes revisité. Actes de la journée d'études de Waldegg (30 oct. 1998)*. Edited by Lucienne Huber, Jean-Daniel Candaux and Christophe Chalamet. Geneva: Droz, 2000.
- _____. "La reception de l'Edit de Nantes: illusions et desillusions de la 'tolérance'," in *The Sixteenth Century Religious Book*. St. Andrews Studies in Reformation History. Andrew Pettegree, Paul Nelles, and Philip Connor, eds. Aldershot: Ashgate, 2001: 197-209.
- _____. "From Repression to Pacification: French Royal Policy in the Face of Protestantism." In *Reformation, Revolt and Civil War in France and the Netherlands 1555-1585*. Proceedings of the colloquium, Amsterdam, 29-31 October 1997. Edited by Philip Benedict, Guido Marnef, Henk van Nierop, and Marc Venard. Amsterdam: Royal Netherlands Academy of Arts and Sciences, 1999.
- Church, William F. *Political Thought in Sixteenth-Century France*. Cambridge, MA: 1941.
- Collins, James B. "'County Republicans' and the Concept of Active Citizenship in sixteenth-century Poland and France." edited by Karin Friedrich and Barbara M. Pendzich. Boston: Brill, 2009.
- _____. *The State in Early Modern France*. Second edition. Cambridge: Cambridge University Press, 2009.
- Conner, Philip. *Huguenot Heartland: Montauban and Southern French Calvinism during the Wars of Religion*. Aldershot: Ashgate, 2002.
- Conscon, Anne, Bruno Maes, and Isabelle Paresys, editors. *Dictionnaire de l'Ancien Régime*. Paris: Armand Colin, 2004.
- Constant, Jean-Marie. "La lecture des cahiers de doléances des villages entre 1576 et 1651 permet-elle de parler d'un imaginaire politique au XVIIe siècle?" PUF: *Dix-septième siècle* 59, no. 234 (2007): 31-48.

- _____. *La Ligue*. Paris: Fayard, 1996.
- _____. *La Noblesse en liberté XVI^e-XVII^e siècles*. Rennes: Presses Universitaire de Rennes, 2004.
- _____. "Le langage politique paysan en 1576: les cahiers de doléances des bailliages de Chartres et de Troyes." In *Representation & vouloir politiques autour des états-généraux de 1614*. Edited by Roger Chartier and Denis Richet. Paris, 1982.
- Cornette, Joël, ed. *La Monarchie Entre Renaissance et Révolution, 1515-1792*. Histoire de la France Politique. Paris: Seuil, 2000.
- Cosandey, Fanny and Robert Descimon. *L'Absolutisme en France. Histoire et historiographie*. Paris: Seuil, 2002.
- _____, ed. *Dire et vivre l'ordre social en France sous l'Ancien Régime*. Recherches d'histoire et de sciences sociales, 105. Paris: École des Hautes Études en Sciences Sociales, 2005.
- Cottret, Bernard. *1598: L'Édit de Nantes. Pour en finir avec les guerres de religion*. Paris: Librairie Académique Perrin, 1997.
- Crahay, Roland, Marie-Thérèse Isaac, and Marie-Thérèse Lenger, eds. *Bibliographie critique des éditions anciennes de Jean Bodin*. Académie royale de Belgique, 1992. Also available <https://projects.iq.harvard.edu/bodinproject/bibliography>.
- _____. "Jean Bodin aux États Généraux de 1576," *Assemblee di stati e istituzioni rappresentative nella storia del pensiero politico moderno (secoli XV-XX)*, *Atti del convegno internazionale tenuto a Perugia, 1982*. Perugia: Annali della Facoltà di Scienze Politiche, 1983.
- Crouzet, Denis. "La Foi, La Politique, La Parole: Une Problématique de L'édit de Janvier 1562." In *Axes et méthodes de l'histoire politique*. Edited by Serge Berstein. Paris: PUF, 1998: 13-40.
- _____. *Le haut cœur de Catherine de Médicis, Une raison politique aux temps de la Saint-Barthélemy*. Paris: Albin Michel, 2005.
- _____. *Les guerriers de Dieu: La violence au temps des troubles de religion, vers 1525-vers 1610*. 2 Vols. Seyssel: Champ Vallon, 1990.
- _____. *La Nuit de la Saint-Barthélemy: Un rêve perdu de la Renaissance*. Paris: Fayard, 1994.

