
UNIT 3 FORMATION OF MODERN FRENCH STATE

Structure

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3.0 OBJECTIVES

In the last Unit you have learnt about the spread of the French Revolution as movement of politics, mass mobilization and the coming of new political ideas. In this Unit you will study the transformation of institutions and the administrative structure which brought about the birth of the modern nation-state. After reading this Unit, you should be able to:

- learn the factors responsible for the rise of French absolutism and its nature,
- explain the grounds for the abolition of feudal structure,
- describe the process of administrative and legal transformation,
- analyze how religion, which had been causing social and political tension, was used as a device for nation building, and
- comprehend the strong bureaucratic structure and the educational system which had been created as the instruments of centralized state.

3.1 INTRODUCTION

The process of centralization from the sixteenth century strengthened absolutism in France and by the early eighteenth century the French monarchy under Louis XIV became the model of centralized absolutism based on feudal social structures. The French Revolution brought about a complete destruction of the feudal order and its state apparatus. The National Assembly and later Napoleon worked very hard and systematically to recast the old kingdom into a modern nation-state. Attempts were made to transform institutions, legislation, administration, justice, bureaucracy, education, finances and even religion. The new structure had a popular base and thus had a lasting influence not only on France but countries elsewhere. In Unit 2 you have seen the progress of the French Revolution and the creation of revolutionary politics. In this Unit you will see how the revolutionary events brought out a transformation in the state apparatus and administrative structure. All this led to the creation of the modern state of France.

3.2 THE ABSOLUTIST STATE AND THE ABOLITION OF FEUDAL STRUCTURE

The beginning of French absolutism can be traced directly to the threat which the peasant revolts posed to the feudal ruling class interests. The crown intervened not only to protect peasant property against overly harsh exploitation by the seigneurs (landlords) or to weaken the nobility vis-a-vis the crown but also because its own strength depended upon its ability to tax the peasantry. The nobility had little choice but to look to the absolutist state to defend and safeguard their interests. The crown deprived the feudal nobility of its political powers but left them with various privileges. Among the essential institutions of royal absolutism were a well developed fiscal apparatus (between 1610 and 1644 state exactions from *taille* rose from 17 million to 44 million livres while total taxation rose almost six times), an elaborate bureaucratic structure of *venal* office holders, members of the judiciary, and a corps of salaried *intendants* (royal officials with extraordinary powers). The exceptionally expanded state apparatus had virtually destroyed the role of representative institutions (provincial assemblies of Brittany, Provence, Burgundy, Languedoc, etc. resisted growing centralization) and municipalities. The royal authority was sustained by theories of divine right which rejected any recognition of the right to refuse. During the seventeenth century, tension was mounting because of aggrandizement by the centre and its resistance by regional powers.

During the *ancien regime*, the absolutist state developed a dual character. It assumed a class-like role in the relations of production to the extent that it competed with various elements of the feudal ruling class for control over peasantry and agricultural production. Secondly, the state benefitted from the accumulation of wealth and was embroiled in process of social advancement by ennoblement. As Francois Furet points out, "Through office-holding, ennoblement and a centralized administration, the State was swallowing up the entire civil society; all of the wealth of the bourgeoisie was...drawn into its coffers in exchange for ennoblement ... the sales of offices of the *secrétaire d'Etat*...rose to new heights.. .."

One of the first actions of the National Assembly was to destroy the relics of feudalism and aristocratic privileges in order to create a modern state of France. On the night of 4 August 1789 the Assembly in an extra-ordinary session voted to abolish seigniorial rights as well as the fiscal privileges of nobles, clergy, towns and provinces.

Though overtly, through the different phases of the Revolution, forms of political control changed from constitutional monarchy (1789-91) to Democratic Republic (1792- 1794), to Thermidorian rule (1795-99), to the Consulate and Empire (under Napoleon 1799-1815), the structural reforms of this period were fundamental and long-lasting. Along with the abolition of feudal monarchy and the privileged order of nobles and priests, most of the administrative divisions of the *ancien regime* disappeared along with its officials and institutions. By 1791 France experienced a thorough restructuring of the old regime achieved by the people's representatives and led by the wealthier bourgeoisie. For a short while there was decentralization of authority with a focus on the elective principle; but gradually because of the war and civil resistance in pockets, the Jacobin Republic and

Terror followed by the Consulate of Napoleon witnessed an ever-increasing process of centralization.

