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- 1 In 1701, Courtilz de Sandras had a book anonymously printed in Holland, under a false publisher's name: *Annales de la Cour et de Paris pour les années 1697 & 1698* ["Annals of the Court of Paris for the Years 1697 and 1698"]. A popular polygraph of the lower nobility, he had already written a number of works, such as false memoirs, a genre that he invented, based on the principle of mixing fact and fiction. In this same vein, the *Annales*, a clever combination of truth and falsehood, is a volume made up of anecdotes and tales about the political and courtly events of the time that allow a closer look at monarchical power and the back-stage life of courtiers, in a more or less critical perspective. We find there the following little story:

Some enemies that the late Marquis de Renel had insinuated to His Majesty that he was of only a very recent family, so that, whatever were his many merits, His Majesty believed that he was not among those who should advance as quickly as others. For in the end there are people of a certain name and a certain rank who indeed have a right to hope that they are not obliged to languish as long as others in waiting for the graces that His Majesty is accustomed to bestow upon his subjects. However that may be, the Marquis, with a great desire to be Lieutenant-General of His Majesty's Armies, and seeing that, according to his own mind, he might have advanced more quickly, he spoke of it to the King one day, bringing his services before his attention. The King gave him a favorable audience, as he was accustomed to do, as long as the persons speaking to him had the honor of being known to him. But when it came to answering him, the Marquis was quite surprised when he told him that he was wrong to be impatient, and that each must be fair, and not believe that he has been forgotten because he sees people of great quality pass before him; that it was indeed true that merit must be rewarded in all sorts of persons; that, too, he had always been attentive to this since he first governed his Kingdom by himself. But he would be the first to admit that if he were in his place, there would be certain Houses that he would judge appropriate to prefer before

others, that they had forever possessed what was greatest, both at the Court and in the armies. Taking this from their children could not be done without injustice, without recognizing beforehand that they had fallen from the virtue of their Ancestors. The Marquis saw clearly from this discourse that His Majesty must have a low opinion of his Nobility. So, far from wishing to contradict him, he responded that this was the very reason he had imagined himself to be forgotten, that though he be neither Duke nor Peer, nor had any office from the Crown, he was from as good a House at least as the majority of those who were honored with these dignities; that his fathers had had the honor of rendering good services to preceding Kings and that attempting to walk in their footsteps, he could see nothing to hinder him from obtaining all the offices that were destined to the most qualified persons. If the Marquis was surprised at the King's discourse, the King was no less surprised at his. He had always believed that this Marquis was one of these fast Marquis of which there are so many in Paris and especially Parisians who claim this quality, although their Marquisate is only founded on their fathers' coffers, or on some office of the robe that they had in their family. Thus, being happy to explain himself, he asked him if what had been said of his condition was not true, that is to say that he was only issue of a Bourgeois Nobility such as that of the late Archbishop of Paris (...)

(...) He said to the King that his race¹ did not know what Bourgeois nobility was, that all his Ancestors had always borne a sword at their side, and that if there was someone who had not, they had been dedicated to the Church such as the Cardinal of Amboise, who had the honor of being the Prime Minister of the Crown. At the name of Amboise, the King indeed saw that those who had spoken of the House of this Marquis as of something quite mediocre had imposed upon him, and so, rendering unto him the justice that was his due, he soon had all that he had requested.²

