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Raymond J. Jirran

A. Introduction

By inference, the last topic treated the rise of common people through the increased value of labor. One of the most difficult hurdles is balancing the relationship between truth and politics. This topic has for its course goal **evaluating the legitimacy of human rights** according to a criteria of the people, places, and times involved and the degree of certitude warranted.

B. Fundamental Law

When Henry Navarre married in 1572, Catherine de Medici took the opportunity to involve herself in the massacre of many Huguenots who were in Paris for the wedding. As Chambers points out, Henry was the only major figure who escaped.¹ Propagandists then began to exploit the massacre to argue that the massacres had been caused by a government that "had gone berserk and become a tyranny" and to urge that this government be reconstituted so as to "protect the rights of subjects."² The propagandists started out by vilifying Catherine de Medici and ended up by appealing to Catholic malcontents as well as Protestants to rebel against the Crown. The issue was the authority to rule.

Authority rests on law. The Salic Law³ is a good example of fundamental law. The law was invented in the 1400s⁴ as dating from Merovingian times in the Sixth Century. By this law women were prohibited from taking royal thrones and kinship was traced through males rather than females. The matter was treated as part of biogenetic natural law. The forgery was exposed in the mid-1500s.⁵

In 1588 Henry III "willed, decreed and ordained" that the law of Catholicity "be held for inviolable and fundamental law" in France.⁶ Shortly later, that same year, the Estates General met without disputing the authority of the king to make fundamental law, except to insist that the king and the Estates had to make such law together. This meant that fundamental laws no longer had to be ancient or customary, but could be enacted through recognized procedures. The king eventually abused his authority.

C. French Greatness

Following the wars of religion, France emerged as the focal point of all Europe. Louis XIV (1643-1715) offered a court of such grandeur that the aristocrats left the safe harbor of their castles to live at court. In the process of moving, these aristocrats gave up their older habits of violence to attend court. The French countryside experienced a new depth of peace, while the armies of the king were marched and countermarched beyond French borders. These armies gave Louis's diplomats leverage to expand toward the Rhine River.

Since the breakdown of Medieval Latin Christendom, European social and cultural unity had never been so great. The contrarities of the European inheritance, so violently at odds with one another in the Sixteenth Century, were reconciled in the Seventeenth Century by a series of quite illogical, but nonetheless effective compromises, extending from politics and society to thought. These involved the frequently mentioned incompatible inseparables.

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D. Political and Social Compromises

The Old Regime refers to government by the nobility before the time of Napoleon. In practice, even the most absolute monarchs of the Old Regime were obliged to accommodate the interests of: (1) towns, (2) provinces, (3) chartered companies, (4) guilds, (5) Church, and (6) other privileged corporations at home. The international balance of power also confined actions abroad within fairly narrow limits.

The rulers of Europe gradually gave up direct appeal to the deeper springs of human action, such as God, motherhood, and apple pie. They found it wise, instead, to widen the scope of professionalism, which could be trusted to work with unenthusiastic stability within well-worn and familiar paths. Professional (1) lawyers, (2) doctors, (3) merchants, (4) landowners, (5) bureaucrats, (6) army officers, and, by the Seventeenth Century, even (7) writers such as Moliere slowly remolded the life of Europe as the decades (deck' aids) advanced.

They acted with only rare appeals to the depths of human passion or to the heights of human aspiration. Customs backed by the weight of massive institutions prevented even the most absolute of kings, not merely from revolutionizing society, but from even thinking about the possibility of so doing. In theory, the kings of the Old Regime had all the power, but in practice they never really were truly absolute. Their ability to make fundamental law was fundamentally limited.

E. Intellectual Compromises

The antagonism between secularized reason and religious faith, so strongly expressed in the clashing ideals of Renaissance and Reformation, found a practical, if not a theoretical, answer under the Old Regime. This also involved the inseparable incompatibles. In effect, the effort to attain logical sameness in society as a whole was given up. More and more, the states of Europe allowed old laws requiring religious conformity to be ignored and permitted individuals to follow their own religious inclinations. Political powers backed away from dictating truths. A decent respect for customs was expected. For example, blasphemy and all extreme religious manifestations continued to be outlawed in every European state.