- Delmas, Louis. *The Huguenots of La Rochelle: A Translation of the Reformed Church of La Rochelle, an Historical Sketch*. Translated by A.D.F. Randolph. New York, 1880.
- DeLuna, D.N., ed. *The Political Imagination in History: Essays Concerning J.G.A. Pocock*. Baltimore, Md.: Owlworks, 2006.
- Dandine, Élisabeth. “Les Normands, la forêt et le roi: l'affaire du droit de tiers et danger (1669-1675).” *Revue historique de droit français et étranger* Vol. 86, No. 2. April-June 2008.
- Daston Lorraine and Katherine Park. *Wonders and the Order of Nature*. New York: Zone Books, 2001.
- Daubresse, Sylvie. *Le parlement de Paris, ou La voix de la raison (1559-1589)*. Series Travaux d'Humanisme et Renaissance. Geneva: Droz, 2005.
- Daussy, Hugues. *Les Huguenots et le Roi. Le combat politique de Philippe Duplessis-Mornay (1572-1600)*. Geneva: Droz, 2002.
- Davis, Natalie Zemon. “Rites of Violence.” 1973. Reprinted in *Society and Culture: Eight Essays*. Stanford: Stanford University Press, 1975.
- Descimon, Robert. “The Birth of the Nobility of the Robe: Dignity versus Privileges in the Parlement of Paris, 1500-1700.” Translated by Orest Ranum. In *Changing Identities in Early Modern France*. Edited by Michael Wolfe. Durham, NC: Duke University Press, 1997.
- _____. “Le corps de ville et le système cérémonial parisien au début de l'âge moderne.” In *Statuts individuels, statuts corporatifs et statuts judiciaires dans les villes européennes (moyen âge et temps modernes)*. Edited by Marc Bone and Maarten Park. Louvain: Garant, 1996: 73-128.
- _____. “Jacques Auguste de Thou (1553-1617): Une rupture intellectuelle, politique et sociale.” *Revue de l'histoire des religions* 226, no. 3. 2009.
- _____ and José Javier Ruiz. *Les ligueurs de l'exil: le refuge Catholique français après 1594*. Seyssel: Champ Vallon, 2005.
- _____. “The Sacred and the Body Social in Sixteenth-Century Lyon.” *Past and Present*, 90 (1981): 40-70.
- _____. *Qui étaient les Seize: Mythes et réalités de la Ligue parisienne, 1585-1594*. Mémoires de la Fédération des Sociétés Historiques et Archéologiques de Paris et de l'Île de France, 34. Paris: Klincksieck, 1983.

- Desgraves, Louis. *Éloi Gibier, imprimeur à Orléans (1536-1588)*. Geneva: Droz, 1966.
- Diefendorf, Barbara B. *Beneath the Cross: Catholics and Huguenots in Sixteenth-Century Paris*. New York: Oxford University Press, 1991.
- _____. "The Catholic League: Social Crisis or Apocalypse Now?" *French Historical Studies* 15, no. 2 (Autumn, 1987): 332-344.
- _____. "Houses Divided: Religious Schism in Sixteenth-Century Parisian Families." In *Urban Life in the Renaissance*. Edited by Susan Zimmerman and Ronald Weissman. Newark: University of Delaware Press, 1989.
- _____. "The Huguenot Psalter and the Faith of French Protestants in the Sixteenth Century." In *Culture and Identity in Early Modern Europe (1500-1800): Essays in Honor of Natalie Zemon Davis*. Edited by Barbara Diefendorf and Carla Hesse. Ann Arbor, MI: University of Michigan Press, 1993.
- _____. "Introduction: Robert Descimon and the Historian's Craft." In *Social Relations, Politics, and Power in Early Modern France: Robert Descimon and the Historian's Craft*. Edited by Barbara B. Diefendorf. Kirksville, Mo.: Truman State University Press, 2016.
- _____. *The Saint Bartholomew's Day Massacre: A Brief History with Documents*. Boston, Mass.: Bedford/St. Martin's, 2009.
- _____. "Waging Peace: Memory, Identity, and the Edict of Nantes." In *Religious Differences in France: Past and Present*. Sixteenth Century Essays & Studies. Edited by Kathleen Perry Long. Kirksville, MO: Truman State University Press, 2006.
- Durot, Éric. "Le prédicant, hérétique et séditieux. De l'édit de Compiègne (1557) à l'édit de janvier (1562)." *Revue historique* 2009/1, no. 649: 39-64.
- Duquesne, Jean. *Dictionnaire des gouverneurs de province sous l'ancien régime, 1315-1791*. Paris: Éditions Christian, 2002.
- Edelstein, Dan. *On the Spirit of Rights*. Chicago: University of Chicago Press, 2019.
- Elwood, Christopher. *The Body Broken: The Calvinist Doctrine of the Eucharist and the Symbolization of Power in Sixteenth-Century France*. New York: Oxford University Press, 1999.
- Farr, James R. "Confessionalization and Social Discipline in France, 1530-1685." *Archiv für Reformationsgeschichte* 94 (2003): 276-293.
- Felice, P. *Les protestants d'autrefois*. Paris, 1896-98.