- 2 In all its equivocal nature, this anecdote is a good example of how the question of nobility in the reign of Louis XIV was ideologically structured. We find expressed there the division between two sorts of nobility. On one hand there was a recent nobility, so-called "bourgeois," meaning a social origin in the burgesses of the cities (a juridical status and not a social class). On the other hand, there were the court nobles, whose ancient origin was supposed to be radically different and who were assimilated to the military function (the sword.) This division is commonly repeated in historiography in order to distinguish between two social categories, the nobility of the robe and the nobility of the sword. Yet, the terminology is the product of a history and a socio-political effort specific to the early modern era. It results from conflicts concerning the manner of conceiving the sixteenth-century familial appropriation of high judicial offices. These offices, which had become venal, ennobled their possessor by royal legislation. Such appropriation contributed to the profound redefinition of the Second Estate, while confronting another kind of noble origin, this time feudal.³ The idea then emerges of a possible double service to the king, a service of war and court on one hand and of law and finance on the other.
- 3 A social history which would be attentive to coordinating scales of analysis cannot leave aside an inquiry into the ways, specific to the society in question, of dividing, categorizing, classifying, designating, defining, and ranking groups, functions, and statuses within its sphere. This is because these ways have an effect on the behaviors of actors. They form structural elements of the ways the actors interpret their society and behaviors. Social history must then inquire into the way in which divisions between groups and functions and so forth are established within societies and how social categorizations and legal qualifications are elaborated. The joint analysis of these

processes allows us to bring into focus both structural historical dynamics and the interplay of actors within these divisions, giving a legibility to the society as such. The historian must not be prisoner to this legibility, but at the same time must not entirely isolate himself from it, as it counts among the horizons of action of this society's members.

- 4 Thus, many discourses have been produced concerning these two categories of robe and sword, which seem to clearly determine two social groups. But these discourses are so many interventions adding to the sense of these categories as self-evident. The historian must not, moreover, be too quick to think that such categories were plainly defined. Besides, these discourses partook of differing positions, and had differing ways of establishing borders between the groups designated by the terms of "robe" and "sword." The social partitioning was caught up in political matters, apt to be translated into legal terms, subjects and objects of ideological battles and struggles for power. In studying them, we must take these dynamics into account.
- 5 This article offers a reflection on social spaces in which the terms "robe" and "sword" were used, the ideological borders those terms manifested – confronting them with the actors' careers within these defined spaces – while also remaining attentive to the places in which these terms were brought into play. This critical effort is all the more necessary in that these terms did not cover the whole assembly of the elites of the monarchy of the Old Regime, nor did they account for the empirical complexity of social careers. Their analysis must therefore be accompanied by archival research,⁴ in relation to the conceptual and critical work of analyzing social groups thus designated with the object of showing the history of forms of differentiation, distinction, and domination within the nobility and the elites of the modern period. The question of borders, or boundaries, between social groups is therefore not (or not only) a question of the sociology of groups (who belongs to which group). It is a question too of the history of power and domination insofar as the power struggles put into play by those boundaries produce and legitimate some partitions to the detriment of others. Such boundaries organize ways of rendering a society legible to the actors. Finally, the very conception of the world that results from these power struggles bears within it certain ways of conceiving the social. These ways are without equivalence in our own society, nor have they any such equivalence even in the concepts of historians.

Robe and Sword: Condition and Social Distinction

From the Condition to the Group: Emergence of the Notions of Sword and Robe (Late-Sixteenth to the Mid-Seventeenth Century)

- 6 Historiography comfortably uses this vocabulary for the whole of the modern era, but contrary to what this might lead us to believe, the notions of robe and sword made only a late appearance, during the seventeenth century. In the sixteenth century, what was most often distinguished were "gens de robe courte" (men of the short robe) and the "gens de robe longue" (men of the long robe). The first term designated provosts, marshals, and *lieutenants criminels*, and sometimes bailiffs and seneschals, who all exercised functions with the law and the police, and who judged with a sword at their side. Some were noble. The edict of 1560, formulated under the direction of the chancellor Michel de L'Hospital, stated in article 48 that the bailiffs and seneschals, in

case of vacancy of their office, could only be replaced by “persons of the short robe, gentlemen, and of the required quality.”⁵ But the entirety of those of the short robe did not belong to the Second Estate. For example, during the Estates-General of 1576, in Blois, the counselors of the short robe who were members of the Privy Council, were placed behind the Knights of the Order of Saint Michel on a bench to the left of the table of the secretaries of State and before the benches of the deputies of the nobility. But the relation of the Estates-General of 1588 indicates that the 191 deputies of the Third Estate were “all men of justice, or of the short robe.”⁶ As for the expression “long robe,” it referred to the magistrates and lawyers of the courts of royal justice. Not all offices of the long robe conferred nobility. Yet again, the border between nobles and non-nobles was drawn within the borders the category itself.

