

MEDIAEVAL STUDIES

Volume XXXIX

1977



PONTIFICAL INSTITUTE OF MEDIAEVAL STUDIES
TORONTO, CANADA

ENNOBLEMENT IN LATE MEDIEVAL FRANCE

Robert H. Lucas

IN its components and its functions in society, the *noblesse* of late medieval France presents some striking contrasts to what preceded it in earlier ages. The term 'nobility', when applied to the eleventh and twelfth centuries, implied ancient lineage, wealth, and the duties of a warrior as vassal to a great lord.¹ By the end of the Middle Ages, however, a new element would claim a place for itself within the ranks of the nobility. This element was the wealthy bourgeoisie.

From the twelfth century on, the old military nobility could not fail to perceive the pretensions of the urban patriciate, pretensions which could be realized, at least in part, by the purchase of a noble (or *franc*) fief and the privileges attached to it. The reaction of the old nobility, their ranks seemingly threatened by an invasion of parvenus, became restrictive and increasingly exclusive. Even without the help of the monarchy, the efforts of the old nobility met with some success. In any case, there was no time in medieval France in which it was more difficult to enter the ranks of nobility and enjoy the privileges of the class² than c. 1250-

¹ See M. Bloch, *Feudal Society*, trans. L. Manyon (Chicago, 1964), pp. 286-88 for various meanings attached to the word 'noble' in the Middle Ages. Speaking in abstractions is unavoidable, of course, when speaking of *noblesse* or bourgeoisie. See L. Gênicot, 'Naissance, fonction et richesse dans l'ordonnance de la société médiévale' in R. Mousnier, ed., *Problèmes de stratification sociale* (Paris, 1968), pp. 83-100.

For general indications concerning the nobility of late medieval France, see Bloch, *ibid.*; P. S. Lewis, *Later Medieval France, the Polity* (London, 1968), pp. 167-237 and 'Decayed and Non-Feudalism in Later Medieval France', *Bulletin of the Institute of Historical Research* 37 (1964) 156-84; le comte de Neufbourg, 'Enquêtes: les Noblesses', *Annales d'histoire économique et sociale* 8 (1936) 243-55; G. Duby, 'Une enquête à poursuivre: la noblesse dans la France médiévale', *Revue historique* 226 (1961) 1-22; E. Perroy, 'Social Mobility among the French Noblesse in the Later Middle Ages', *Past and Present* 21 (1962) 25-38; and P. Contamine, 'The French Nobility and the War' in *The Hundred Years War*, ed. K. Fowler (London, 1971). For primary sources see G. Saffroy, *Bibliographie généalogique, héraldique et nobiliaire de la France des origines à nos jours*, 2 vols. (Paris, 1968-70) and J. Guigard, *Bibliothèque héraldique de la France* (Paris, 1861).

² Essentially, they are exemption from personal taxes, precedence in public functions, the right to fight on horseback and to wear the golden spurs once knighted. Cf. E. Chénon, *Histoire générale du droit français public et privé des origines à 1815*, 2 vols., (Paris, 1926-29), 2. 22 ff.

1350. However, the Hundred Years War and the monarchy's great need for a fighting force and monetary support would change this picture, and dramatically. The monarchy's need for trustworthy adherents in the face of opposition from the greater nobility in the fifteenth century would also affect the ease of attainment of noble status. Military life might be pursued by a few commoners, but more importantly, we see the beginnings of a different sort of nobility than France had known before, and one recruited for the most part from the bourgeoisie; that is, a nobility of office in the service of the king.

The purpose of this paper is to explore the gradually broadening avenues to nobility available to the bourgeoisie in the fourteenth and fifteenth centuries, and particularly those of the *franc fief*, a letter of ennoblement, appointment to civic government in a privileged town, or to an office in the royal service which ennobled. Also investigated is the monarchy's slow establishment as fact of its centuries-old claim to be sole arbiter of advancement to noble rank.³

* * *

For *Li Livres de Jostice et de Plet* (c. 1260), the earliest legal text⁴ that speaks at any length about the 'condition des personnes', there were at least two means to nobility: by birth and by property. 'They are noble who are born of a free mother and a free father.'⁵ Here 'free' is simply another word for noble.⁶ And again, 'one is free by reason of the heritage he holds, even if he is not free by reason of body or ancestors.'⁷ Nothing here restricts the *roturier*⁸ wishing to enter the nobility immediately by purchase of a fief. But going on, to borrow from the *Digest*⁹ the text that one also is noble if one's grandparents and great-grandparents were noble, the *Jostice et Plet* points to what in time will be, for con-

³ A word should be said regarding sources. For more than an occasional remark of a chronicler or a poet, we must turn to the *coutumiers*, compilations of local customary law, to discover the social 'condition des personnes' in medieval France. Though Charles VII commanded in 1454 the recording of customary law throughout France, some yet remained unwritten until well into the sixteenth century. Still others, though perhaps redacted in the thirteenth or fourteenth century, contain few if any allusions to social standing. For the royal domain, we have the large but still incomplete collection of the *Ordonnances*. The *arrêts* of *Parlement* and the *Olim* offer less to the researcher. Royal letters survive in quantity only from the reigns of Louis XI and Charles VIII. In sum, we are allowed only a fragmentary picture of the condition of the nobility, a picture at times in sharp contrast from one region to the next.

⁴ M. Rapetti, ed. (Paris, 1850); a mélange of Roman law and the usages of the Orléanais.

⁵ *ibid.*, p. 54.

⁶ See Bloch, *Feudal Society*, pp. 286 f. for a discussion of the word 'free'.

⁷ *Jostice et Plet*, p. 66.

⁸ M. de la Roque, *Traité de noblesse et de ses différentes espèces* (Rouen, 1735) 3, suggests the fanciful etymology that the *roturier*, or commoner, was one vanquished, 'mis en route ou dérouté'.

⁹ *Jostice et Plet*, p. 66; *Dig.* 1.10.31.

servative opinion, almost the only criterion in establishing oneself as a member of the nobility.

Scarcely more than a decade later, the so called *Établissements de Saint Louis*, reflecting the custom of Touraine-Anjou, insists upon a still more restrictive interpretation of noble status. It may properly be conferred only through the male line.¹⁰ More than that, nobility is discovered to have its origins in the father's knighthood. Thus the essentially military function of the old nobility is asserted to oppose the upstart who knows more of commerce than of combat. And free or serf, *roturière* or noble, the social condition of the mother is becoming less significant for her children.¹¹ A son of a noblewoman and a commoner might claim nobility through his mother, but that is not enough to qualify him as a candidate for knighthood. 'Car usages n'est mie que fame franchise home.'¹² Indeed, if a son of such a marriage should be knighted, we are told, the fraud should be exposed and his spurs cast in the mire.¹³ No longer, as in times before,

Franc hom de franche mere nez
S'à chevalier est ordenez.¹⁴

Nobility, then, was being redefined, equated with the capacity to receive knighthood, which itself was becoming in the late thirteenth century a hereditary privilege.¹⁵ This would not be the work of a day, however. Writing his *Coutumes de Beauvaisis* about 1283, Philippe de Beaumanoir, sire de Rémi, observed that though *hommes de poosté*, or well-to-do commoners, should not be able to hold noble fiefs, they do. Questions concerning the ambivalent legal status of the commoner holding a noble fief could not help but arise. And, as we shall see, clearer answers come from the *coutumiers* than from any royal ordinance.

As Beaumanoir says, 'couchans et levans' in his own *franc fief*, the commoner 'use de la franchise du fief.'¹⁶ Any case brought before a court concerning his fief

¹⁰ *Établissements de Saint Louis*, ed. P. Viollet, 4 vols. (Paris, 1881-86) [hereafter *Établ.*], 2. 252-53.

¹¹ For the still unsettled question of the early dimensions of uterine nobility see L. Verriest, *Noblesse, chevalerie, lignages* (Brussels, 1959), pp. 65-75 and 97-107 and the review article by R. Boutruche, 'Un livre de combat ...', *Revue historique* 225 (1961) 73-80. Further bibliography will be found in P. Viollet, *Histoire du droit français* (Paris, 1905), p. 275.