- Ferrière, Georges. "Sujets et citoyens selon Bodin," in *Sujet et citoyen. Actes du Colluque de Lyon (Septembre 2003)*. Edited by Michael Ganzin. Series, Histoire des idées politiques. Aix-en-Provence: Presses universitaires d'Aix-Marseille, 2004.
- Finley-Croswhite, Annette. *Henry IV and the Towns: The Pursuit of Legitimacy in French Urban Society, 1589-1610*. Cambridge: Cambridge University Press, 1999.
- Foa, Jérémie. "Making Peace: The Commissions for Enforcing the Pacification Edicts in the Reign of Charles IX (1560-1574)." *French History*, Vol. 18, No. 3: 256-74.
- _____. "‘Reconcilier les cueurs des subjects cy-devant divisez.’ Les commissaires des édits de pacification au temps des premières guerres de Religion." In *Les Affrontements religieux en Europe. Du début du XVIe siècle au milieu du XVIIe siècle*. Edited by Michel Figeac, et al. Paris: PUPS, 2009.
- _____. "Making Peace: The Commissions for Enforcing the Pacification Edicts in the Reign of Charles IX (1560-1574)." *French History*, Vol. 18, No. 3: 256-74.
- _____. *Le tombeau de la paix: Une histoire des édits de pacification (1560-1572)*. Limoges: PULIM, 2015.
- _____. *Le Tour de la paix. Mission et commissions d'application des édits de pacification sous le règne de Charles IX (1560-1574)*, thèse, l'Université Lumière-Lyon 2 20 septembre 2008.
- _____. "An Unequal Apportionment: The Conflict over Space between Protestants and Catholics at the Beginning of the Wars of Religion." *French History* 20 (2006): 369-86.
- Folain-Le Bras, M. *Un Projet d'ordonnance du Chancelier Daguesseau: Etude sur quelques incapacités de donner et de recevoir sous l'Ancien Régime*. Paris, 1941.
- Fontana, Biancamaria. *Montaigne's Politics: Authority and Governance in the Essais*. Princeton: Princeton University Press, 2008.
- Garrison, Francis. *Essai sur les Commissions d'Applications de l'Édit de Nantes. Première partie. Régime de Henri IV*. Université de Paris, Faculté de Droit, 1950.
- Garrison, Janine. *L'Édit de Nantes. Chronique d'une paix attendue*. Paris: Fayard, 1998.
- _____. *L'Homme protestant*. Brussels: Hachette, 1986 [1980].

- _____. *Protestants du Midi 1559-1598*. Toulouse: Privat, 1980.
- Gaullieur, Ernest. *Histoire de la Réformation à Bordeaux et dans le ressort du Parlement de Guyenne*. Vol. 1. Paris: H. Champion; New York: J.W. Bouton, 1884.
- Gerber, François. *Lorsque Henri IV regnait à Mantes (1590-1593)*. Saint-Ouen-l'Aumône: Valhermeil, 2001.
- Giesey, Ralph E. *Cérémonial et puissance souveraine. France xv^e-xvii^e siècles*. Cahier des Annales, no. 41. Paris: Armand Colin & École des Hautes Études en Sciences Sociales, 1987.
- _____. *Le Rôle méconnu de la loi salique. La succession royale (xiv^e-xvi^e siècles)*. Paris: Les Belles Lettres, 2007.
- Gilmont, Jean-François. "La naissance de l'historiographie protestante," in *The Sixteenth Century Religious Book*. St. Andrews Studies in Reformation History. Andrew Pettegree, Paul Nelles, and Philip Connor, eds. Aldershot: Ashgate, 2001: 110-126.
- Gould, Kevin. *Catholic Activism in Southwest France, 1540-1570*. Aldershot: Ashgate Publishing, 2006.
- Graizbord, David. "Becoming Jewish in Early Modern France: Documents on Jewish Community Building in Seventeenth Century Bayonne Peyrehorade." *Journal of Social History* 40.1 (Autumn, 2006): 147-180.
- Greengrass, Mark. "A Day in the Life of the Third Estate: Blois, 26th Dec. 1576." In *Politics, Ideology and the Law in Early Modern Europe: Essays in Honor of J.H.M. Salmon*. Edited by Adrianna E. Bakos. Rochester, NY: University of Rochester Press, 1994.
- _____. "The Experiential World of Jean Bodin." In *The Reception of Bodin*, Edited by Howell A. Lloyd. Series: Brill's Studies in Intellectual History, vo. 223. Brill, 2013.
- _____. "Financing the Cause: Protestant Mobilization and Accountability in France (1562-1589)." In *Reformation, Revolt and Civil War in France and the Netherlands 1555-1585*. Edited by P. Benedict, G. Marnef, H. van Nierop and M. Venard. Amsterdam: Royal Academy of Arts and Sciences, 1999.
- _____. *Governing Passions: Peace and Reform in the French Kingdom, 1576-1585*. Oxford: Oxford University Press, 2007.