- 7 These terms designate then what we call conditions (*états*), that is, functions or professions which confer a position assuring a particular place in the hierarchical order. This translates to a rank in the arranged ceremonies that mark the life of urban and monarchical powers.⁷ They do not refer to overarching social categories.
- 8 The same goes for a good part of the vocabulary used to evoke the feudal nobility which was supposed to fulfill a role in time of war, and to serve in the royal armies. This is often accompanied by the quality of the person. Thus men of the sixteenth century use expressions such as “gentilz hommes” or gentlemen (meaning a quality which normally refers specifically to those whose father and grandfather were noble). They also use the terms “noble knights” and “noble lords”⁸ or again “captains”⁹ (which, in the first two cases associate the term designating an “estate” with the noble quality). The largely shared social imaginary promoted in many texts did indeed give the exercise of arms in service of the prince as primary requisite of nobility.¹⁰ This was the case even if we know how little this marker corresponded to the everyday life of the nobles in certain provinces.¹¹ The decrees of the *parlement* of Normandy – dealing with the proceedings between communities of inhabitants and members calling themselves noble – regularly indicate the fact of living nobly, with coat and arms, as stipulation of conserving one’s nobility.¹²
- 9 The evolution of royal policy concerning the venality of offices led to the assimilation of the long robe with Magistrates of the high courts of justice, offices that the monarchy had rendered ennobling. The nobility was personal to the bearer, and an inheritable nobility was conferred if the office was held for two successive generations (fixed at a length of 20 years for the father and the grandfather by the edict of the *taille* tax of 1600, death in office replacing this clause of duration). In 1604 the *paulette* tax was imposed, allowing magistrates to resign and hand over their office to whomever they pleased. This would free them from the forty-day clause, a period between the resignation and its realization, which it would normally be necessary to respect. This *paulette* sanctioned a process that had been underway for a century, establishing a specific manner of living nobly, through service to the King by way of the law. This is when the notion of “nobility of the robe” appears.
- 10 From the first, the usage of the notion of the robe in a nobiliary context was opposed to the nobility whose function was war. At all events, it indicated the conflicts between noble magistrates and those men-at-arms whose nobility partook of a military function. For the latter, many authors insisted upon the ancient or immemorial lineage, in contrast with the supposedly recent ennobling of the magistrates of the long robe. In one of the first uses of the expression of “nobility of the robe,” in 1607, Étienne

Pasquier writes “Nobility of the long robe does not please Men-at-arms.”¹³ Yet the use of the syntagma “nobility of the robe” is rare. The expressions “men of the robe” and “men of the long robe” are more frequent, or yet the “the robe,” used more and more often in speaking of the nobility.