3.3 RECONSTRUCTION OF FRANCE, ADMINISTRATIVE AND LEGAL

The destruction of the old regime with all its administrative structure required a sweeping re-organization of administrative units. In place of the provincial and municipal regimes which had been abolished on 4 August 1789, a new system of local administration was immediately required. This was also desirable for managing the distribution of food and other matters which had a bearing on public order. The new structure formulated in 1790 established 83 *departements*, each named after a geographical feature of its area e.g. Seine-Inferieure, Basse-Pyrenee, Haut-Rhin, in direct repudiation of the traditional names such as Normandy or Alsace. It aimed at promoting national unity but sought to prevent traditional provincial rivalry. Each *department* comprised several districts, each district had two or more cantons, and each canton had a number of communes. At every level, from the municipal or rural council and mayor of a commune up to the council, the directory and the procurator - general of a *department*, were popularly elected officials charged with administration replacing the powerful royal officials like *Intendants*. The elected officials did not always prove worthy of the posts. Nevertheless, the administrative system of 1790 provided the basic structure on which Napoleon created his famous civil administration. We have already seen how the process of centralization was attempted by the Committee of Public Safety under the Jacobin Republic in Unit 2.

Napoleon's domestic measures achieved a thorough reconstruction of France under a strong centralized government to restore peace and order. The pattern of executive power was one of authority dispensed downwards through the ranks of administrative hierarchy and not moving upwards through elections. There were five working sections for policymaking-war, navy, interior, legislation, and finance. The ministers did not constitute a cabinet, rather they were individually responsible to the council of State, directly under Napoleon's control.

The Consulate and Empire created a police state but it was more sophisticated in its functioning than its predecessors. The Ministry of Police founded in 1796 was headed by Fouche (1799-1810). It administered four regional police divisions responsible for the secret police, censorship, prison, surveillance, food prices and money market, although prefects and mayors of large towns retained separate police powers under the Ministry of the Interior.

The Department of Administration created by the National Assembly (also called the Constituent Assembly) in 1790 was slightly modified into *arrondissements* and *cantons* under Napoleon and it still rules France. Elected administrators such as judges, tax collectors and even parish priests were replaced by appointed functionaries like mayors, prefects and sub-prefects. The new system of centralized administration enabled the government to utilize the wealth of the country more effectively than before. Tax collection became the responsibility of paid officials under the central treasury. The entire work of tax collection became systematic and efficient. No tax exemption was made due to birth, status or special rights. Though these changes had been introduced in 1789 they were actually implemented in the Napoleonic era.

Legal reforms under Napoleon became the instrument of unifying the nation and establishing the Consular and Imperial regime. Before the Revolution, the monarchy had done little by way of legal unity. There were over 300 legal systems in France. The country was ruled separately by the Roman law (in southern France) and customary law (in the north). The Convention during the Revolution was strongly hostile to the authoritarianism of Roman law and favoured greater liberalism of customary law. The Constituent Assembly initiated the process of civil legislation when a serious debate started concerning paternal authority, marriage contract and the freedom to make one's will. Here, the spirit of absolute equality of succession among heirs was visible. The object of the 1791 constitution was the establishment of a general code of civil law. The Legislative Assembly voted in September 1792 for the secularization of births, marriages and deaths and the institution of divorce. The Convention also proposed a radical project of preparing a legal code under the presidency of Cambaceres in August 1793.

Napoleon's code struck a balance between the two sources of law. He saw much virtue in Roman law as it suited his own authoritarian nature. His code revealed a slight shift towards conservatism, especially in family matters. Paternal authority was re-established, divorce was retained but was subjected to stricter limits. Women became the principal victims of this code. Wives were subordinated to their husbands, enjoying no part in the administration or judicial acts. The equality of sexes, proclaimed though not implemented by the Convention, was denied in Napoleon's code.