The note of desperation, so prominent in Sixteenth Century struggles of theological and philosophical self-righteousness, together with the ruthless demand for orthodoxy in thought, word, and deed, rapidly died away after the 1648 Peace of Westphalia. By the Eighteenth Century, the intellectual leaders of Europe tended to concentrate their attention on empirical science and nationalistic philosophy, rather than on theology and the politics flowing therefrom. Intellectuals no longer concerned themselves overmuch with making their conclusions conform to Christian doctrine.

F. Conclusion

By studying the Introduction, French Greatness, Political and Social Compromises, and Intellectual Compromises, students are the better able to evaluate the legitimacy of human rights. As time went on, human rights were coming into apparent conflict with Divine rights, because Divine rights

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became associated with abusive regal power. Students are reminded to read, study, and think. Students are reminded to prepare a comment.

Supplement

G. Fundamental Law (continued)

The Professor maintains that the authority to rule in the West is only bestowed by truth. In the abstract, truth is congruence between mental and extra-mental reality. In the concrete, truth is congruence between what the ruler says and what the ruler does. Natural Law, which basically insists on a positive relationship between cause and effect is primary. Fundamental Law reduces Natural Law from philosophy to political practicality, enforceable in courts of law. .

The Twentieth Century issue is human rights. This notion derives from medieval law as developed best in conciliarism. Conciliarism is that church doctrine which holds that an ecumenical council is of higher authority than the pope.⁷ Conciliarism differs from collegiality which requires the pope to convene and preside over an ecumenical council.⁸

G. Saint Vincent de Paul⁹

By the Fall Semester of 1989, Saint Vincent de Paul (1581-1660) had served the professor well by providing an historical focal point for a difference between a history of grace and a history of scandal. The history of scandal is usual and is very much presented in Chambers. Everyone expects to know about Cardinal Richelieu (1585-1642) but few, if any, expect to learn about the Saint. Yet, De Paul Hospital in Norfolk is not only a far better but also a far more important legacy, than the modern European nation state, left behind by Richelieu. It is debatable whether or not the U. S. is a nation state and in that way, the comparative relevance of Richelieu becomes even more debatable.

The historiographic problem is evidence, which the highly-trained psychoanalyst takes years to unravel. The later historian only has written documents. Elizabeth Wirth Marvick, who wrote *Young Richelieu* (1983) cited above, did better work with *Louis XIII* (1986). Louis' physician kept a diary which Marvick used. Louis' father was "the robust and virile Henry IV." The effect on policy is described as authoritarian at home and as hostile to Spain. Richelieu is regarded as a father figure for Louis XIII.¹⁰

A psychoanalytical study of Richelieu was able to omit connecting Richelieu's youth with his later years of political power.¹¹ Western civilization is fascinated with Richelieu who manipulated the truth to suit his own ends. Western civilization is relatively uninterested in the Saint who permitted himself to be manipulated by the truth in order to serve the broader reaches of power.

Saint Vincent de Paul did not found the Society of Saint Vincent de Paul. That society was founded in Paris by Frédéric Ozanam in 1833.¹² The Congregation for the Causes of Saints met in plenary session before Pope John Paul II July 6, 1993, proclaiming the heroic virtues of Ozanam, among

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others. This means Ozanam is on his way to official proclamation of sainthood by the Roman Catholic Church.¹³

The traditional view has been that the European aristocracy was a drone-like superstructure on the body politic. The Professor has long maintained that to last until the Twentieth Century, the aristocracy showed an ability to cope with modernism. In accord with the Professor, recent scholarship argues that modern times developed from within the canons of Western civilization.¹⁴ The Professor regards the issue as truth versus politics, with aristocrats recognizing their need to adapt to changing times.

What was happening was a change from an emphasis on group to individual achievement. When the aristocrats realized their need to militarize away from their families, they also realized the fact that the family lost at least some control of those away. Personal ambition joined with military achievement to open the way for merit to replace privilege as the criteria for success in modern times. In other words, by privileging truth over politics, Western civilization developed and maintained modern adaptive prowess.¹⁵

The concern of the professor is with institutional religion, regardless of specific kinds of religion. The professor only happens to focus on Catholics, because that is what he knows best. He started out his teaching career by pointing out the institutional sins of the Catholic Church, for example racism, and was startled to find his student co-religionists insisting that they also committed such sins. So with sin, then with virtue, if anyone ever successfully writes the history of grace, there are sure to be plenty of non-Catholics involved.