- 11 In the first half of the seventeenth century, “men-at-arms” was generally used in opposition to men of the robe, lawyers, and also referred specifically to military nobles. The appearance of the word “sword,” used to designate all nobles not of the robe can doubtless be explained by the symbolic importance of this object as sign and manifestation of the Second Estate’s domination, in the same way as the long robe marked affiliation with the king’s justice. Distinction and social superiority were not only matters of vocabulary, but also of a whole set of behaviors. Moreover, these were not the sole preserve of dominant groups but traversed the whole of the social body; the actors themselves brought them into play, in how they conceived of themselves with regard to others.¹⁴ The sword was part of these visible marks of distinction,¹⁵ fundamental to the period’s perception of conditions. Like the robe, it expressed a way of life and a function. It imposed a particular gait to those who bore it. Alone, however, it could not assure its bearer’s nobility in spite of royal legislation which regularly attempted to prohibit the sword to non-nobles. Its usage remained largely widespread.
- 12 By contrast, the expression “nobility of the sword” did not appear either in the sixteenth, or for a great part of the seventeenth century. For the meaning which denotes the military function implicitly linked to noble status, the first occurrence of the term “sword” seems to date to 1644. It can be found in the Corneille’s comedy *Le Menteur*, or *The Liar*, in which the first verse, pronounced by Dorante, is: “In the end I left the robe for the sword.” The use of the term “sword” to indicate a noble was thus later than that of “robe.” Besides this, the usage of the descriptor “of the sword” did not always mean nobility in the texts of the first half of the seventeenth century. For quite some time it meant first of all the profession of arms, a profession that military developments had long disconnected from belonging to the Second Estate, (including captains). Since the edict of January 1634, it was no longer necessarily ennobling.¹⁶ In the same way, the sword was not necessarily in opposition to the robe. In 1656, Georges de Brébeuf uses “man of the sword” in this way to contrast with a ‘man of the pen’ in order to praise someone who had mastered both arts.¹⁷ As much as the robe became an overarching term referring to a nobility linked to a “condition” (the exercise of high offices of justice), the term “of the sword” remained for a long time more polysemous. Significantly, however, the notion of “short robe” disappeared almost entirely (excepting the designation of the *Lieutenant criminels* at the Châtelet prison under Louis XIV). This designation for the status of an arms-bearing judge was no longer coherent with the new dichotomy coming into being. June 7, 1654, a parliamentary proceeding decreed that in the future there would be only six counselors of the long robe and six of the sword. The latter term had at that point replaced the one used by “short robe” in the sixteenth century.¹⁸
- 13 The expression “nobility of the robe” appeared earlier, doubtless because it designated a type of ennobling specific to a well-defined group – that is those possessing the offices of the magistracy granting nobility. “Nobility of the sword,” then, was forged in opposition to the former, came much later and expressed a modification in the social perception of the realities thus named. In fact, in the final analysis, this perception was not based on a type of ennoblement, but referred to an operation of categorizing with

the Second Estate, distinguishing not only two types of nobility, but two specific nobiliary groups.

Ancientness and Service: The Bases of a Distinction under Louis XIV

- 14 Even if Italian legal experts had long constructed theories concerning the idea of a political nobility, whose existence would be inconceivable outside of service to the prince, the nature of this service was not necessarily war.¹⁹ Further to that, even if the men of *parlement* produced a discourse concerning their own nobility,²⁰ it was only with the reign of Louis XIV that the idea of a nobility divided into two orders of service came to make up part of the legal definition of the Second Estate, or of the monarchy's practical verification of belonging to it.²¹ The Crown desired a reform of the nobility, which in the 1660s took the form of investigations launched by Colbert. To enact this reform, commissioners were entrusted with the duty of seeking out usurpers of nobility, by demanding that nobles show proof of their rank going back to the year 1560. The definition of nobility prevailing everywhere at that point was a compromise between two ideas. One was that of a political nobility, in which all nobility resulted from the Crown. The other was that of a natural nobility, transmitted by blood, and whose ancient origins guaranteed its superiority.²² This was the claim of a certain number of nobles who, from the time the Wars of Religion had been calling themselves heirs to a feudal nobility whose origins were lost in the mists of time. Service by arms, that is the sword, therefore was assimilated to this ancient nobility, while the robe referred to a supposedly recent origin, corresponding to the perception of a nobility conferred through venal offices. The nobility was thus divided into two distinct groups based on two different services to the king, through arms and through law, corresponding to two opposing origins, ancient and recent. Together, these assertions ideologically ensured the hierarchical superiority of the sword over the robe, sanctioned by the very definition given by the Crown.
- 15 The excerpt of the work by Courtilz de Sandras gives us a clear view of this. In writing his anecdote about the Marquis de Renel, he repeated this division that had come to structure how men of the time perceived the Second Estate. It was, moreover, in the last quarter of the seventeenth century that the expression "nobility of the sword" appears as such. The *Armorial Général* distinguished between families of the robe and the sword, from which it sometimes separated those coming from the patriciate.²³ The syntagma "nobility of the sword" was used by Furetière in 1690 under the rubric "robe": "The nobility of the sword places itself above that of the robe."²⁴ This superiority is clear in Courtilz's text. The Marquis de Renel, son of a *maître de camp général* of the light cavalry who fell at the siege of Cambrai in 1677, and grandson of a Lieutenant-general of the king's armies, was requesting for himself the latter office. But Louis XIV had a "low opinion of his Nobility" and believed him to be of bourgeois origin, thus recent and inferior to that of the members of the ancient noble houses that had always served by arms. To counter the idea in the king's mind that he was of recent nobility, Renel invoked the notion of "race", referring to the lineage of his ancestors "of as good a House" as the majority of dukes and peers, through its ancientness, services rendered to the kings of France, and the sword always worn at their side – that is, when they were not of the Church like the Cardinal d'Amboise. Age of house and service through arms, such were the elements of distinction at the very heart of the Second Estate.