While rejecting the principle of 1793, Napoleon's code adopted in its entirety the new property rights and rights of citizenship suggested by the revolutionaries in 1789. The destruction of feudalism and feudal privileges was endorsed. The *Code Napoleon*, as it came to be called, included the civil code (1804), code of civic procedure (1806) and the code of criminal procedure. It was designed to establish order and stability in interpersonal relations, quick court action, national uniformity in place of variegated regional customs, civil equality, freedom of religion and a powerful nation-state. The code was a product of its time, an embodiment of the great social revolution from which it sprang. It was revolutionary in its impact and profoundly influenced social development, not only in France but in several other countries including Belgium, Holland, Luxembourg, Switzerland, etc.

For the sake of unity, another important innovation tried by the National Assembly in 1791 was the introduction of the metric system of weights and measures — grams, metres, litres, etc. It had a lasting influence the world over. It brought much needed order and uniformity out of earlier variety by adopting convenient decimal divisions. However, the pace of implementation was slow. The attempts of the revolutionary regime to introduce a new revolutionary, Republican calendar, failed. This calendar, beginning with the birth of the Democratic Republic and containing new names and divisions of weeks, months and years, was formally abandoned by Napoleon in 1806.

3.4 RELIGIOUS DIVIDE AND CONCORDAT

The Catholic Church was viewed as an important pillar of the old regime and so the Revolutionary regime under the National Assembly implemented the *Civil Constitution of the Clergy* in 1790. This law subordinated the Church to the

revolutionary government. All members of the clergy were required to take an oath of loyalty to the government, this was resisted by some members of the clergy. Subsequently, the Catholic Church was completely nationalized, its property seized and put to sale. From this year, religion became a major issue that divided the French people. It led to a coalescence of counter-revolutionary forces - royalists, émigrés and staunch supporters of the Catholic Church against the revolutionaries.

The National Convention also pursued a policy of de-Christianization. The word 'saint' was removed from street names, Churches were looted and closed by the Revolutionary armies and priests were encouraged to marry. This policy of de-Christianization made more enemies of the revolution than friends. As a result the Catholic religion instead of acting as a unifying force became a source of disagreement often causing serious offence. In this manner France paved the way for a secular society with Article X of the Declaration of the Rights of Man and Citizen establishing freedom of religion.

It seems, Napoleon regarded the Catholic Church differently, he considered it a useful instrument of social control instilling morality and discipline, and preaching compliance to lawful authority. He reached an understanding with the Pope in 1801, this is known as the *Concordat*. It was a planned and dramatic gesture of reconciliation with the Catholic Church designed to pacify Catholics. In this agreement Catholicism was not the state religion but the religion of majority of French. The reconciliation with the Pope helped in preventing the possible alliance of European monarchs with the Papacy. It also dealt a blow to the cause of exiled royalists. Since the Roman Catholic religion was recognized as the religion of only the majority of the French people, Protestants and Jews were also given protection by the state. The appointment of the Bishops and other members of the clergy remained in the hands of the state. Despite several serious difficulties at the end of the First Empire, the *Concordat* remained one of the bases on which modern France was built.

Check Your Progress 1

- 1) Give two reasons for the rise of absolutism during the *ancien regime*.
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- 2) Discuss the objectives of administrative reorganization during the Revolutionary period. Answer in five sentence.
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- 3) How did the legal reforms of Napoleon bring about a modern centralized state of France? Answer in 100 words.

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- 4) Discuss the role of the Concordat in bringing about religious reconciliation in France. Answer in 60 words.

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3.5 MOBILIZATION OF CITIZENS DURING THE TERROR AND NAPOLEONIC WARS

The French armies of the eighteenth century were mainly professional forces of volunteers enrolled for long-term service. It included foreigners as well. Among the Frenchmen, there was a preponderance of the urban population. The rulers introduced a compulsory militia system which became permanent in 1726. In French society privileges were conferred on the upper section of the society while the burden of the militia, billeting and carting fell in the form of lottery almost entirely upon the non-privileged rural population. This resulted in widespread resentment and resistance almost everywhere in France. In the *cahiers de doléances* of the peasants (1789) this was one of the common grievances.