¹² *Établ.* 2. 252-53. Cf. Philippe de Beaumanoir, *Coutumes de Beauvaisis*, ed. A. Salmon, 2 vols. (1899; rpt. Paris, 1970), § 1500. [Hereafter cited as *Beaumanoir*].

¹³ *Établ.* 1. 171.

¹⁴ So Étienne de Fougères, in his *Livre de manières* of 1176, cited in *Établ.* 1. 172-73.

¹⁵ For other contemporary examples of this redefinition see Bloch, *Feudal Society*, pp. 320 f., and P. Guilhaumoz, *Essai sur l'origine de la noblesse en France au moyen âge* (Paris, 1902), p. 462.

¹⁶ *Beaumanoir*, § 1502. Cf. Pierre de Fontaines, *Conseil*, ed. A. Marnier (Paris, 1846), p. 12 [before 1300]. *Beaumanoir* allows acquisition by inheritance, but not by purchase or exchange, without permission of the king or overlord (§ 1508).

should be 'demenés à la loi des gentius hommes.'¹⁷ Accordingly, he should be judged in such matters by his noble peers and, if necessary, receive punishment as if a nobleman.¹⁸ On the other hand, he must fight any appeal of a judgment as an *homme de poosté*.¹⁹ At the same time, in contrast to the *gentix homs de lignage*, the *roturier*, even in matters concerning his *franc fief*, had no right of private war.²⁰ Yet more expressive of difference in status was the law of inheritance. If a commoner conquered or bought a noble fief, his eldest son would owe the oath of faith upon inheritance. However, the heirs would inherit equally, as commoners do, until the third generation, after which the estate would be divided as among nobles, with two thirds for the eldest and the remaining one third apportioned among any other heirs.²¹ The fief would still ennoble, but only in time. From the monarchy there was little effort to clarify the *statut mixte* of the *roturier* fief holder other than the rather vague and isolated pronouncement of Philippe VI that 'non est intentione nostrae quod de Aquestibus, quae Innobiles fecerunt de rebus quas Nobiles tenebant, eisdem Innobilibus remaneant, nisi procedat de nostra gratia et voluntate.'²² Perhaps it was a Florentine, Poggio Bracciolini, writing in the first half of the fifteenth century, who described them best in referring to the merchants of France who flee from the town for their newly purchased country estates as *seminobiles*; men who at length are honored as nobles.²³

One might ask whether there were any reasons, other than pride of caste, why the old nobility should wish to exclude the commoner from entering its ranks. Certainly the fact that the *nouveau-venu* was frequently incompetent on the field of battle would give pause to any leader of a feudal host. But he was untrained as well in the judicial and administrative duties expected of the feudal vassal. What, further, if such inexperience should find itself by purchase or inheritance in the position of exercising authority over vassals of its own and, worse still, over vassals from the old military nobility?²⁴ Clearly there could be no all-inclusive

17 Beaumanoir, § 1507.

18 *ibid.*, § 1506.

19 *ibid.*, § 1507.

20 *ibid.*, §§ 1671-72.

21 *Établ.* 2. 281-82. Cf. *ibid.* 1. 168 and Beaumanoir, §§ 498, 1478 and 1480. See also H. Richardot, 'Note sur les roturiers possesseurs de fiefs nobles', *Annales de la Faculté de Droit d'Aix* (1950) 269-81.

22 *Ordonnances des roys de France de la troisieme race*, ed. M. de Laurière and others, 21 vols. (Paris, 1723-1849), 2. 69; 10 June 1331 [hereafter *Ord.*]. Only with the edict of Blois in 1579 (art. 258) is it stated that acquisition of a noble fief does not in itself ennoble.

23 *De nobilitate*, in *Poggii opera omnia*, 3 vols. (n.p., 1538), 1. 68.

24 On such occasions only make-shift agreements could be made. See *Établ.* 4. 159 for one reached by payment of a fine to the *roturier* fief holder. Cf. *Actes du Parlement de Paris*, ed. E. Boutaric, 2 vols. (Paris, 1863-67), 1. 47.

formula to stay these situations short of a royal ordinance declaring *roturier* possession of noble fiefs illegal; a law which might well be ignored by the greater feudal barons if for any reason it did not suit their purposes.

The first step taken by royal authority toward a solution to the problem appears to have been the ordinance of Christmas 1275. If a non-noble had a fief in the royal domain and performed his duties competently, he was not to be disturbed. But if the feudal services owed by the fief had been diminished by its incumbent, he was required to pay the equivalent of the revenues of two years from it or have it confiscated.²⁵ This levy was called the *droit de franc fief*, the payment of which would not ennoble in itself.²⁶ What originated as a fee exacted in lieu of services would in short time be recognized as a preeminent resource for indigent monarchs. It was exactly that for Philip IV, who levied a fine of three years' revenues on all commoners throughout France who held a *franc fief*, no matter what the degree of feudal service they performed.²⁷ The same is true for Philip V, who declared flatly that he intended to harvest as much as he could from his *droit de franc fief*. To collect six years' revenues from those owing in Languedoc and three years' from those in 'France' was the task of a *franc fief* commission established by Philip V in March 1320 (o.s.), the method of which was a model of simplicity: confiscation of lands and revenues until the fee was paid.²⁸ Few other kings were as rapacious. For Louis X it was enough to require a fee on alienation to commoners of fiefs which included châteaux, towns or 'high justice', which is an index in itself of the eminence to which they could aspire.²⁹ Charles IV was content with only two years' revenues from commoners holding noble fiefs, exempting those who inherited from noble relatives.³⁰ But both he and Philip VI after him were singularly tenacious in searching out those who were subject to the fine.³¹

25 *Ord.* 1. 303-305.

26 Guilhiermoz, *Essai*, p. 480, citing a manuscript of Jacques d'Ableiges' *Grand Coutumier* (c. 1375). This somewhat misnamed *coutumier*, relatively unimportant for our purposes, was edited by E. Laboulaye and R. Dareste (Paris, 1868). I am unable to locate Guilhiermoz' citation in the edited text.

27 *Ord.* 1. 322-24, art. 9, *Toussaints*, 1291.

28 *ibid.* 1. 748-49.

29 *ibid.* 1. 553. 'High justice' was applicable to crimes punishable by death. Not very consistently, Louis X seems to have had hesitations about commoners holding noble fiefs. According to the wishes of a group of nobles in Champagne, Louis issued an ordinance to the effect that nobles in that county might grant noble lands only to those who were nobles themselves. No longer might they be given to commoners there for their services to the nobility. See *ibid.* 1. 574; May 1315.

30 *ibid.* 1. 797-98.

31 *ibid.* 2. 68-69; 10 June 1331. See also J. Henneman, "'Enquêteurs-Réformateurs" and Fiscal Officers in 14th Century France', *Traditio* 24 (1968) 309-49 and the same, *Royal Taxation in Fourteenth Century France* (Princeton, 1971), pp. 44, 76 and 81.

It is natural to expect, with the opening of the Hundred Years War, that this remunerative fee should constantly be levied on would-be nobility. But before following its sometimes sinuous history, it is not too early to remark how essentially favorable this usage was to the commoner aspiring to the status of nobility. In effect, the monarchy opened wide the way to eventual acceptance among the nobility for those bourgeois who could pay. From the reign of Philip V to the sixteenth century, there was no threat of loss of lands or revenues of commoners holding noble fiefs — as long as they were able to pay the *droit de franc fief*.³²

For all that, there must have been moments when the commissioners sent to collect the *droit* were met with something less than complete cooperation. As late as 1363, one commissioner for an assessment of 1322 records his disgust at how little had been collected, considering the 'financias ... infinitas' which might have been expected.³³ Though commonly these commissions sought only those who had acquired such fiefs within the last forty years, the large number of commissions appointed that we have record of argues in itself their general ineffectiveness. Meanwhile, if we are to believe the plaint of Charles VI, the number of *roturiers* who acquired noble fiefs was increasing 'de jour en jour'.³⁴

At the same time, the monarchy would find itself forced to develop means to compromise the very purpose of these commissions which sought to raise funds in compensation for loss of military services. The need to assure the loyalty of one's subjects could overshadow even the need for money. And what better way to make certain the fidelity of the inhabitants of a town strategically located in the war with England than to grant to its most important element, the wealthy bourgeoisie, the right of obtaining noble fiefs and eventual recognition as noble, without being subject to charges of any sort? Condom, Lille and Montdome were the first to receive the privilege under Philip VI.³⁵ Considering the 'bons et agreables serviches', the 'grand pertes et damages' sustained in the war and 'pour garder leur loiauté envers Nous', the residents of these towns might purchase fiefs as they pleased, 'sans finance', either in their *châtellainie*, or, as the case might be, anywhere in France. This was to be without regard to local customary law, which, 'quant à ce, Nous mettont au nient'.³⁶

³² The single exception to this is Charles VI's threat of confiscation if all holding noble fiefs did not respond to a general military levy, 14 October 1411. See *ibid.* 9. 640-42.