- 16 The whole of nobiliary history was at that point understood (and retroprojected on to the past) by the light of this new legal definition, through these categories of robe and sword, even if authors differ in opinion. Claude-François Ménéstrier, Jesuit heraldist, asserted that the same dichotomy existed in all European countries between immemorial nobles and the ennobled. He divided the latter into two orders: “one Military, one Patrician, that we still call today Nobility of the Sword and of the Robe.”²⁵
- 17 The expressions “robe” and “sword,” – which at the beginning of the seventeenth century meant conditions – were progressively taken up to designate two noble groups, two opposing categories made up of these conditions, which will eventually be understood as two different estates, but which transform their meaning and the perimeter. The superiority of one over the other was considered absolute, and not relative to places or moments, even if, practically speaking, that did not translate to the organization of ceremonies. For the families, the social and political consequences were tangible on specific occasions

The Political and Social Stakes of Categories: Sites of Discord and Production of Classification

Ideological Borders, Social Borders: Between Monarchical Practice and Nobiliary Discourse

- 18 The process of categorizing the nobility into “robe” and “sword,” with the law taking up this definition following the monarchy, had unforeseen social consequences. These stemmed from the practical implementation of the compromise upon which this definition was based, making an alliance of service to the king with ancientness of lineage. The monarchy emphasized a such ancientness as a criterion of distinction already dominant in social life, validating a desire to close ranks that emerged among certain nobles in the second half of the sixteenth century.²⁶ The investigations into nobility had progressively intensified. Proof was to be brought before the king’s genealogists in order to gain access to certain offices, certain places, or yet to be presented to the king. Often, the degree of ancientness grew over time, to the point that, from 1760 on, obtaining the honors of court presumed proof of a noble lineage going back to 1400 at least, with no trace of an anterior ennoblement.²⁷ As very few families could comply with such a request, the king was put in the position of arbitrator, since he could, through his grace, overrule the demands imposed by his genealogists and thus bring into his entourage persons of less ancient houses. Nor did he deprive himself of this ability. If Courtilz de Sandras lent to Louis XIV a discourse conforming to the ideology of the ancientness of a noble house, the king still asserted that he alone had the capacity to ennoble and to choose his counselors by rewarding merit.
- 19 Hence the regular recriminations of certain nobles who, like Count Henri de Boulainvilliers, wished to prescribe a classification of the nobility depending upon ancientness. In his eyes, this criterion of distinction within the Second Estate was the sole valid one²⁸ – to the extent, furthermore, that this distinction was also to allow ranking nobles of the sword, who, in this point of view, were not all equal.²⁹ According to these terms, the opposition between robe and sword, between bourgeoisie and true nobility, also structured the political views of Saint-Simon.³⁰ He considered that men of

the robe came to compete with nobles in the bid for offices reserved to them. The radical condemnation of the claims of *parlement*, which were “new” according to the duke, referred to a global critique of the policy of Louis XIV: “The king never denies in the slightest way his distinguished preference, marked in all things, of the robe over the sword, and the bourgeois over the noble.”³¹ The distinction between robe and sword was thus at the heart of the political clash between different conceptions of the place of the nobility within the absolute monarchy. Court, nobiliary treatises, and institutions demanding proof of ancientness were the main social spaces in which this discourse was developed, incessantly bringing this border into play and setting it forth as something both obvious and intangible.