Vincent de Paul was born a Catholic of a peasant family in France. Though naturally gifted, but one day he was enslaved by Barbary pirates as he tried to take a short cut by ship across the Bay of Biscay. Later he escaped from north Africa and served as chaplain of the French galley slaves.

Despite this chaplaincy, scholars have been ambiguous about whether slavery existed in France. The question was not about the galley slaves but about servant-slaves brought into France. The question was whether continental French soil freed slaves. Prior to the Eighteenth Century, i.e. in the time of Vincent de Paul, the "Freedom Principle" applied. Slaves brought into France were free.¹⁶

After Louis XIV died, royal decrees in 1716 and 1738 changed the Freedom Principle. Masters could now bring their slaves to France without losing slave status. The only problem was that the Parlement would not ratify the decrees because of the use of the word *slave*. During the 1750s and 1760s over 150 slaves brought their masters to court and won their freedom over this matter.¹⁷

The Professor is irritated that existing White slaves have no standing among historians developing what happened. An estimated 4,000-5,000 African slaves entered France, about half the number entering Britain. All of these French slaves gained their freedom through litigation. As a result in 1777 the monarchy avoided the use of the word *slave* by substituting the word *Black*. Litigation continued up to the time of the French Revolution.¹⁸

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The French Revolutionaries abolished slavery in the French colonies in 1794 and, shortly before that, in France itself. In 1802 Napoleon reintroduced slavery, which the July Monarchy finally ended for good in 1836. Only the Revolution of 1848 finally ended slavery in French colonies.¹⁹

Vincent de Paul founded two religious orders, one for men, known as the Vincentians and another for women, known as the Daughters of Charity. The Daughters of Charity run De Paul Hospital. Vincent de Paul had none of the flashiness of Teresa of Avila (1515-1582), a near contemporary. He was simply a good organizer who insisted on investing organizations with the love of God.

Teresa of Avila does set the tone for the work of Vincent de Paul. Avila is located at 40.39 N 4.42W, west northwest of Madrid on "Map 15.2 Catholic and Protestant Powers in the Late Sixteenth Century" on page 513 in the seventh edition of Chambers. The Comunero revolt lasted in Avila from 1520-1521. After that support for religious foundations became the way to get ahead.²⁰

Which was the better way, through learning, favored by the Dominicans or through experience, favored by the Jesuits and Franciscans? The learning approach favored vocal prayer while the emotional approach favored mental prayer. Stipends were often attached to vocal prayers by the elite. Teresa was dissatisfied with both approaches, which she knew well.²¹

Teresa and four others started a movement back to that old time primitive religion in 1562. Opposition to the new convent of San José beginning the Carmelite reform arose immediately. Teresa urged mental prayer and voluntary poverty. The bishop, Alvaro de Mendoza picked up on the Tridentine reform by placing the new convent under his protection. Only after Teresa died twenty years later, in 1582, did she become a hero of reform. By then it was too late for Avila has lost its fervor.²²

Forty years after that, by 1620, Vincent had become a truly holy man. In 1648, Vincent took an active stand against Jansenism, indexed in the seventh edition of Chambers on pages 553, 586-587.²³ This stance helped defeat the French Jansenists. Both the Puritans and the Jansenists lived more strictly than did Catholics. The Huguenots were Jansenists who fled France for places like North Carolina. Vincent, a Catholic, took a more relaxed attitude toward religion than did the Puritans.

This era of abortion has a bit of a relationship to the foundlings of France. The difference is that U. S. citizens admit and even count their abortions. The French, at the time of Vincent, were reluctant to admit that foundlings even existed. Foundlings were abandoned children. Statues of Vincent show him holding one of these waifs, a sort of universal French Father Flanagan of Boys Town.

Vincent de Paul was an excellent administrator. Vincent served as a college president. The pope also gave Vincent the duty of approving who was to be made bishop in France. He took on this responsibility to prevent the ne'er-do-well sons of the nobility from becoming bishops. The income made those posts desirable.

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Vincent was known to Richelieu and received his inheritance. How much Vincent actually received after those who came before him received their shares is unknown. Vincent assisted Louis XIII on his deathbed in 1643. Vincent also served on a state "Council of Conscience" until Mazarin could not take it any longer and moved the saint off. Richelieu knew better than ever to give Vincent such a post.