- _____. "Pluralism and Equality: The Peace of Monsieur, May 1576." In *The Adventure of Religious Pluralism in Early Modern France*. Edited by Keith Cameron, Mark Greengrass, and Penny Roberts. Oxford: Peter Lang, 2000.
- _____. "The Project for the 'Taille Egalée' at the Estates General of Blois, 1576-77." In *Le Second Ordre: l'idéal nobiliaire*. Edited by Chantall Grell and Arnaud Ramière de Fortanier. Presses de l'Université de Paris-Sorbonne, 1999.
- _____. "The *Sainte Union* in the Provinces: The Case of Toulouse." *Sixteenth Century Journal* 14 (1983): 469-96.
- _____. "War, Politics and Religion in Languedoc during the Government of Henri de Montmorency-Damville, (1574-1610)." University of Oxford D. Phil. Thesis, 1979.
- Grell, Ole Peter, and Bob Scribner, editors. *Tolerance and Intolerance in the European Reformation*. Cambridge: Cambridge University Press, 1996.
- Grimsted, Patrick Kennedy. *Archives in Russia: A directory and Bibliographic Guide to Holdings in Moscow and St. Petersburg*. Routledge, 2016.
- Habermas, Jurgen. *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*. 1962. Reprint, MIT Press, 1999.
- Hampton, Timothy. *Literature and Nation in the Sixteenth Century: Inventing Renaissance France*. Ithaca: Cornell University Press, 2001.
- Hanley, Sarah. *The Lit de Justice of the Kings of France: Constitutional Ideology in Legend, Ritual, and Discourse*. Princeton: Princeton University Press, 1983.
- Hanlon, Gregory. *Confession and Community in Seventeenth-Century France: Catholic and Protestant Coexistence in Aquitaine*. Philadelphia: University of Pennsylvania Press, 1993.
- Harding, Robert R. "Revolution and Reform in the Holy League: Angers, Rennes, Nantes." *Journal of Modern History* 53 (1981): 379-416.
- _____. *Anatomy of a Power Elite: The Provincial Governors of Early Modern France*. New Haven: Yale University Press, 1978.
- Havet, Julien. "L'hérésie et le bras séculier au moyen âge." *Bibliothèque de l'Ecole des Chartes*, vol. 41 (1880): 488-517.
- Heller, Henry. "Putting History Back into the Religious Wars: A Reply to Mack P. Holt." *French Historical Studies*, Vol. 19, No. 3 (Spring, 1996): 853-61.

- Herman, Arthur L. "Protestant Churches in a Catholic Kingdom: Political Assemblies in the Thought of Philippe Duplessis-Mornay." *Sixteenth Century Journal*, vol. 21.1 (1990): 543-57.
- _____. "The Saumur Assembly of 1611: Huguenot Political Belief and Action in the Age of Marie de Medici." Johns Hopkins University D. Phil. Thesis, 1984.
- Holt, Mack P. "Burgundians into Frenchmen: Catholic Identity in Sixteenth-Century Burgundy," in *Changing Identities in Early Modern France*. Michael Wolfe, ed. Durham: Duke University Press, 1997.
- _____. *The Duke of Anjou and the Politique Struggle during the Wars of Religion*. Cambridge: Cambridge University Press, 1986.
- _____. *The French Wars of Religion, 1562-1629*. Cambridge: Cambridge University Press, 1995.
- _____. "Putting Religion Back into the Wars of Religion." *French Historical Studies*, Vol. 18, No. 2 (Autumn, 1993): 524-551.
- _____. "Religion, Historical Method, and Historical Forces: A Rejoinder." *French Historical Studies*, Vol. 19, No. 3 (Spring, 1996): 863-73.
- _____. *Renaissance and Reformation France 1500-1648*. Short Oxford History of France. Oxford: Oxford University Press, 2002.
- Höpfl, Harro. "Fundamental Law and the Constitution in Sixteenth-Century France." In *Die Rolle der Juristen bei der Entstehung des modernen Staates*. Edited by Roman Schnur. Berlin: Duncker and Humblot, 1986.
- Huseman, W. H. "The Expression of the Idea of Toleration in French During the Sixteenth Century." *Sixteenth Century Journal* 15 (1984): 293-310.
- Jackson, Richard A. *Vive le roi. A History of the French Coronation from Charles V to Charles X*. Chapel Hill, NC: University of North Carolina Press, 1984.
- Jouanna, Arlette. *Le devoir de révolte, La noblesse française et la gestation de l'État modern, 1559-1661*. Paris: Fayard, 1989.
- _____. "L'Edit de Nantes et le processus de sécularisation de l'Etat." In *Paix des armes, paix des âmes. Actes du colloque de château de Pau, 8-11 octobre 1988*. Edited by Paul Mironneau and Isabelle Pebay-Clottes. Paris: Imprimerie Nationale, 2000.
- _____. "Être 'bon Français' au temps des guerres de Religion: du citoyen au sujet." In *Conflits politiques, controverses religieuses. Essais d'histoire européenne aux*