Social Careers and Social Assignments: the Sword of Damocles

- 20 Yet the social careers that the historian can reconstruct did not correspond to these ideological borders which from that point on structure the conception of the nobility. Families with both men of the robe and men of the sword were plentiful and the example of the Potier family is enlightening. Descendants of a counselor to *parlement* in the mid-sixteenth century, they were divided into two branches. The first invested the robe and obtained the presidency of the *parlement* of Paris. The second turned to arms and joined the court, gaining the title of duke and peer.³² These two branches, in contact throughout the seventeenth century, fell out during the 1664 quarrel of the *bonnet*. Still, at the same time they maintained a great solidarity in other matters and married several members into families at all levels of the functional elites of the realm. Many examples of this kind show to what extent great families invested different *loci* of power and transcended the rift between robe and sword, a rift that was, however, asserted with so much emphasis in other aspects of social life. It was thus possible for men of the robe to place a child in the army at a lower cost. Nicolas Goulas said so explicitly: speaking of the eldest child of the president of *parlement*, Pierre Viole, he stated that he “wanted to belong to the sword, as his father had not the means to bring him into his [the father’s] profession.”³³ Career possibilities were, moreover, not as brilliant, as we can see in the example of the Potier family. For families belonging to the robe, called “robines,” the army, like the Church, was often where younger offspring were placed, while the eldest continued the family line on the bench. Since, in the course of war, soldiers married later and died younger the risks of extinguishing the younger branch were both quite high and well known. At the same time, the chances of glory attained on the field of battle and covering the whole of the family were much smaller.³⁴
- 21 These highly contrasting social careers show that, on the scale of great lineages, social segmentation was fairly frequent. Families of noble elites sometimes came from the same milieu, from the urban patriciate. In some cases, though, they found themselves, as part of the upper echelons of the robe, tarnished by doubt about their legitimacy, while others, on their lands, enjoyed little in the way future perspectives, but remained proud of their supposedly ancient family.³⁵ Within this patrician sphere, families often had roles that had become incompatible for one sole individual to take on. We can take for example the Mesgrigny family. At the end of the fifteenth century, they, like many other elite families of Troyes, were, at the same time, merchants, men-at-arms, and lords.³⁶ The definition of nobility had changed. For a long time, that definition was one of custom, with the monarchy almost never interfering in these questions, except in

fiscal matters. When the monarchy did so, taking up the ideology of ancientness as asserted by the feudal nobility whose function was war, it was with much stricter criteria. Its definitions did not take into consideration the possible coexistence of multiple qualities within one individual. And yet such a coexistence had been the ordinary manner of social life in the fifteenth and beginning of the sixteenth centuries.

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- 22 Thus the characterization of the Potier family as being overall either of the robe or of the sword, was largely a matter of taking a position on their social origin. These ascriptions of identity partook of ideological considerations about the definition of nobility, part and parcel of the stakes stemming from both the mutation of the Second Estate and internal conflicts among the dominants for the legitimization and definition of their powers. There were social consequences to this devaluing of robe nobility, sullied as they were with the suspicion of common origin, with their social ascent further interrupted when Colbert fixed the prices of offices in 1665.³⁸
- 23 This is the lesson to take away from the text of Courtilz de Sandras, concerning the speed of career advancement at court and in the army. Jean de Plantavit de La Pause tells the story of Catinat, son of a *parlement* counselor, who later became *Maréchal de France*. He had been insulted by the Duc de La Ferté when he was only a *cornette* in the cavalry “merely because he was son of a man of the robe and that he (the duke) did not want to allow into the cavalry, he said, men of such stuff.”³⁹ Those of the robe but recently ennobled could not have their estate contested but neither could they make others forget the stain of commonness. The Mesgrigny were a good example of the kind of complex and mobile family whose professions spanned from trade to arms. Such lineages found themselves in a delicate position in the face of investigations that might harm the careers of their members however long they had been integrated into the Second Estate.⁴⁰ This new essentialized conception of the nobility was projected back to former times, themselves entirely reinterpreted by this yardstick. Social mobilities of the past could then compromise the social mobilities of the present within the Second Estate. The ideological victory did indeed go to the nobility of the sword, assimilated to a natural nobility by blood. This, however, did not keep the nobility “of the sword” from being investigated as to their origins and unable to produce proof of it. As a result, bitterness and resentment grew among them.