During the Revolution the National Assembly rejected the idea of conscription. Following long debates on the subject, the deputies agreed to make no demands on French citizens for compulsory military service. However, two crises led to fresh calls for a one year supplementary force of volunteers. The first crisis was caused by the king's flight in 1791, which led to the mobilization of a heavy urban contingent of 'active' citizens or their younger counterparts with a military background for the National Guard. The second was the declaration of war in 1792 which brought in recruits because of fervent patriotism and heavy propaganda against Austria. Peasants and artisans were also attracted by the high enlistment bonus. So the general expansion of military power began with the levies of 1792.

In early 1793, France was not only facing internal problems, pro-royalist insurrections and the threat of intrigues from counter-revolutionary groups but also experiencing reverses along the frontier. There had been a six-fold invasion of France by the allied powers. The Republican government needed an additional 300,000 troops to sustain war and the rule of Terror. The Convention realized

that the people would not come forward in sufficient numbers, so it assigned quota to each *departement*. Eighty two deputies were sent to the provinces as *representants en mission*, with sweeping powers of coercion to secure the implementation of the law of February 1793 for the recruitment of 300,000 men. This resulted in a major rebellion in the Vendee which was ostensibly resistance to the conscription law of February, though other social tensions were also brewing for almost four years.

To meet the foreign crisis and save the Revolutionary Republic from its foreign and internal enemies, the Committee of Public Safety decreed a universal mobilization of all men from eighteen to twenty-five of the nation on 23 August 1793 (or *levee en masse* as it was termed). It declared that until the enemies of France were expelled from the territory of the Republic, all Frenchmen were in a state of permanent requisition for the army. The young men were asked to go to fight, the married men were to forge arms and transport food and supplies, women were to make tents and uniforms and work in hospitals to care for wounded soldiers while the children were advised to look for old rags for bandages and the old men were asked to appear in public places to boost the morale of the warriors. The public buildings were to be converted into barracks and public squares into armament workshops. The Committee of Public Safety was charged with taking all measures to establish an extra ordinary factory for arms of all types and to form as many establishments, factories, workshops and mills as necessary for the purpose. Thus within a year, the revolutionary governments had raised an army of over a three-quarters of a million. It was the largest army ever seen in European history for a single country.

The Revolutionary Army was an army of citizens from the radical revolutionaries and acted as a link between the civil authorities and armed forces to ensure requisitioning, fix food prices, procure food grains from the peasants and to popularize the Revolution in the countryside. It acted as an instrument of vengeance and vigilance over the enemies of Revolution. It worked with local popular societies and revolutionary societies in strengthening patriotic feelings, in popularizing the revolutionary calendar and in founding schools of liberty for the uneducated. However, it should not be mistaken for the regular troops or volunteers of the army. Although they were under the authority of the military commanders in the war zones and under the nominal control of the districts and municipalities, they were quite independent, lacking proper discipline. In the name of Revolution the revolutionary army went to extremes creating confusion and excesses. These armies were abolished and disbanded in March 1794.

The idea of an annual conscription of citizens for regular troops started in 1798. This was due to the army shrinking in size in the absence of sustained mobilization. France was pushed to a defensive posture along its line of occupation. Napoleon's conscription orders initially suggested an approach of persuasion and flexibility. The mayor of each commune along with his municipal council was entrusted with the task of recommending the conscripts. *Department* quotas, subdivided into small communal quotas, were initially filled by lottery or other means according to local preferences. This flexible view of recruitment was eventually abandoned as Napoleon remained constantly engaged in foreign wars and needed an army with sufficient number of soldiers. A three-member Board was created for the purpose of recruitment comprising the Prefect, the military commander of the *department* and a recruiting officer. The mobilization law was promulgated

in December 1804 and the actual recruitment started from the next year. Conscription became a double-front war under Napoleon, the wealthy could elude enlistment by paying a fine of 1500 francs while the poor or the ordinary people could not escape. Initially, Napoleonic laws on conscription allowed replacements, but the exigency of a constant war forced the authorities to adopt mobilization drives consistently. The revolutionary and Napoleonic era gave birth to massive propaganda. Books, leaflets, cartoons, speeches, poems and songs were all employed to arouse patriotic sentiments and sustain the enthusiasm of the people.