- 16e-18e siècles. Series Recherches d'histoire et de sciences sociales 96.* Edited by Ouzi Elyada and Jacques Le Brun. Paris: École des Hautes Études en Sciences Sociales, 2002.
- Kaplan, Benjamin J. *Divided by Faith: Religious Conflict and the Practice of Toleration in Early Modern Europe.* Cambridge, Massachusetts: Harvard University Press, 2007.
- Lamb, Robert. "Quentin Skinner's Revised Historical Contextualism: A Critique," *History of the Human Sciences* 22, no. 3 (2009): 51-73.
- Kelley, Donald R. *Foundations of Modern Historical Scholarship: Language, Law, and History in the French Renaissance.* New York: Columbia University Press, 1970.
- Kingdon, Robert M. *Geneva and the Consolidation of the French Protestant Movement, 1564-1572.* Madison: University of Wisconsin Press, 1967.
- _____. *Myths about the St. Bartholomew's Day Massacres, 1572-1576.* Cambridge, M.A.: Harvard University Press, 1988.
- Kley, Dale Van. *The Religious Origins of the French Revolution: From Calvin to the Civil Constitution (1560-1791).* New Haven, CT: Yale University Press, 1996.
- Konnert, Mark W. "'Bonne Ville' or 'Treason of the Bourgeois?'" Civic Rivalry and the Boundaries of Civic Identity in the French Wars of Religion: Châlons sur Marne and the towns of Champagne." *Renaissance and Reformation*, 22, 1 (1997): 19-33.
- _____. *Civic Agendas and Religious Passion: Chalons-sur-Marne during the French Wars of Religion, 1560-1594. Sixteenth Century Essays & Studies, vol. 35.* Kirksville, M.O.: Sixteenth Century Journal Publishers, 1997.
- _____. *Local Politics in the French Wars of Religion: The Towns of Champagne, the duc de Guise, and the Catholic League, 1560-96.* Aldershot: Ashgate, 2006.
- _____. "Provincial Governors and Their Regimes during the French Wars of Religion: The Duc de Guise and the City Council of Chalons-sur-Marne." *Sixteenth Century Journal*, Vol. 25, No. 4 (Winter, 1994): 823-840.
- Koselleck, Reinhart. *Critique and Crisis: Enlightenment and the Pathogenesis of Modern Society.* 1959. Cambridge, Mass.: MIT Press, 1988.
- Lange, Tyler. *The First French Reformation: Church Reform and the Origins of the Old Regime.* New York: Cambridge University Press, 2014.

- LeCler, Joseph. "Liberté de conscience. Origine et sens divers de l'expression." *Recherche de science religieuse* 54 .3 (1966): 370-406.
- Lee, Daniel. *Popular Sovereignty in Early Modern Constitutional Thought*. Oxford, 2016.
- Lefebvre-Teillard, Anne. *Introduction historique au droit des personnes et de la famille*. Paris: Presses Universitaires de France, 1996.
- Lemaitre, Nicole, ed. *Religion et Politique dans les Sociétés du Midi*. Congrès National des Sociétés Historiques et Scientifiques, 126th: 2001: Toulouse, France. Paris: Éditions du CTHS, 2002.
- Lloyd, Howell A. *Jean Bodin: 'This Pre-eminent Man of France': An Intellectual Biography*. Oxford: Oxford University Press, 2017.
- _____. ed. *The Reception of Bodin*, Series: Brill's Studies in Intellectual History, vo. 223. Brill, 2013.
- Lorimer, Emma. "Huguenot General Assemblies in France, 1579-1622." University of Oxford D. Phil. Thesis, 2004.
- _____. "Une 'voie publique pour efficacement agir'. Les assemblées générales des Eglises réformées de France (1579-1622) devant l'insécurité des guerres civiles." *Bulletin de la Société de l'Histoire du Protestantisme Français*. Vol. 154.3 (2008): 464-480.
- Lousse, É. *La société d'Ancien Régime. Organisation et représentation corporatives*. Vol. 1. Louvain: Desclée De Brouwer, 1943.
- Love, Ronald S. *Blood and Religion: The Conscience of Henri IV, 1553-1593*. Montreal: McGill Queen's University Press, 2001.
- Luria, Keith. *Sacred Boundaries: Religious Coexistence and Conflict in Early-Modern France*. Washington, D.C.: Catholic University of America Press, 2005.
- Major, John Russell. *The Deputies to the Estates General in Renaissance France*. Madison: University of Wisconsin Press, 1960.
- _____. *The Estates General of 1560*. Princeton: Princeton University Press, 1951.
- _____. *From Renaissance Monarchy to Absolute Monarchy*. Baltimore: Johns Hopkins University Press, 1994.
- _____. *Representative Government in Early Modern France*. New Haven: Yale University Press, 1980.