³³ *ibid.* 4. 235.

³⁴ *ibid.* 7. 443; 6 September 1391.

³⁵ *ibid.* 3. 233-37; October 1340. *ibid.* 12. 84-85; March 1345. *ibid.* 15. 442; 1348.

³⁶ *ibid.* 12. 84. We have little way of knowing whether this right was not at times fabricated by the local bourgeois and presented to the king for confirmation in the guise of an ancient charter. Such may have been the case with Montdome, whose charter, dated 1348, is first known to us when presented to Louis XI for confirmation in 1461.

It was Charles V who employed most generously this means of fixing the loyalty of his townsmen, particularly in the wake of his conquests in the south from 1369 to 1371. For whole *pays* as well as towns he declared an exemption from the *droit de franc fief* for a time or in perpetuity.³⁷ To others he had more to give — if they saved him the trouble of battle and recognized him, rather than Edward III of England, as their lord. Villeneuve, in return for its new-found loyalty, would enjoy not only freedom from the *droit*, but exemption from all imposts for ten years and forgiveness of all crimes committed in the past.³⁸ In any case, remission of the levy on *francs fiefs* was an idea so welcome to the burdened bourgeois that the wholesale forgery of charters containing this all-important immunity eventually forced Charles to insist that their validity would be recognized only if originally registered with the *Chambre des comptes* in Paris.³⁹ With other populations Charles was stricter, but still he held open the door to the gaining of noble fiefs by commoners with all that that implied. Neither fortresses nor great allods were to come into their hands, but if they had them they could keep them.⁴⁰ With exceptions concerning the administration of justice and receiving homage from military vassals, the right of acquiring *francs fiefs* without payment was granted to the citizens of Béziers, St. Antonin, Puy-Mirol, Lauserte, Villefranche and Moissac.⁴¹

To reward past loyalty and encourage constancy, Charles VII added the towns of Compiègne and Bourges to this list, while Louis XI, wishing that his important towns be more 'ardans et curieux de nous servir', would in time favor the inhabitants of Bordeaux, Castel Sarrasin, Nîmes, Aigueperse, Rouen, Amiens, Orléans and Beauvais in a like manner.⁴² And for those not so fortunate as to live in any of these towns there was the simple expediency of fraud. Not only were fiefs being acquired by commoners illegally, but fiefs were held with the pretension of exercising every aspect of authority within them. Some might affect that

37 Thus, with variations, in the Rhodéz in 1369; Caussade, St. Antonin, Montauban, Caylus de Bonnette, Puy-la-Roque, Milhaud and Cahors in 1370, and Peyreusse, Fleurance and Paris in 1371. Charles' allowance that the citizens of Paris might wear weapons and noble ornaments has given rise to the myth of their 'ennoblement'. See *ibid.* 5. 418-19 and 13. 143 f. Charles VI, however, would call them 'nobles' (*ibid.* 9. 464, art. 6).

38 *ibid.* 5. 393.

39 *ibid.* 6. 171-73; 14 February 1375 (o.s.).

40 They would have to pay 'finance', however. See, for example, *ibid.* 5. 302-304 and 698-702.

41 *ibid.* 5. 302-304; 6. 499-507; 5. 312; 6. 403-404; 5. 360-66; 5. 698-702 and 6. 299-301 respectively.

42 *ibid.* 15. 33-34; 16. 14-16, 102-107, 330-31, 579-81; 17. 401-403, 318-20, 400-401 and 531-32 respectively. The privileges of Orléans were extended in 1483 and 1485. See *ibid.* 19. 112-14 and 608-10.

their fiefs were allods, and that they were entirely independent of any lord.⁴³ Attempts at deception like these were all the easier during the later reign of Charles VI, when France was the prey of both civil and foreign wars. The cost of chaos was felt equally, however. In this worst of times, the *roturier* found that his fief, whether held legally or extra-legally, brought with it an obligation which he had not anticipated. He would have to go to war. At least once he was ordered to come to the aid of his king, who now fought both the English and the duke of Burgundy, or lose his fief!⁴⁴ Dragooned into military service, from which he had thought himself exempt, the commoner-owner of a *franc fief* thereby discovered a means of assimilation into the old military nobility which he might not have contemplated before.

'... Ceulx que ne sont nobles de lignée, le sont par exercise et mestier des armes; qu'il suyvent, qui est noble de soy mesme.'⁴⁵ Arms ennoble the man! Such was the opinion of Jean V de Bueil, count of Sancerre and admiral of France under Charles VII. Of course, this could have applied to any man at arms, fiefholder or not, and others would have agreed. In fact, it seemed only necessary to one plaintiff before the court of the duke of Burgundy in 1428 to pass 'deux fois en monstres' to establish himself as a noble. It was simply common usage, argued another, that to be 'en armée deux ou III fois' was sufficient to secure for a man the rank of noble.⁴⁶ Though the duke of Burgundy did not agree, there was apparently some truth in what they said. Jacques de Valera, ambassador from the king of Castile to the Burgundian court in 1443, assures his readers that any rustic in France who 'tienen el oficio de armas ... sin reproche' for seven years is counted a nobleman. Apparently expecting disbelief, he hastens to add that he speaks not from his own authority, but from that of 'algunas cavalleros de Francia, e asimesmo a oficiales d'armas asaz dignos de fe.' And why should it not be so, he asks, for through the office of arms 'la libertad es conservada e la dignidad acrescentada, los reinos e señoríos multiplicados. ...'⁴⁷

43 *ibid.* 9. 319-23; 27 April 1408 and 9. 472-73; 20 October 1409.

44 *ibid.* 9. 640-42; 14 October 1411.

45 Jean de Bueil, *Le Jouvencel*, ed. C. Favre and L. Lecestre, 2 vols. (Paris, 1887-89), 2. 80. But compare 2. 112-14, where Bueil would reserve the accolade of knighthood for those who are 'nobles d'antiquité'.

46 A. Bossuat, *Perrinet Gressart et François de Surienne* (Paris, 1936), p. 2 and M. Keen, *The Laws of War in the Late Middle Ages* (London, 1965), pp. 254 ff. Cf. Olivier de la Marche, *Le livre de l'avis de gage de bataille* in B. Prost, ed., *Traité du duel judiciaire ...* (Paris, 1872) and P. Contamine, *Guerre, état et société à la fin du moyen âge* (Paris, 1972), pp. 475-76. See also G. Chevrier, 'Les sources de la noblesse dans le comté de Bourgogne du xiv^e à la fin du xviii^e siècle', *Mémoires de la Société pour l'histoire de droit ...* 12 (1948-49) 49-94.

47 Diego (Jacques) de Valera, *Espejo de verdadera nobleza*, ed. D. M. Penna in *Biblioteca de autores españoles* 116 (Madrid, 1959), p. 91, col. 2. This work, as translated contemporaneously

In spite of such assurances, there is no evidence that the carrying of arms was anything more than a mark in one's favor if one were eventually considered for ennoblement by a prince. Counting the 'monstrances', campaigns or years through all the vicissitudes of war could scarcely be as certain nor as controlled as the single act of *annoblissement*. This could be accorded by a public accolade received from the king or by *lettres d'annoblissement* issued through his chancery. In any case, from the late thirteenth century on, it was a maxim of both Capetians and Valois that only the king might ennoble a commoner.⁴⁸ This was to be equally true of knighting a commoner, though a knight might still grant knighthood to a man of noble birth.