New Classifications and Social Groups in the Eighteenth Century

- 24 The eighteenth century saw an increase in suggestions for categorizing society, especially its upper echelons. This was due to several elements: the gap between social realities and the categories of robe and sword, the diversification of monarchical elites, as well as the political stakes in the opening or closing the ranks of the nobility. Although the usage of the expression “nobility of the sword” does become looser at this point, it remains uncommon. More and more often, other concepts than “robe” appear which oppose of “sword.” “Church” is among them,⁴¹ but so are “cabinet” and “Court.” The latter was posited as a homogeneous authority in judgment of actions, with unmitigated power over the careers of nobles of the sword, and to which those nobles were held accountable. Its unspoken composition included the king, his ministers and the great courtiers.⁴² As La Bruyère wrote, “It seems as though the hero belongs to but one profession, that of war, while the great man belongs to any and all, be it that of the robe, the sword, the cabinet or the court.”⁴³ A third category, especially, emerges in the

primary sources, in relation with the robe and the sword: finance.⁴⁴ Many eighteenth-century authors continually represented the disdain between what can at this point be distinguished as different estates– robe, sword, or church⁴⁵, or again robe, sword, and finance – but they also place robe and sword on the same level.⁴⁶

- 25 At the same time there was a proliferation of reflections about the nobility, stemming from the tensions created by the definition of the Second Estate under Louis XIV. Several authors suggested classifications, like the Cardinal de Bernis in his *Memoirs* where he distinguished between ten classes. The first were the descendants of sovereigns and princes, and the last those ennobled through money, less than a century before. Ancientness was central to this ranking, but the sixth level included those who had been granted nobility “not long ago, through large-scale trade, while the seventh comprises those who have been recently ennobled through immortal works of prose or poetry” etc.⁴⁷ He specified that

The hero, of whatever kind, who has personally acquired nobility must be elevated to the first rank, since virtue is the principle of nobility. It would be shameful to that rank, had Fabert and Catignat been included among the new nobles, but it is right and proper that their descendants should be ranked in the class they belong to.⁴⁸

- 26 It should be noted that Bernis accepted a commercial nobility. The Abbé Coyer, as we know, placed the nobility of the sword in opposition to the nobility of commerce, asking that the former respect and recognize the prerogatives and the privileges of the latter⁴⁹, provoking a heated debate. The Crown had first set the example of entirely new rankings which, for tax reasons, put the orderly representations of society into confusion.⁵⁰
- 27 This process of categorization, and the diversity of attempts to rank, mark a new relationship to society, a need for description and comprehension, as much as they mark their underlying political struggles.⁵¹ They also manifest the breakdown of a hierarchical manner of thought, based on the idea of an ordering rather than a ranking.⁵² This transformation modified the very notion of what was designated by the terms “sword,” “robe,” and others, which were in fact conceived as social categories during the second half of the seventeenth century and still more in the eighteenth. The robe/sword antagonism partook of this intellectual construct, even with those who regretted it, and who mocked it, such as, for differing reasons, La Bruyère,⁵³ Voltaire,⁵⁴ and Rousseau. For the latter, “[t]he two estates of man of the sword and man of the robe were unknown to the ancients. Citizens were not by profession soldiers, priests or judges; they were everything through duty.”⁵⁵