Historians have focussed on the importance of mass mobilization in creating a vast army in France as an important step in the creation of a modern nation-state. The policies of the Revolutionary government and of Napoleon involved a new conception of warfare. A politicized and revolutionary army was created which was deeply ideological. *The levee en masses* raised a nation in arms against foreign rulers and educated subject people in the idea of liberty. Military service became the ultimate expression of patriotism and offered a new ladder of upward social mobility, unthinkable in the period of the *ancien regime*. France became a vast military workshop to supply provisions to the army and other officials. They carried out contracts, fixed wages, enforced industrial regulations and used scientists to modernize war equipment. There was a nine-fold increase in production of military provisions. Thus the wars of the revolutionary era opened the door to total war of the modern world later on and strengthened the pillars of the modern nation-state.

Check Your Progress 2

- 1) What were the reasons for raising the strength of the armed forces in France?
Answer in five sentences.

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- 2) Mention the steps adopted to implement the policy of *levee en masses* in 1793. Answer in five sentences.

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- 3) How did mass mobilization of citizens contribute to the formation of the modern nation-state of France? Answer in 100 words.

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3.6 NEW BUREAUCRACY AND EDUCATIONAL INSTITUTIONS

Administrative centralization required an effective and powerful bureaucracy. As we have seen, the process of centralization had started in France from the sixteenth century. However, the bureaucratic apparatus of the *ancien regime* developed through the sale of government jobs or venality of office. This remained its principal weakness. The destruction of old structure required a new bureaucratic structure. The process began in the Revolutionary period and was perfected under the Napoleonic regime.

The Revolutionary government had created 83 *departments* as the new units of administration. In place of powerful royal officials like *intendants*, *baillis*, etc. a new three-tier uniform system of local government *departements*, districts and communes were created. At each level, local government officials were elected by active citizens. Even judges, tax collectors, parish priests, and bishops were chosen on the basis of the ballot. In practice, local councils exercised greater authority. The result was some decentralization. During the later phase, of the Terror (1793-94) the *representants en mission* (officials on mission) functioned like the earlier intendants to coordinate the work of military units, and Jacobin committees were used in crushing resistance. The process of centralization through the Committee of Public Safety further increased their powers.

Napoleon personally worked on rationalizing the bureaucratic structure of France by developing a powerful centralized administrative machine. He retained the *department* administration but eliminated the locally elected assemblies by new officials, the most important of which were the prefects. They were all appointed directly or indirectly by Napoleon himself. Spectacularly uniformed and reflecting considerable pomp in their own right, the prefects were charged with vast responsibilities and granted immense power in their respective *departements*. Yet they were fully dependent on the Minister of Interior and Police. Prefects became the link between the Paris government and local administration and functioned as a centralized bureaucracy. Instead of being responsible to the *departement* councils, the Prefects were subjected to control from above. They were given the task of implementing unpopular policies such as installing new constitutional curbs after the Concordat, assessing and administering unpopular taxes, conscription at the local level and checking desertion from the army. Their activities also included compiling statistics for the ministries, supervising sub-prefects and magistrates, selecting local administrative personnel, taking steps to promote regional economy, maintaining food supplies, and price controls in the market. The selection of these prefects was based on the principle of merit, talent and elections, but Napoleon strongly believed that scouting for talent could be possible only from superior social strata, including from the military. He sought to fuse men of the Revolution, the bourgeoisie, with the high ranking men of the *ancien regime* and made them work together, thereby creating a class of notables who dominated French administration all through the nineteenth century. Thus state service provided channels of upward social mobility. Napoleon used personal patronage to create loyal and efficient civil servants. To inspire them he re-introduced honours and decorations.

Napoleon's plan of education was set against a background of disruption caused by a prolonged civil and military upheaval. The general educational system in

France was far from satisfactory during the *ancien regime*. After the closure of the old universities in the early 1790s, revolutionaries attempted to construct a new educational structure to replace the old. They re-opened medical schools in Paris, Strasbourg and Montpellier, the Museum of Natural History, the Central School of Public Works which later became the famous *Ecole Polytechnique* in 1795, the *Ecoles Normales* for the training of teachers and the newly created National Institute of Arts and Sciences, did not fully replace universities or the central and provincial academies but certainly contributed to the growth of specialized training. Under the Directory (1795-99) the government was content to depend on non-compulsory elementary education. Schools were entirely financed by students' fees. They offered an uninspiring three 'R's along with a republican morality. Teachers were poorly paid. Though the public secondary schools were better off and taught courses like mathematics, and literary and historical subjects, they were severely restrictive in their selection of students.