The legist Beaumanoir records the punishment meted out by royal authority to three knights who exercised what they thought was an ancient privilege when they, on their way to witness a legal proceeding and finding that custom required yet one more of their rank to be present, knighted a well disposed bourgeois to fill the need.⁴⁹ Heavy fines and invalidation followed immediately from the royal court. No less vulnerable were the count of Nevers and the count of Flanders when, in 1280, their ennoblement of wealthy commoners was allowed by Philip III only at the cost of enormous fines and a direct denial by *Parlement* of the count of Flanders' customary right to so ennoble.⁵⁰

Roughly contemporary with these incidents is the issuance of the first letters of nobility granted by the French monarchy of which we can be certain.⁵¹ In 1295, Jean de Taillefontaine, a clerk once freed from servitude by Philip III, was further granted the right by Philip IV to acquire noble fiefs with the privileges of nobility and the prerogative of becoming a knight whenever he wished.⁵² The reasons for Philip IV's liberality are unstated, but the letter was not issued without payment of a fee. The terse notarial style and the unrevealing formulae of the *lettre d'annoblissement* as issued by the royal chancery disappoint the historian with their

into French by Hugues de Salve, *prévôt* of Furnes, omits this passage. Cf. (pseudo-)Aristote, *Le gouvernement des princes* (Paris, 1497), which contains (23r-41r) this *Trésor de noblesse*, often entitled in manuscript *Traité de la noblesse*.

48 A. de Barthélemy, 'Étude sur les lettres d'annoblissement', *Revue historique nobiliaire* 7 (1869) 193-208 and 241-52. See also by the same author 'De la qualification de chevalier', *ibid.* 6 (1868) 1-13 and 118-32 and La Roque, *Traité de noblesse*, chap. 28.

49 Beaumanoir, § 1100.

50 P. Thomas, 'Comment Guy de Dampière, comte de Flandre, annoblissait les roturiers au xiii^e siècle', *Bulletin, Commission historique du Dépt. de Nord* (1933) 254-70. For judgments of *Parlement* see *Olim*, ed. Beugnot, 2 (1842), pp. 144, 166 and 191; French translation in *Revue du Nord* (1932) 225 ff.

51 For eleventh-century *lettres d'annoblissement* of doubtful authenticity, see La Roque, *Traité de noblesse*, p. 55.

52 The *lettre d'annoblissement* is printed in A. de Barthélemy, 'Étude', 199.

want of information.⁵³ But from the reign of Philip IV on, the number of those receiving nobility will proliferate, and to name adventurers, widows, doctors of medicine, royal servants, lawyers and musicians is only to begin to record the variety of beneficiaries of the king's grace. Exactly why any one of them attained the rank of noble is rarely clear from his letter. Such phrases as 'probitatis merita, nobiles actus, gestusque laudabiles ac virtutem insignia ...' usually sufficed as explanations, for it was unnecessary to explain in detail; it was the king's will. The *lettres* differ in little more than degree of magnanimity. One may be simply ennobled; another may receive nobility as well as his entire posterity both male and female, with the right to the *adoubement* of knighthood for males.⁵⁴ It is almost always true, however, that the letters carry with them heavy financial charges. These were usually left to royal treasurers or to the *Chambre des comptes* to determine arbitrarily, but by the time of Louis XI the payment suggested was 'le quint en rente de ce que vault ce pour quoy on veultre estre anobly.'⁵⁵

Roughly the same spectrum of generosity can be found in the *lettres d'annoblissement* of nearly any great baron during the time of the Hundred Years War, for the idea of exclusive royal right became in times of disorder more theory than fact. No better illustration of this survives than the letters and *mandements* of Jean V, duke of Brittany (1399-1442).⁵⁶ Approximately 100 ennoblements were granted by Jean c. 1426-1432 while he was vacillating between French and English allegiance and seeking to raise an army. Duke 'by the grace of God', Jean V claimed for himself the exclusive right to ennoble in his duchy.⁵⁷ Though we can find an occasional ducal secretary or *valet de chambre* ennobled for past services, the great majority were received into the ranks of nobility either in reward for their services in arms or to recruit them into the duke's army. To have 'bonne puissance tant de corps que de biens' was qualification enough to aspire to nobility under the later reign of Jean V of Brittany. For his knowledge of canonry a carpenter was ennobled; for feats of strength performed before the duke a strongman and his male heirs were ennobled if they would fight for him. If any claimed to be noble but were unable to prove it, they could fight, and 'posé que ne seroient nobles personnes', they would be ennobled without an inquest.⁵⁸ Oc-

53 It is not surprising that the successive editors of the *Ordonnances* refused to print, with the rarest exceptions, any *lettres d'annoblissement* for individuals, though the Registers of the *Parlement* of Paris, the *Chambre des comptes* of Paris and the *Trésor des chartes* abound with them.

54 Typical is the ennoblement of Hugues Cartier by Louis XI, June 1468, in *Ord.* 17. 98-99.

55 Pierre Choynet, *Le Rosier des guerres* (Paris, n.d. [c. 1936]), unpaginated, final page.

56 *Les lettres et mandements de Jean V de Bretagne*, ed. R. Blanchard, 5 vols. (Nantes, 1889-94) (vols. 4-8 of *Archives de Bretagne*).

57 *ibid.* 5. 219; 6. 186 and 202.

58 *ibid.* 7. 173 (no. 2290); 6. 208 (no. 1749) and 6. 205 (no. 1740).

asionally, money was enough for nobility if it was put in the service of war. Jamet Rouxeau, a *roturier* seigneur of l'isle Gaudin, was ennobled for supplying an archer to the duke any time he was needed. All these were examples to his subjects 'that they be more inclined to serve us in arms.'⁵⁹ Clearly, nobility was no longer the singular prerogative of ancient lineage. At the same time, there is no reason to believe that motives for ennoblement varied greatly among other princes of France.

Comparing royal and ducal *lettres d'annoblissement*, some features are noteworthy. There is no indication of fees being charged by the duke of Brittany for any of his *lettres*. In fact, to pacify the individual's parish for their loss of a taxpayer, the duke most often held them responsible for one less hearth tax. Further, in no instance is the right to be knighted at will expressed in the duke's *lettres*, as is so common in the royal protocols. Apparently, this could only come after the long trial of battle, if one wished it at all.⁶⁰

We are less well informed about the ennoblements by letters in other areas of France. The dukes of Normandy, Berry, Alençon and Burgundy, the counts of Champagne and Foix, all claimed with success the right of ennobling their subjects during the period of the Hundred Years War.⁶¹ It has been estimated that the Valois dukes of Burgundy issued about 100 letters from 1371 to 1476, letters reflecting the unattractive Burgundian custom of holding the family yet responsible for *impôts* and subsidies during the lifetime of its newly ennobled member.⁶² Certainly the number is small in comparison to those issued in Brittany or in the royal domain where figures are better known. From 1436 to 1461, Charles VII made over 200 personal ennoblements, whether for military or personal service. On the other hand, Louis XI, distrusting the old nobility early in his reign, created as many nobles by letters patent in two years as his father did in twenty-five.⁶³ And at least equal in magnitude were the numbers ennobled by Louis when all *roturier* holders of noble fiefs in Normandy were granted nobility in 1470. This ordinance is unusually informative and deserves attention. Louis notes

⁵⁹ *ibid.* 6. 200 (no. 1729).

⁶⁰ Contamine, 'French Nobility', 145 f., points to the infrequency of obtaining knighthood among the nobility in the late Middle Ages, apparently for reasons of non-noble birth or insufficient wealth.

⁶¹ La Roque, *Traité de noblesse*, pp. 93 f. For the Bordelais there is R. Boutruche's excellent *La crise d'une société: seigneurs et paysans du Bordelais pendant la guerre de Cent Ans* (Paris, 1947).