- McRae, Kenneth D., Alastair D. McCann, and Catherine Andreads. *Bodin Sources Index*. <https://projects.iq.harvard.edu/bodinproject/sources-index>. Accessed April 2019.
- Mellet, Paul-Alexis, ed. *Et de sa bouche sortait un glaive. Les Monarchomaques au XVI^e siècle*. Actes de la Journée à Tours en mai 2003. Cahiers d'Humanisme et Renaissance, vol. 75. Genève: Droz, 2006.
- Mentzer, Raymond. *Blood and Belief: Family Survival and Confessional Identity among the Provincial Huguenot Nobility*. West Lafayette, I.N.: Purdue University Press, 1994.
- _____. *La construction de l'identité réformée aux XVI^e et XVII^e siècles: le rôle des consistoires*. Paris: Honoré Champion, 2006.
- _____ and Andrew Spicer, eds. *Society and Culture in the Huguenot World, 1559-1685*. Cambridge: Cambridge University Press, 2002.
- Merlin, Hélène. *Public et littérature en France au XVI^e siècle*. Paris: Les Belles Lettres, 1994.
- Miller, Madeleine S. and Miller, J. Lane. *Harper's Bible Dictionary*. New York: Harper & Row, 1973.
- Monter, William. *Judging the French Reformation: Heresy Trials by Sixteenth-Century Parlements*. Cambridge, Mass.: Harvard University Press, 1999.
- Moore, R. I. *The War on Heresy: Faith and Power in Medieval Europe*, rev. ed. London: Profile Books, 2014.
- Morel, Henri. *L'Idée gallicane au temps des guerres de religion*. Aix: PUAM, 2003.
- Mousnier, Roland. "Les concepts d' 'ordres' d' 'états', de 'fidélité' et de 'monarchie absolue' en France de la fin du XV^e siècle à la fin du XVIII^e." *Revue Historique* vol. 47.2 (April-June 1972): 289-312.
- _____. *Les institutions de la France sous la monarchie absolue, 1598-1789*. 1974. Reprint, Paris: PUF, 2005.
- Murdock, Graeme. *Beyond Calvin: The Intellectual, Political and Cultural World of Europe's Reformed Churches, c. 1540-1620*. Series *European History in Perspective*. Jeremy Black, ed. Hampshire: Palgrave, 2004.

- _____. Penny Roberts, and Andrew Spicer, eds. *Ritual and Violence: Natalie Zemon Davis and Early Modern France*. Past and Present Issue Supplement 7. Oxford: Oxford University Press, 2012.
- Nicholls, David. "Protestants, Catholics, and Magistrates in Tours, 1562-72: The Making of a Catholic City During the Religious Wars." *French History* 8 (1994): 14-33.
- Olivier-Martin, F. *L'Organisation corporative de la France d'Ancien Régime*. Paris: Sirey, 1938.
- Parker, David. *The Making of French Absolutism*. Ithaca: Cornell University Press, 2004.
- Parsons, Jotham. *The Church in the Republic: Gallicanism and Political Ideology in Renaissance France*. Washington, D.C.: Catholic University of America Press, 2004.
- Peters, Edward. *The Magician, the Witch, and the Law*. Philadelphia: University of Pennsylvania Press, 1978.
- Pettgree, Andrew, et al., eds. *The Sixteenth Century Religious Book*. St. Andrews Studies in Reformation History. Aldershot: Ashgate, 2001.
- Potter, David. "The French Protestant Nobility in 1562: The 'Association de Monseigneur le Prince de Condé.'" *French History* 15 (2001): 307-28.
- Potter, Mark. "Good Offices: Intermediation by Corporate Bodies in Early Modern French Public Finance." *The Journal of Economic History*, 60 (3), 2000: 599-626.
- Prestwich, Menna. "Calvinism in France, 1555-1629" in *International Calvinism 1541-1715*. Menna Prestwich, ed. Clarendon Press: Oxford, 1985.
- Racaut, Luc. *Hatred in Print: Catholic Propaganda and Protestant Identity during the French Wars of Religion*. Aldershot: Ashgate, 2002.
- _____. "The Sacrifice of the Mass and the Redefinition of Catholic Orthodoxy during the French Wars of Religion." *French History* 24 (2010): 20-39.
- Ramsey, Ann W. *Liturgy, Politics, and Salvation: The Catholic League in Paris and the Nature of Catholic Reform, 1540-1630*. Rochester, NY: University of Rochester Press, 1999.
- Reulos, M. "Synodes, assemblées politiques des réformés français et théories des états." *Anciens pays et assemblées d'états*, XXIV (1962): 97-111.

Roelker, Nancy Lyman. *One King, One Faith: The Parlement of Paris and the Religious Reformations of the Sixteenth Century*. Berkeley: University of California Press, 1996.

_____. "The Role of Noblewomen in the French Reformation." *Archive for Reformation Research* 63 (1972): 168-95.

Roberts, Penny. "French History and Collective Violence." *History and Theory, Theme Issue* 55 (December 2017): 60-75.

_____. "Huguenot Petitioning during the wars of religion." In *Society and Culture in the Huguenot World, 1559-1685*. Edited by In R. Mentzer and A. Spicer. New York: Cambridge University Press, 2002.

_____. "The most Crucial Battle of the Wars of Religion? The Conflict over Sites for Reformed Worship in Sixteenth-Century France." *Archiv für Reformationsgeschichte* 89 (1998): 247-67.