Mazarin has a worthy biographer in Pierre Goubert, but Goubert is uninterested in the rising importance of the poor masses of people. Goubert sees the genius of Mazarin as financing Louis XIV's wars "by mortgaging future revenues to cartels of investors who in turn were backed by the investments of the great nobility, the officer class, and the merchant bourgeoisie." These were also classes who disregarded the great suffering masses of French.²⁴

Vincent must have inspired people like Mother Teresa does today. Vincent was regarded by his contemporaries as a Saint and in 1737 was finally canonized. In 1885 he was named patron of all charitable groups by Pope Leo XIII.

H. Conclusion

The incompatible inseparables at work here are those between faith and reason, value and fact, morality and science, each claiming to be the path to truth as Europe worked her way toward a more secular approach to life. Truth, not politics, was the criteria for sifting through what would be incorporated into Western identity.

Comments on the Seventh Edition of Chambers, pages 0530-0541.

In the opinion of the professor, Chambers is the most scholarly textbook on the market. Chambers well represents mainstream thinking in the history profession. The professor, however, disagrees in many significant ways with mainstream thinking. Some of these disagreements are set forth above and others in the following comments.

Page Column

Paragraph

Line

0530	1	2	5 & 7-8	"... nobility of the sword ... nobility of the robe ..."
0530	2	2	14-15	"... uprisings of peasants (the main victims of the tax system) ..."

Henry did not provide for a *nobility of truth*.

0532	1	2 nd last line	"... Edict of Nantes ..."
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The Edict of Nantes is also mentioned on pages 514 and 586-587. Chambers develops mercantilism on pages 530-531. Chambers misses the economic impact of the Edict of Nantes on America. Many of these

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good Huguenot business people were driven to what became the United States, in particular nearby North Carolina.

A student, Thomas D. Jones, researched the question of how many Huguenots stayed and how many left France. Jones concluded that between 600,000 and 700,000 stayed and 200,000 left.²⁵

0537 caption: Engraving of *A Dutch Shipyard*

To place the Dutch Shipyard in a more complete context, see page 381 depicting the Venice Arsenal, also mentioned on page 547, column 2, paragraph 2, line 11.

0539 2 3 17-18 "... the last possibilities for escaping serfdom were closed ..."

These White people were in a situation similar, at least analogous, to what was happening to Black people at the same time.

Endnotes

¹See the fifth edition of Chambers, page 578, column 2, paragraph 1, lines 10-11. See the sixth edition of Chambers, page 466, column 2, paragraph 3, lines 9-10.

²Robert M. Kingdon, Myths about the St. Bartholomew's Day Massacres, 1572-1576 page 5 as cited in the review by Barbara B. Diefendorf in The American Historical Review, Vol. 94, No. 3 (June 1989), page 782.

³Salic law was treated in the fourth edition of Chambers in footnote six on page 807; in the fifth edition of Chambers in footnote 6 on page 894; in the sixth edition of Chambers in footnote 10 on page 763; in the seventh edition in footnote 10 on page 829..

⁴ Sarah Hanley, "Social Sites of Political Practice in France: Lawsuits, Civil Rights, and the Separation of Powers in Domestic and State Government, 1500-1800," *The American Historical Review*, Vol. 1002, No. 1(February 1997), page 29.

⁵ Sarah Hanley, "Social Sites of Political Practice in France: Lawsuits, Civil Rights, and the Separation of Powers in Domestic and State Government, 1500-1800," *The American Historical Review*, Vol. 1002, No. 1(February 1997), page 29.

⁶cited in ???, "The History of Fundamental Law," The American Historical Review, Vol. 91, No. 5 (December 1986), page 1109.

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⁷ Michael D. Gordon, review of Brian Tierney, *The Idea of Natural Rights: Studies on Natural Rights, Natural Law and Church Law 1150-1625* in *The American Historical Review*, Vol. 104, No. 3 (June 1999), pages 973-974.

⁸ *The Concise Columbia Encyclopedia: Third Edition* (New York: Columbia University Press, 1994), page 341-342.