⁶² J. Bartier, *Légistes et gens de finances au XV^e siècle* (Brussels, 1952), p. 195 and J. d'Arbaumont, 'Des annoblissements en Bourgogne', *Revue historique nobiliaire* 4 (1866) 18-25, 57-67.

⁶³ Du Fresne de Beaucourt, *Histoire de Charles VII*, 6 vols. (Paris, 1881-91), 3. 457, 4. 422, 5. 331, 6. 373 and Contamine, 'French Nobility', 143.

therein that he had just issued letters authorizing a search for those who owed the *droit de franc fief* in Normandy, only to meet with a protest from commoners holding noble fiefs there. It was not the usage, they said, to collect the *droit de franc fief* in their province. Rather, the fee collected should be for *lettres d'annoblissement*. Previously, they claimed, local judges inquired whether non-nobles obtaining noble fiefs within the last forty years had since received such *lettres*. If they had, a fee was charged for their *annoblissement*.⁶⁴ It should be pointed out in passing that this indicates a pattern seen less clearly elsewhere. The moneyed bourgeois, purchasing a noble fief and impatient of gradual assimilation into noble ranks, further purchased a *lettre d'annoblissement*. Reversing his decision, then, to collect the *droit de franc fief*, Louis ennobled all *roturier* seigneurs in Normandy with their posterity 'née et à naistre en loyal mariage', as long as they lived nobly, 'suivent les armes', fighting for him if necessary. A fee was due, however, for this territorial ennoblement: 47,250 *livres tournois*, to be collected 'très promptement'.⁶⁵ In a single stroke, Louis added immensely both to his armies and to his treasury. Under Louis XI, the new nobility increased in number remarkably.

Reaction to this *noblesse par lettres* could not help but be mixed. While one could rejoice that he and his family no longer had to be counted to the third generation before attaining nobility, public opinion was less than enthusiastic. Of all the ways to attain nobility, that *par lettres* was 'la moins auctorisée' according to Olivier de la Marche, the memoirist at the court of Philippe le Bon of Burgundy.⁶⁶ He was not alone in that opinion. In fact, the *nouveau anobli* might find alarming opposition to his new state in life. His community's refusal to accept the loss of a well-to-do taxpayer, or the Parisian *Chambre des comptes*' hesitation to register his *lettre d'annoblissement* might be the beginning of long and costly legal processes. We can better understand the sometimes fierce language to be found in the *lettres d'annoblissement*, and particularly during the reign of Louis XI, lest any should disturb the holder in his rights granted by the king.

Preferable to a *lettre d'annoblissement* and its occasional attendant embarrassments was a *lettre de certification de noblesse*. Claiming to be of noble lineage but unable to prove it, Simon Clabaut was accorded such a letter by Charles V in 1374, without further investigation, for a fee of 100 francs.⁶⁷ A relative of Clabaut imitated his kinsman a few months later and paid 'une somme par com-

⁶⁴ *Ord.* 17. 337-41 at 338.

⁶⁵ *ibid.* 17. 340.

⁶⁶ *Livre de l'advis de gaigne de bataille* (n. 46 above), p. 46.

⁶⁷ *Ord.* 6. 126-27.

position en conservant l'estat d'homme noble'.⁶⁸ And for those who had neither a *lettre d'annoblissement* nor a *reconnaissance* of nobility, there was the possibility of imposture. It must have been common. As early as 1342, Philip VI insisted that all *lettres d'annoblissement* be recorded with the Parisian *Chambre des comptes* because of the number of fraudulent *lettres* that had come to his attention.⁶⁹ Other monarchs, for the purpose of obtaining larger taxes, instituted timely inquests to determine in any locality who were truly noble. If they presented to royal baillifs or senechals proper *lettres*, or lacking those, if they had 'exercé faitz de nobles et se sont portez pour nobles' for as long as men remembered, they would be accepted as noble.⁷⁰

Equally promising as an approach to ranks of nobility was the possession of public office in towns favored by the monarchy. Inaugurated by Charles V and imitated by Louis XI, the policy of ennobling a mayor, his *échevins* and occasionally the town counselors, was applied first to Poitiers (1372)⁷¹ and La Rochelle (1373)⁷² and subsequently to Niort (1461),⁷³ Tours (1462),⁷⁴ Bourges (1473),⁷⁵ Angers (1475),⁷⁶ Saint-Jean d'Angely (1481),⁷⁷ Arras (1481),⁷⁸ Le Mans (1481)⁷⁹ and Lyon (1495).

68 *ibid.* 6. 127. Examples exist from other reigns. Cf. *ibid.* 17. 174-75.

69 *ibid.* 2. 175.

70 *Le songe du vergier in Traitez des droits et libertez de l'Église Gallicane*, ed. J. Brunet, 2 vols. (Paris, 1731), 1. 185.

71 *Ord.* 5. 563-64 and R. Favreau, 'La condition social des maires de Poitiers au XV^e siècle', *Bulletin philologique et historique* (1961) 161-77. For town history in France generally, see P. Dollinger and others, *Bibliographie de l'histoire des villes de France* (Paris, 1967); H. Sée, *Louis XI et les villes* (Paris, 1891); F. Bluche et P. Durye, *L'annoblissement par charges avant 1789*, 2 vols. (Paris, 1962) and A. Giry, *Les établissements de Rouen*, 2 vols. (Paris, 1883-85).

72 *Ord.* 5. 575-76 and Giry, *Les établissements* 1. 54-64. For the ennoblement of Paris by Charles V, see n. 37 above.

73 *Ord.* 15. 219-21. See also C. Augier de la Terraudière, *Thrésor des titres justificatifs des privilèges et immunités, droits et revenus de la ville de Nyort* (Niort, 1675; 2nd ed., Niort, 1866) and H. Proust, 'La noblesse d'eschevinage à Niort', *Bulletin, Société de statistique, sciences, lettres et arts du dépt. de Deux-Sèvres*, 2nd Ser., 5 (1882-84) 440-54.

74 *Ord.* 15. 332-41. See also J. Chenu, *Privilèges de la ville de Tours* (Paris, 1620); B. Chevalier, 'Les officiers municipaux à Tours entre 1419 et 1462', *Bulletin de la société archéologique de Touraine* 32 (1957) 53-77 and G. Collon, 'Pierre Bérard et la réforme municipale de Tours en 1462', *Mémoires, Société archéologique de Touraine* 53 (1928).

75 *Ord.* 18. 20-25. Cf. *ibid.* 15. 649-50 and J. Chenu, *Privilèges octroyez aux maires et eschevins, bourgeois et habitans de la ville et septaine de Bourges ...* (Paris, 1603).

76 *Ord.* 18. 86-98 and René Robert, *Recueil des privilèges de la ville et mairie d'Angers* (Angers, 1748).

77 *Ord.* 18. 69-93.

78 *ibid.* 18. 643-70.

79 *ibid.* 18. 749-56. Bluche, *L'annoblissement* 1. 31, would have it without documentation that the right of municipal nobility was revoked in July 1483. This is unlikely, however, considering that the town's privileges were confirmed by both Charles VIII and Louis XII. See *Ord.* 20. 99 and

Typical in format is the ordinance of ennoblement of the *corps de ville* of Poitiers. For their 'très grand loiaulté et obéissance, ... très bonne volonté et affection' to the crown of France, Charles V ennobled the mayor, the twelve *échevins* and twelve counselors, as well as their descendants of both sexes. Those masculine could receive the ceinture of knighthood, and any could acquire noble fiefs which included the right of dispensing justice; this without the necessity of paying the *droit de franc fief*. Beyond that, the mayor, *échevins* and counselors were entitled to all rights, privileges, immunities and usages that knights and nobles enjoyed throughout the realm.⁸⁰ One may well wonder why Charles chose to create of a sudden twenty-five new noble families in Poitiers and twenty-five again at La Rochelle the next year, while Louis XI, in twenty years' time established a total of 169 families as newly ennobled civic functionaries at Niort, Tours, Saint-Jean d'Angely, Bourges, Arras, Le Mans and Angers.⁸¹ With vacancies and new elections, the numbers would of course continue to grow.