_____. *Peace and Authority during the French Religious Wars c. 1560-1600*. New York: Palgrave Macmillan, 2013.

_____. "Religious Conflict and the Urban Setting: Troyes during the French Wars of Religion." *French History*, 6 (1992): 259-278.

_____. "Royal Authority and Justice during the French Religious Wars." *Past and Present*. Vol. 184, no. 1 (2004): 3-32.

_____. "Urban Histories of the French Wars of Religion," *Moreana* Vol. 43, 166-67 (December 2006): 115-131.

Romier, Lucien. *La Conjuration d'Amboise: L'Aurore Sanglante de la Liberté de Conscience, Le Règne et la Mort de François II*. Paris: Librairie Académique, 1923).

Le Roux, Nicolas. *Les Guerres de Religion*. Paris, 2009.

_____. *Le roi, la cour, l'État: De la Renaissance à l'absolutisme*. Seyssel: Éditions Champ Vallon, 2013.

Sahlins, Peter. *Unnaturally French: Foreign Citizens in the Old Regime and After*. Ithaca, N.Y.: Cornell University Press, 2004.

Salmon, J.H.M. *Society in Crisis: France in the Sixteenth Century*. New York: St. Martin's Press, 1975.

- Sandberg, Brian. "'To Deliver a Greatly Persecuted Church': Resituating the Edict of Nantes within the History of *Laïcité*." *Storica* 38 (2007): 33-64.
- _____. *Warrior Pursuits: Noble Culture and Civil Conflict in Early Modern France*. Series *Johns Hopkins University Studies in Historical and Political Science*, 128. Baltimore: Johns Hopkins University Press, 2010.
- Sewell, William. "Etat, Corps and Ordre: Some Notes on the Social Vocabulary of the French Old Regime," 49-68. In *Sozialgeschichte Heute: Festschrift für Hans Rosenburg zum 70 Geburtstag*. Edited by H. U. Wehler. Gottingen: Vandenhoeck and Ruprecht, 1974.
- Skinner, Quentin . *The Foundations of Modern Political Thought Volume Two: The Age of Reformation*. 1978. Reprint, Cambridge: Cambridge University Press, 2010.
- _____. "Meaning and Understanding in the History of Ideas." *History and Theory* 8, no. 1 (1969): 3-53.
- _____. *Visions of Politics*. Vol. 1, *Regarding Method*. Cambridge: Cambridge University Press, 2002.
- Smet, Ingrid de. *Menippean Satire and the Republic of Letters, 1581-1655*. Geneva: Librairie Droz, 1996.
- Smith, Malcom "Early French Advocates of Religious Freedom," *The Sixteenth Century Journal*. Vol. 25, No. 1. Spring, 1994: 29-51.
- _____. "Paul de Foix and Freedom of Conscience." *Bibliothèque d'Humanisme et Renaissance*. T. 55, No. 2 (1993): 301-315.
- Sonnino, Lee A. *A Handbook to Sixteenth-Century Rhetoric*. London: Keegan Paul International, 1968.
- Souriac, Pierre-Jean. *Une guerre civile. Affrontements politiques et religieux en Midi toulousain (1562–1596)*. Seyssel, Champ Vallon, 2009.
- _____. "Une solution armée de coexistence. Les places de sûreté protestantes comme élément de pacification des guerres de religion", in *La coexistence confessionnelle à l'épreuve*. Didier Boisson et Yves Krumenacker, eds. "Documents et Mémoires" n°9. Lyon: Chrétien et Sociétés, 2009: 51-72.
- Strayer, Joseph R. "France: The Holy Land, the Chosen People, and the Most Christian King." 1969. Reprinted in *Medieval Statecraft and the Perspectives of History: Essays by Joseph R. Strayer*. Princeton: Princeton University Press, 1971.

- Sunshine, Glenn S. *Reforming French Protestantism: The Development of Huguenot Ecclesiastical Institutions, 1557-1572. Sixteenth Century Essays and Studies*. Vol. 6. Kirksville, M.O.: Truman State University Press, 2003.
- Sutherland, N. M. *The Huguenot Struggle for Recognition*. New Haven, C.T.: Yale University Press, 1980.
- _____. *Henry IV of France and the politics of religion, 1572-96*. Bristol: Elm Bank, 2002.
- Tallon, Alain. *Conscience nationale et sentiment religieux en France au XVI^e siècle. Essai sur la vision gallicane du monde*. Paris: Presses universitaires de France, 2002.
- _____. *La France et le Concile de Trente, 1518-1563*. Rome: École française de Rome, 1997.
- Thompson, Martyn P. "The History of Fundamental Law in Political Thought from the French Wars of Religion to the American Revolution." *American Historical Review* 91 (1986): 1103-28.
- Tilly, Charles. "The Emergence of Citizenship in France and Elsewhere," in *Citizenship, Identity, and Social History*. Edited by Charles Tilly. *International Review of Social History* 40, supplement 3 (1995): 223-36.
- Tingle, Elizabeth. "Nantes and the Origins of the Catholic League of 1589." *The Sixteenth Century Journal* 33, no. 1, Spring, 2002.
- Trudeau, Danielle. "L'ordonnance de Villers-Cotterêts et la langue française: Histoire ou interprétation," *Bibliothèque d'humanisme et Renaissance* 65 (1983): 461-72.
- Tuck, Richard. *The Sleeping Sovereign: The Invention of Modern Democracy*. Cambridge: Cambridge University Press, 2016.
- Tulchin, Allan A. *That Men Would Praise the Lord: The Triumph of Protestantism in Nîmes, 1530-1570*. New York: Oxford University Press, 2010.
- _____. "The Michelade in Nîmes, 1567." *French Historical Studies* 29 (2006): 1-35.
- Turchetti, Mario. "L'arrière-plan politique de l'édit de Nantes, avec un aperçu de l'anonyme *De la concorde de l'Etat. Par l'observation des Edicts de Pacification* (1599)," 93-114. In *Coexister dans l'intolérance. L'édit de Nantes (1598)*. Michel Grandjean and Bernard Roussel. eds. Geneva: Labor et Fides, 1998.