Education became an important instrument for nation building under Napoleon. As far as elementary education was concerned, it became the joint responsibility of local government and parents in matters of funding. The rules for the establishment of private schools were made easier and the Catholic teaching organizations were encouraged to share the responsibility of primary education. But the Napoleonic system was relatively indifferent to primary education. The Convention's central schools devoted to scientific and technical culture were used for the formation of cadres. The *Ecole Polytechnique's* two-year course led to the specialized schools of mines, roads and bridges. The artillery had a large number of students from the families of peasants and artisans owing to state scholarships. Under Napoleon, the school was virtually converted into a military school with a steep hike in fees. Thus students from the upper classes began to dominate. In his day, the effective units of secondary education were the *lycees*, an elite form of schools which stressed all subjects including science and some ancient classics, but the inculcation of military virtues seemed to be the primary objective.

In 1806 a fresh plan led to the creation of an Imperial University in Paris. Unlike the traditional university it was a single, monolithic structure, a 'hierarchical pyramid' presided over by the Emperor's representative, the Grand Master, and charged with the supervision of all education, both public and private, throughout the empire. It appears that Napoleon treated education as a *department* to be centralized and administered from above according to a clear chain of command. He wanted his subjects to be properly trained in the field of military discipline, public administration and material productivity. He used educational reforms as means of regulating minds to instill patriotism and loyalty to the state as well as to train civil servants. But his plans also reflect his social attitude and his contempt for women. Napoleon believed that women's role should be confined to the domestic sphere of managing the household. Ideally women should be brought up to become dutiful and obedient housewives and mothers. Despite the neglect of primary education, the educational structure of France, including the faculties and institutions at the top, lasted over a century when it was reformed and elaborated.

Check Your Progress 3

- 1) Explain why prefects may be regarded as the pivot of the Napoleonic bureaucracy? Answer in 100 words.

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- 2) Discuss the attempts at reform made by the Revolutionary government in the field of education. Answer in 100 words.

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3.7 LET US SUM UP

In this Unit you have seen how centralized absolutism developed in France in the absence of any legislative check in pre-revolutionary times, and how it was destroyed by the National Assembly. After a brief break, the process of administrative centralization continued under the Jacobin Republic and Napoleon Bonaparte. The universal legal code, spread of nationalist ideas through mass recruitment of the French citizens as soldiers for the army, reconciliation with the Roman Catholic Church, the creation of a strong bureaucratic structure placed directly under the central government, and the unparalleled centralization of higher education, were the institutional changes which could not be reversed subsequently. These steps transformed France into a modern nation-state. These reforms were closely watched and later adopted in a large number of countries all over the world.

3.8 KEY WORDS

Armees revolutionaries	:	Literally, revolutionary armies; they were civilian armies operating in France during the Revolutionary dictatorship to requisition grain and enforce revolutionary doctrines.
Parlements	:	Thirteen law courts which exercised judicial powers and the rights to register royal decrees and enforce them.
Representants en mission	:	Members of the Convention sent to the provinces and the armies in 1793 with full administrative powers.
Venality of office	:	Government jobs which were purchased.

3.9 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress 1

- 1) See Sec. 3.2.
- 2) The primary objective of administrative reorganization was to replace the traditional structure by a new one to promote national unity. See Sec. 3.3.
- 3) Establishment of general code of civil law, code of criminal procedure, providing uniform legal administration, etc. See Sec. 3.3.

Check Your Progress 2

- 1) Internal problems, invasion of France by the allied powers, etc. See Sec. 3.5.
- 2) See Sec. 3.5.
- 3) Mobilization of citizens army helped in strengthening patriotic feeling popularizing revolutionary calendar, increase in military productions, etc. See Sec. 3.5.

Check Your Progress 3

- 1) Directly or indirectly appointed by Napoleon, very powerful in their departments, link between central and local administration, etc. See Sec. 3.6.
- 2) See Sec. 3.6.