Charles V's motives are not far to seek. The ennoblement of the *corps de ville* of Poitiers, bestowed at the very moment of an English invasion, was the price of loyalty. For La Rochelle, of even more importance strategically and commercially considering its excellent harbor, the privilege of ennoblement was only one of many. Remission of all past crimes, even lèse-majesté, release from all imposts and from taxes on the town's goods sold throughout the kingdom, confirmation of all past privileges: these were only a few of the favors shown by Charles to a town the defection of which would have been critical for France.⁸²

Louis XI's reasoning was more complex. For him, military considerations were only one of a number of motives for ennobling town governments. The anticipation of making Tours a royal residence or the supposed location of the head of St. John the Baptist at Saint-Jean d'Angely may have been for Louis as much an inducement to honor these towns as their sometime perseverance against the English. Furthermore, Louis was accessible. The town officers of the Poitevin port of Niort, able to cite only their 'bons et grands services' in the past, yet obtained the same privileges for the asking that neighboring La Rochelle and Poitiers had received in more difficult circumstances.⁸³ At the same time, ennoblement suggested itself as a political safeguard. Louis commonly established a

21. 176. The last civic ennoblement of the fifteenth century, that of Lyon, is recorded in the *Ordonnances* only by its title (20. 492).

80 *ibid.* 5. 563-64.

81 Niort, Tours and Saint-Jean d'Angely followed the pattern of municipal government of Poitiers and La Rochelle. Bourges, Arras and Le Mans were governed by a mayor and twelve *échevins*, while Angers had a mayor, eighteen *échevins* and thirty-six counsellors, all ennobled.

82 *ibid.* 5. 571-75.

83 *ibid.* 15. 219-21.

town nobility to counter any dangerous anti-royalist sentiment he suspected therein. His method was simple. Ascertaining who among the influential townspeople were pro-royalist, Louis saw to it that they were rewarded with appointments of nobility. Certainly this is true of his ennoblement of the town officers of Bourges and Arras. In each instance, Louis forced upon the townsmen not only a new nobility but a new form of government as well. Prior to its rebellion in April 1474, over the levying by the king of a heavy subsidy for the town's defense, Bourges was governed by four *prudhommes* elected annually. These, and, for Louis, a disagreeably democratic general assembly of the townspeople, decided all important matters of civic policy. It would be otherwise after the ordinance of June 1474, by which, for 'certains grandes causes et considerations', Louis founded the offices of mayor and 12 *échevins*, each of which was filled annually by Louis himself.⁸⁴ The emollient of nobility attached to these offices and to the incumbents' families would, he hoped, make certain an unswerving loyalty amongst a once refractory civic government.

The case of Arras is little different. The reward for its rebellion of July 1481 would be much the same as that of Bourges, although here Louis attempted to repopulate the town entirely, even thinking, though unsuccessfully, to rename it 'Franchise'. And, reflected Louis, since 'toutes assemblées générales ... sont aucunesfoiz de dangereuse conséquence ...', there would be none without approval by royal officers.⁸⁵ The newly founded and ennobled *corps de ville* would be quite sufficient as representatives of the governed. Resentment at such cavalier abolition of ancient civic institutions was only natural, but defiance of the royal ordinances was for the time being impossible. It was not until the reign of Charles VIII that Bourges would, with royal consent, revert to its traditional form of government.⁸⁶

There were reasons, too, why even the ennobled officers of other towns might have second thoughts about the king's grace, for little else was served besides their vanity. A second glance at the ordinances of ennoblement revealed unexpected limitations to their pretensions of aristocracy. Unless they 'lived nobly', serving in the king's armies whenever he had need of them, the *noblesse de cloche*, as these town officials were called, would have to pay taxes! At Angers, whatever one's estate, he would pay for 'charges et affaires communs'. The town officials at Le Mans and the *échevins* at Tours would in any event have to pay subsidies for their city's fortifications. At Arras, however, to be ready to serve in

84 *ibid.* 18. 21. A typical career is that of Pierre Bérard. See n. 74 above.

85 *ibid.* 18. 648.

86 *ibid.* 19. 268. Bluche, *L'annoblissement* I. 29, claims without documentation a similar reversion for Arras. I am unable to substantiate this.

arms was unnecessary. Even to 'marchander en gros et en détail, tenir boutiques et ouvrouers ...' was permitted to the new nobility.⁸⁷ Further, in no case that we know were the civic nobility allowed to divide their estates among their heirs as nobles might.⁸⁸ They must still inherit equally through the third generation. Impediments more public than these to popular acceptance as members of the noble class would be difficult to imagine. And by the late fifteenth century, exemption from all *bans* and *arrière-bans* was a concession that was slender at best. The rank of the *noblesse de cloche*, then, was suspect not only to their fellow townsmen, but to royal officers and to the *Chambre des comptes* of Paris as well. The registers of the *Parlement* and the *Cour des aides* of Paris are constant witnesses to the efforts of the new nobility to attain what they had thought was theirs, and particularly prerogatives regarding tax exemption. The reaction of the *Chambre des comptes* to Louis XI's first town ennoblement is indicative. Remonstrating with Louis, they registered Niort's letter only after receiving a direct command from the king.⁸⁹ Nor is there any evidence that the military nobility were of a more generous mind. It would not be until the sixteenth century that the civic nobility of Poitiers, for example, was allowed to sit in the assemblies of the *noblesse* of Poitou.⁹⁰ The phrase, constantly recurring in the ordinances of ennoblement, that mayors and *échevins* would enjoy 'all privileges, rights, immunities, customs, liberties and usages' to which all other nobles of the realm were accustomed was hollow indeed.

The effects of an ennobled *corps de ville* over a period of time invite speculation. That a moneyed bourgeoisie, eager to establish itself among the nobility, should purchase its way by loans and favors to ennobling appointments in town government is not surprising. There is irony, however, in a common willingness to accept near impoverishment by abandoning profitable commercial activities and retiring to some rural property, there to escape taxation by imitating the rude, bucolic life of the military nobility. Only Louis XI foresaw this danger and only then imperfectly. It was likely that he had this in mind when he encouraged the ennobled town officers of Arras to 'marchander en gros et en détail', or when he insisted that 'chacun qui voloit user de merchandise le peust faire ... sans desroguer à noblesse';⁹¹ an attitude which neither society nor later

87 *Ord.* 18. 651.

88 Bluche, *L'annoblissement* 1. 35, claims without documentation the unlikely right to bequeath nobly for the *corps de ville* of Saint-Jean d'Angely.

89 *Ord.* 15. 324. Further, see E. Dravasa, "'Vivre noblement'". Recherches sur la dérogeance de noblesse du XIV^e au XVI^e siècle', *Revue juridique et économique du Sud-Ouest, sér. juridique* 16 (1965) 135-93, 17 (1966) 23-113 and printed separately, for résumés of typical court cases.

90 Favreau, 'La condition social', 163.

91 Cited by P. Imbart de la Tour, *Les origines de la Réforme*, 2nd ed. (Melun, 1948), p. 399. See also G. Zeller, 'Procès à reviser? Louis XI, la noblesse et la marchandise', *Annales: économies, sociétés, civilisations* 1 (1946) 331-41.

monarchs would share. But, as we have seen, Louis inconsistently submitted other ennobled *corps de villes* to taxation. A consequence of the creation of the *noblesse de cloche* was, then, the loss of wealthy taxpayers to the countryside and a decline of commercial activity in the ennobled towns. A knowledge of the exact degree to which these factors had effect has so far eluded the historian, but it was clear enough to Louis XIV, who, for these same reasons, annulled the ennoblement of the town governments of Poitiers, Niort, Bourges, Angoulême, Tours, Abbeville and Cognac in 1667.⁹²

If assimilation among the older nobility by holding civic office resembled at times a labor of Hercules, there were yet other ways to *parvenir*. In the service of the prince, writes La Marche in 1494, is the surest beginning of nobility.⁹³ It had not always been so. Among the servitors or lesser office holders of the crown before the fourteenth century, possession of privileges which could be called noble were rare. Otherwise, exemption from minor *impôts* and freedom to sell produce from their lands without taxes were typical of the few prerogatives of the officers of the *Chambre des comptes*, the *Parlement* of Paris and the *Maison du roi* prior to the reign of Charles V. Then, 'lest it become burdensome to serve the crown', Charles conceded remission of all taxes and subsidiaries to the officials of the *Chambre des comptes* for the period of his reign.⁹⁴ Though not a grant of nobility, it was a grant of an important noble right, and a beginning in the accumulation of privileges which would culminate by the early sixteenth century in the *annoblissement* of the *maîtres ordinaires* of the *Chambre des comptes* of Paris. Their history is certainly more typical for other royal functionaries than the sudden elevation to nobility of the *sergens d'armes* in the service of Charles VI,⁹⁵ which was probably an effect of the king's desperation to assure himself of a loyal corps of officers in the face of both civil war and foreign invasion. They would be disbanded in 1453.