- _____. "Une question mal posée: La "tolerance" dans les Édits de Janvier (1562) and d'Amboise (1563). Les Premiers commentaires et interpretations: Jean Begat," 245-294. In *La formazione storia della alterità: Studi di storia della tolleranza nell'età moderna offerti a Antonio Rotondò*. Edited by Henry Méchoulan, Richard H. Popkin, Giuseppe Riciperati, and Luis Simonutti. Florence: Leo S. Olschki, 2001.
- _____. "Middle Parties in France during the Wars of Religion." In *Reformation, Revolt and Civil War in France and the Netherlands*. Edited by Philip Benedict et al. Amsterdam: Royal Netherlands Academy of Arts and Sciences, 1999.
- Ulph, Owen. "Jean Bodin and the Estates General of 1576." *The Journal of Modern History* Vol. XIX, no. 4. December, 1947.
- Vanel, Marguerite. *Histoire de la nationalité Française d'origine; Evolution historique de la notion de Française d'origine du XVIe siècle au Code Civil*. Paris: Ancienne imprimerie de la Cour d'appel, 1945.
- Van Kley, Dale. *The Religious Origins of the French Revolution: From Calvin to the Civil Constitution (1560-1791)*. New Haven, Conn.: Yale University Press, 1996.
- Varry, Dominique. "Revolutionary Seizures and their Consequences for French Library History," 181-196. In *Lost Libraries: The Destruction of Great Book Collections since Antiquity*. Edited by James Raven. New York: Palgrave Macmillan, 2004.
- Venard, Marc. "Les catholiques et la liberté de conscience au XVI^e siècle." *Nouvelle Revue du XVIe Siècle*, Vol. 11 (1993): 19-35.
- Vigueurie, Jean de. "Contribution à l'histoire de la fidélité: Note sur le serment en France à l'époque des Guerres de Religion." *Annales de Bretagne et des pays de l'Ouest* 82, no. 3. 1975: 291-295.
- Viennot, Éliane. *La France, les femmes et le pouvoir. L'invention de la loi salique (v^e-xvi^e siècle)*. Paris: Perrin, 2007.
- Viолlet, Paul. *Histoire du droit civil français*, 3rd ed. Paris: 1905.
- Voronova, Tamara P. "P.P. Dubrovskii (1754–1816) and the Saint-Germain Manuscripts," *Book Collector* 27 (1978): 469-478.
- Waele, Michael de. "Clémence royale et fidélités françaises à la fin des guerres de religion." *Historical Reflections/Réflexions historiques*. Vol. 24, no. 2 (Summer 1998): 242-244.

- Walsham, Alexandra. *Charitable Hatred: Tolerance and Intolerance in England, 1500-1700*. Manchester: Manchester University Press, 2006.
- Wanegffelen, Thierry. *Ni Rome ni Genève: Des fidèles entre deux chaires en France au XVIe siècle*. Paris: Honoré Champion, 1997.
- Wells, Charlotte C. *Law and Citizenship in Early Modern France*. Baltimore: Johns Hopkins University Press, 1995.
- Wilkinson, Alexander. "Homicides Royaux: The Assassination of the Duc and Cardinal de Guise and the Radicalization of French Public Opinion." *French History* 18 (2004): 129-53.
- Witte, John, Jr. *The Reformation of Rights: Law, Religion, and Human Right in Early Modern Calvinism*. Cambridge: Cambridge University Press, 2007.
- Wolfe, Michael. *The Conversion of Henri IV: Politics, Power, and Religious Belief in Early Modern France*. Cambridge, Mass.: Harvard University Press, 1993.
- Yardeni, Myriam. *La conscience nationale en France pendant les guerres de religion*. Paris: Nauwelaerts, 1971.
- Zorach, Rebecca. *Blood, Milk, Ink, Gold: Abundance and Excess in the French Renaissance*. Chicago: University of Chicago Press, 2005.