⁹This section relies directly on M. A. Roche, "Vincent de Paul, St.," in The Catholic Encyclopedia, Vol. ???, available in the Thomas Nelson Community College Library, pages 682 and 683. This section relies indirectly on Mary Purcell, The World of Monsieur Vincent (Chicago: Loyola University Press, 1989); Saint Vincent de Paul Correspondence Conferences, Documents I Correspondence Volume I (1607-1639) Newly Translated, Edited and Annotated from the 1920 Edition of Pierre Coste, C. M. (New York: New City Press, 1985); Monseigneur Bougaud (Bishop of Laval), History of Saint Vincent de Paul, 2 Vols. (???, ???, 1899); Saint Vincent de Paul, A Guide for Priests (???, ???, 1932).

¹⁰ Albert N. Hamscher, review of Elizabeth Wirth Marvick, *Louis XIII: The Making of a King* in *The American Historical Review*, Vol. 100, No. 4 (October 1995), pages 426-427. Elizabeth Wirth Marvick, *Louis XIII: The Making of a King* is available in the Thomas Nelson Community College library, call number DC/123.8 M36 1986

¹¹ Edmund H. Dickerman, review of Elizabeth Wirth Marvick, *The Young Richelieu A Psychoanalytic Approach to Leadership* in *The American Historical Review*, Vol. 90, No. 5 (December 1985), pages 1333-1334.

¹² *The Concise Columbia Encyclopedia: Third Edition* (New York: Columbia University Press, 1994), page 1205.

¹³ N.a., "Causes of Saints," *The Catholic Historical Review*, Vol. 79, No. 4 (October 1993), page 806.

¹⁴ Donna Bohanan, review of Jonathan Dewald, *Aristocratic Experience and the Origins of Modern Culture: France, 1570-1715* in *The American Historical Review*, Vol. 99, No. 4 (October 1994), pages 1324-1325.

¹⁵ Donna Bohanan, review of Jonathan Dewald, *Aristocratic Experience and the Origins of Modern Culture: France, 1570-1715* in *The American Historical Review*, Vol. 99, No. 4 (October 1994), pages 1324-1325.

¹⁶ Lawrence C. Jennings, review of Sue Peabody, "*There Are No Slaves in France*": *The Political Culture of Race and Slavery in the Ancien Régime* in *The American Historical Review*, Vol. 103, No. 3 (June 1998), page 905-906.

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¹⁷ Lawrence C. Jennings, review of Sue Peabody, "*There Are No Slaves in France*": *The Political Culture of Race and Slavery in the Ancien Régime* in *The American Historical Review*, Vol. 103, No. 3 (June 1998), page 905-906.

¹⁸ Lawrence C. Jennings, review of Sue Peabody, "*There Are No Slaves in France*": *The Political Culture of Race and Slavery in the Ancien Régime* in *The American Historical Review*, Vol. 103, No. 3 (June 1998), page 905-906.

¹⁹ Lawrence C. Jennings, review of Sue Peabody, "*There Are No Slaves in France*": *The Political Culture of Race and Slavery in the Ancien Régime* in *The American Historical Review*, Vol. 103, No. 3 (June 1998), page 905-906

²⁰ Mary Elizabeth Perry, review of Jodi Bilinkoff, *The Avila of Saint Teresa: Religious Reform in a Sixteenth-Century City* in *The Catholic Historical Review*, Vol. 76, No. 4 (October 1990), pages 854-856.

²¹ Mary Elizabeth Perry, review of Jodi Bilinkoff, *The Avila of Saint Teresa: Religious Reform in a Sixteenth-Century City* in *The Catholic Historical Review*, Vol. 76, No. 4 (October 1990), pages 854.

²² Mary Elizabeth Perry, review of Jodi Bilinkoff, *The Avila of Saint Teresa: Religious Reform in a Sixteenth-Century City* in *The Catholic Historical Review*, Vol. 76, No. 4 (October 1990), pages 854-856.

²³ In 1648, Vincent took an active stand against Jansenism, indexed in the fifth edition of Chambers on pages 734, and 672-673. Jansenism is indexed in the seventh edition on pages 553, 586-587.

²⁴ William Beik, review of Pierre Goubert, *Mazarin* in *The American Historical Review*, Vol. 97, No. 1 (February 1992), page 214.

²⁵ ?? Mettam, "Louis XIV and the Huguenots," *History Today*, Vol. 35 (May 1985), page 20; Robin D. Gwynn, *Huguenots Heritage: History and Contribution of Huguenots in France* (London: ??, 1985); World Book--Childcraft International, Inc. Vol. 12, *World Book Encyclopedia*, 1979., page 416.