'Do you not know,' wrote the dauphin Louis in 1448, 'that the [royal] officers and servants ... are free from all taxes and subsidies throughout the realm?'⁹⁶ The town of Lyon, which was attempting to tax one of its residents, a royal

92 The municipal government of Angoulême was ennobled in 1507; that of Cognac in 1451. J. Bloch, *L'annoblissement en France au temps de François I* (Paris, 1934), pp. 110-17, following the early eighteenth-century historian La Roque, *Traité de noblesse*, chap. 39, claims ennoblement for Abbeville in 1476, for Cognac in 1471, for Saint-Maixent in 1444, and for Toulouse in 1471. Bluche, *L'annoblissement* 1. 35, also without documentation, claims nobility for the *capitals* of Toulouse since 1420, though this in fact was not granted until 1547 by Henry II. See A. Viala, *Le Parlement de Toulouse et l'administration royale laïque (1420-1525)*, 2 vols. (Albi, 1953), 2. 191.

93 de la Marche, *Le livre*, p. 45.

94 *Ord.* 7. 60.

95 *ibid.* 9. 541-43 (September 1410).

96 *Lettres de Louis XI*, ed. J. Vaesen, 11 vols. (Paris, 1883-1909), 1. 36-37.

physician, should have known, since it had been the custom of the crown since 1411 to exempt the retainers of the *Maison du roi de la reine et du dauphin* from *tailles*, and since 1425 to exempt them from *aides*, *impôts* and subventions as well. Even the royal painters and glaziers could claim these honors.⁹⁷ And again, by the time of Francis I — exactly when no one knows — at least the *chefs d'office* of the *Maison du roi* could claim without contradiction the rank of nobility.

It is the *clercs notaires* and royal secretaries about whom the chance survival of records allows us to know most. Their privileges exceeded those of all others in the king's service. Nor should it have been otherwise, in the opinion of Louis XI, considering that the office in France was as old as the time of Clovis and that the very Evangelists had been notaries themselves! Freedom from tolls, guard duty, the expenses of town, fortress and bridge repair; exemption from the levying of troops; exemption from the lodging of soldiers — from giving any military aid at all, in fact: these, as well as immunity from all taxes, *aides*, subsidies and subventions begin Louis' account, in 1482, of the liberties of their *collège*. They might hold noble fiefs without paying the *droit de franc fief* and their widows may enjoy all their rights after them.

As for the office itself, it could be held for life. Indeed, it might become hereditary, since the incumbent could resign his post to a son or son-in-law. Only a serious crime might bring one's tenure to an end, and with it the promise of a life's pension. If this were not enough, the office of *clerc notaire* and royal secretary was to be the single avenue by which one might obtain a post in the *Chambres des comptes*, *des requêtes* and the royal treasury.⁹⁸ The final good fortune of the *Collège des clercs notaires et secrétaires du roi, de la couronne et de la maison de France* would be the reception of Louis XI himself as one of its members.⁹⁹ What is curious is that Louis should have omitted one last grace, the gift of nobility itself. In spite of the liberality of his ordinance which presents a veritable catalogue of noble privileges, not a word is said of noble state. If one asks the larger question why such advantages were conceded at all, certainly the florid rhetoric of the ordinance reveals little of Louis' secret meaning. Perhaps there is an answer, at least in part, in the judgment of his biographer, Philippe de Commines, who pictured Louis as 'most painful and indefatigable to win over any man to his side that he thought capable of doing him either mischief or service ..., presenting him with such sums and honors as he knew would gratify his

⁹⁷ *Ord.* 9. 683-84, 13. 84-87 and 160-61.

⁹⁸ With the growing bureaucracy of Louis XII and Francis I this was no longer true. Ennoblement developed in these last three offices by 1519 (*ibid.* 20. 428 and Bloch, *L'anoblissement*, pp. 110-17).

⁹⁹ *Ord.* 19. 62-79.

ambition.¹⁰⁰ In any case, it took little imagination, two years later, for the regency government of the Beaujeus to remedy this oversight and create the *clercs notaires et secrétaires du roi* 'nobiles ac pares Baronum', granting nobility to their posterity of either sex, with the right to the *adoubement* of knighthood for those male 'just exactly as if they were nobles of ancient lineage.'¹⁰¹

In contrast, the *Parlement* of Paris was much less favored by royal authority. Scattered by the successive occupations of Paris by Armagnac and Burgundian forces at France's very nadir of the Hundred Years War, ignored for the most part by Charles VII and despised by Louis XI, the history of the *Parlement* of Paris in the late Middle Ages is sombre indeed.¹⁰² Not until the advent in 1483 of the Beaujeu regency, which feared to add a disappointed *Parlement* to its enemies, did an amicable relationship develop between the sovereign court and the crown. Then we can speak of a progress toward noble status that the dearth of early privileges scarcely foretold. An occasional exemption from *aides* in the wars with the English, dispensation from salt taxes, the ability to sell the produce of their lands without tax; these and release from the *ban* and *arrière-ban* exhaust the list of immunities of the members of the *Parlement* of Paris in the fifteenth century. Yet, the maxim held true: to serve the prince did ennoble. By the beginning of the reign of Francis I, counselors, advocates and procurers-general of the *Parlement* of Paris were recognized as noble if their families had held such offices for three generations.¹⁰³ The same would be true for the other sovereign courts of Toulouse (founded 1302), Grenoble (1453), Bordeaux (1462), Dijon (1477), Rouen (1499) and Aix (1501).¹⁰⁴

None of these provincial courts has repaid study by offering significant material toward the history of the rise of a new nobility, with the single exception of the *Parlement* of Dauphiné, seated in Grenoble. There, by means of the counselor Gui Pape's collection of *arrêts*, or judgments, of that *parlement* from the years 1455-1467, we can assess the extraordinary pretensions of its members to the rank of noble.¹⁰⁵ As early as 1416, thirty-seven years before the *Cour de*

100 *The Memoirs of Philip de Commines*, trans. A. Scoble, 2 vols. (London, 1855-56), 1. 59 (book 1, chap. 10).

101 *Ord.* 19. 473-75.

102 See F. Aubert, *Histoire du Parlement de Paris*, 2 vols. (Paris, 1894); E. Maugis, *Histoire du Parlement de Paris*, 3 vols. (Paris, 1914-16) and G. Ducoudray, *Les origines du Parlement de Paris* (Paris, 1902). More recent, with a specialized bibliography, is F. Lot, *Histoire des institutions françaises au moyen âge* 2 (Paris, 1958), pp. 332 ff., and J. H. Shennan, *The Parlement of Paris* (London, 1968).

103 The president of the *Parlement*, on the other hand, was always regarded as noble (Bloch, *L'anoblissement*, pp. 110-17).

104 Lot, *Histoire* 2. 472 ff.

105 Gui Pape, *Decisiones Parlamenti Dalphinalis*, with over forty printings between 1490 and

Justice of Grenoble became a sovereign court or *parlement*, its advocates were accorded exemption from *tailles* and *impôts populaires*. This was true as well for its doctors of law. In as much as they knew the law and practiced it, they lived nobly! Moreover, their nobility was heritable. As of 1461, widows and children of an advocate or doctor of law shared the nobility of their husband or father.¹⁰⁶ The reason was obvious enough to the *parlement* which handed down these decisions. If combat ennobles, it was argued, so too does knowledge.¹⁰⁷ No cavalier ever fought more effectively with his sword than the advocate with his knowledge of the law. Indeed, one might call them *chevaliers ès loix*. This term, which advocates at the *Parlement* of Paris found congenial enough to imitate by 1506,¹⁰⁸ had less substance to it than show. Unless associated with real political authority, it could only have been ornamental. Though the existence of a *chevalerie ès loix* has been dismissed as a myth by some historians, or as an overly generous interpretation of certain passages of the Justinian code,¹⁰⁹ it is not surprising, on looking more closely, to find in this *pays de droit écrit*, where the tradition of Roman law survived more strongly than in the north, that there was some ground for an affectation of *noblesse*. The eminent juriconsul Bartolus of Saxoferrato (d. 1357) had remarked on the ancient Roman usage of granting the title of count to doctors of law who had practiced their profession for twenty years or more in his consilium *De dignitatibus*.¹¹⁰ And though widely read,¹¹¹ this passage from his work escaped favorable comment or citation in the literature of northern France until well into the sixteenth century. For the time being, it carried less than conviction in the *pays de droit coutumier*.

* * *

1667; abridged in French by N. Chorier, *La jurisprudence du célèbre conseiller et jurisconsulte Gui Pape* (Lyon, 1692; 2nd. ed., Paris, 1769). See also, L. Chabrand, *Étude sur Gui Pape* (Paris, 1912). Cf. R. Fédou, *Les hommes de loi lyonnais à la fin du moyen âge* (Paris, 1965) and B. Guenée, *Tribunaux et gens de justice dans le baillage de Senlis à la fin du moyen âge* (Strasbourg, 1963).

106 Pape, *ibid.*, qu. 88, 388, 389.

107 Insistence upon knowledge as ennobling among lawyers and doctors of medicine was as common as it was unconvincing. See M. Planiol, ed., *La très ancienne coutume de Bretagne* (Rennes, 1896), pp. 417-18; L. Caillet, *Étude sur les relations de la commune de Lyon avec Charles VII et Louis XI* (Lyon-Paris, 1909), p. 273 and Coluccio Salutati, *De nobilitate legum et medicinae*, ed. E. Garin (Florence, 1947).

108 La Tour, *Les origines*, p. 451; R. Cazelles, *La société politique et la crise de la royauté sous Philippe de Valois* (Paris, 1958), pp. 292-93.

109 *Cod.* 2.6.7 and 2.7.14, with which the advocate Jean Bouteillier in his *Somme rurale* 2.2. (c. 1390) makes considerable play.

110 A commentary on *Cod.* 12.1.1. in *Opera omnia*, 11 vols. (Venice, 1590-1602), 8. 46v-47r.

111 The compilers of the *Songe du vergier* had read and borrowed from it. So too, over a century later, had Symphorian Champier, Josse Clichtove and W. Rolewinck, to name only a few.

We noted earlier the reaction of the old military nobility to the seeming invasion of their ranks by wealthy parvenus. If they denied easy access to their estate by insisting on descent from a noble father and equated nobility with the capacity to attain knighthood, all the same it would be the monarchy which would in time govern entry into the nobility by any means other than birth. To be sure, the usage of *roturier* inheritance and the *droit de franc fief* would be irritating reminders of commoner origins, but even these could be abrogated by a gesture from the throne. The old nobility might insist that 'l'homme nouvel fault trop de choses avant ce qu'il soit pareil ... à ceulx des anciens lignages',¹¹² or warn of 'toute division, ... guerre et ... rebellion';¹¹³ but what could the military nobility do with any effect other than withdraw into their confreries or military orders, like Louis de Bourbon's *Ordre de l'Écu d'or* (1363) or René of Anjou's *Ordre du Croissant* (1448) which excluded all but knights 'd'ancienne chevalerie et gentilhomme de ses quatre lignes'?¹¹⁴ With what suspicion might the old nobility, and particularly the greater among them, have learned of the statutes of Louis XI's new *Ordre de Saint Michel* (1469) which granted precedence among its members depending upon the date of entrance into the order, 'sans ... regard à noblesse de lignaige, grandeur de seigneuries, offices, estaz, richesses ou puissances'!¹¹⁵ And with what ease they might enter, if only they would, Louis was quick to reveal. The noble paladin suddenly found himself and his ideals in danger of being absorbed into the royal orders of chivalry with their dominant idea of allegiance to the prince. Nor, in all probability, was this avoidable, considering what has been called the 'banditisme nobiliaire' of fourteenth- and fifteenth-century France. The long deterioration of public confidence in the military nobility, and particularly in its leadership, which seemed preoccupied in serving its own ends throughout the Hundred Years War as well as during the *Praguerie* (1440) and the *Guerre du Bien public* (1465), could not help but redound to the advantage of a monarchy which promised security and peace.

At the same time, we should avoid the exaggeration of interpreting the development of a new nobility as a well planned conspiracy on the part of the crown to enfeeble a dangerous military class. It is difficult to see in the monarchy's allowing commoners to hold noble fiefs any more subtle a reason than that it would provide a means of filling the royal coffers by invocation of the *droit de*

112 G. de Lannoy, *Oeuvres*, ed. C. Potvin (Louvain, 1878), p. 371.

113 *Songe du vergier* 1. 192.

114 *La chronique du bon duc Loys de Bourbon*, ed. A. Chazaud (Paris, 1876), pp. 8-13; *Oeuvres du roi René*, ed. le comte de Quatrebarbes, 4 vols. (Angers, 1845), 1. 51-79. Cf. F. Menestrier, *De la chevalerie ancienne et moderne* (Paris, 1683), reprinted in C. Leber, *Collection des meilleurs dissertations ...* 12 (Paris, 1838), pp. 9-364 at 194.

115 *Ord.* 17. 236-55 at 242.

franc fief. That this should open the way to nobility to commoners of wealth was, at least before the reign of Louis XI, quite incidental. Neither too was the *anoblissement* of town officers more than an expedient born of necessity during the Hundred Years War and turned at times during the reign of Louis XI into a means of suppressing civic governments of too independent a mind. It would seem that only in consequence of Louis' real fear of the military nobility upon his ascension to the throne in 1463 was there a conscious attempt to create some fragment of a new nobility to counter the old. Even this was temporary, however, and Louis did not use all the means at his command. Though *lettres d'anoblissement* were issued lavishly the first years of his reign, he left it to his successors to grant a blanket nobility to offices serving the crown. And he was much more sparing than he might have been in creating new and ennobled *corps de ville*. Why such obvious choices for the honor as Orléans, Toulouse, Lyon and Dijon were passed over by Louis we shall probably never know.

But it did not matter. In all likelihood Louis XI perceived the near bankruptcy, if not of the old nobility, certainly of their leadership in the persons of the duc de Berri, the comte de Saint-Pol, the duc d'Alençon — 'silly Alençon' — and Charles of France. It was an ironic symptom of the old nobility's poverty of resource that when presenting their *cahier* of grievances at the Estates-General of 1484 they could think only of pleading for confirmation of their privileges and complaining of their lack of preferment in the king's service.¹¹⁶ By the end of the fifteenth century there could be little doubt: 'la noblesse consiste et demeure en la plaisance du prince.'¹¹⁷ It remained only that this sentiment be translated into law. And this Louis XII promulgated in 1498, whereby, 'en signe de souveraineté', he reserved to the royal power the right of ennoblement 'par édit perpetuel et irrévocable'.¹¹⁸ Recognition of this prerogative in the legal literature of later reigns would become a commonplace.¹¹⁹

Willamette University.

¹¹⁶ F. Isambert, *Recueil général des anciennes lois français ...*, 29 vols. (Paris, 1821-33), 11. 37 f.

¹¹⁷ Diego de Valera, *Traité de la noblesse* (Paris, Bibl. Nat. MS. Fr. 1280, fol. 22v).

¹¹⁸ *Ord.* 21. 191, art. 70.

¹¹⁹ See, for example, B. Cassanaeus, *Catalogus gloriae mundi* (Lyon, 1539), pars 8, 'Nobilitas' and A. Tiraqueau, *De nobilitate ...* (Paris, 1549). More generally, see Bloch, *L'anoblissement*.