- 28 Thus, the question of social borders carried over from the space of the court and of institutions demanding proof of nobility. It fueled the vast, developing debate concerning the social and political justifications of the existence of the Second Estate. At the same time, its diversity, its internal disputes, and the immense disparity in fortunes were obvious to one and all.⁵⁶ Also, this was happening in the second half of the eighteenth century, at the same time that the Enlightenment was questioning the injustices specific to the foundations of the nobility as a whole, all categories included, as well as the privileges stemming from their social position.⁵⁷

- 29 Social divisions bear a historic weight that cannot and must not be left aside. The French Revolution denounced the objective solidarity of the nobility that underlay its divisions. This denunciation, as proclaimed by the Abbé Sieyès,⁵⁸ unified, under the term “aristocracy,” all the distinctions that made the nobility a highly diverse Estate.⁵⁹ So effective was this unification that it was progressively applied to all the enemies of the Revolution.⁶⁰ The reconstruction of an imperial nobility and the Restoration’s reorganizations were made on different bases.⁶¹ They thus further obscured the continued process of social construction of what authors of the time, evoking the Old Regime as a whole, called the “nobility of the sword” and the “nobility of the robe.” In doing so, they took up expressions forged at the end of the seventeenth century, which fully corresponded to the new conception of society divided into classes as specific reality and an object of knowledge.⁶² Saint-Simon’s insistent idea of an alliance between the monarchy and the bourgeoisie against the nobility was to have a long and solid posterity among those nostalgic for the Second Estate. That group sees in the thinker’s notion the cause of the decadence of the monarchy and the Revolution. The construction of two categories encompassing families linked to either of these roles has become constitutive of the perception of the Second Estate. It will remain in place in nobiliary studies, while being projected onto earlier periods. Only a social history that fully takes into account the social, political, and legal processes of categorization is equal to undoing these operations of naturalization of the social order so that we can fully understand its historical import.

NOTES

1. Translator’s note: Close in definition to the notion of “blood,” through which nobility was supposedly transmitted, the concept of “noblesse de race” signified an ancient nobility inherited through the male line across many generations.
2. [Gatien COURTILZ DE SANDRAS], *Annales de la Cour et de Paris pour les années 1697 & 1698*, first volume, Cologne, Pierre Marteau, 1701, p. 180-185.
3. For recent perspectives on this question, see Robert DESCIMON and Élie HADDAD (dir.), *Épreuves de noblesse. Les expériences nobiliaires de la haute robe parisienne (XVI^e-XVIII^e siècle)*, Paris, Les Belles Lettres, 2010, particularly the conclusion by R. DESCIMON, « Nobles de lignage et noblesse de service. Sociogenèses comparées de l’épée et de la robe (XV^e-XVIII^e siècle) », p. 276-302.
4. Notary archives are at the heart of this effort at restoring individual and familial social careers.
5. François-André ISAMBERT et al., *Recueil général des anciennes lois françaises depuis l’an 420, jusqu’à la Révolution de 1789*, t. XIV, Paris, Belin-Leprieur, 1829, p. 77.
6. François-André ISAMBERT et al., *Recueil général des anciennes lois françaises depuis l’an 420, jusqu’à la Révolution de 1789*, t. XIV, Paris, Belin-Leprieur, 1829, p. 314 et 624.
7. This rank varies according to the ceremony, the people and the *corps* (corporate bodies) present. Fanny COSANDEY, *Le Rang. Préséances et hiérarchies dans la France d’Old Regime*, Paris, Gallimard, 2016.

8. See, for example, Symphorien CHAMPIER, *Les Gestes ensemble la vie du preulx Chevalier Bayard*, éd. Denis Crouzet, Paris, Imprimerie Nationale, 1992 [1525].
9. This is the case of Blaise de Monluc, who, at the beginning of his *Commentaires* addresses the “captains,” who for him are obviously noblemen. B. de MONLUC, *Commentaires 1521-1576*, Paris, Gallimard, 1964 [1592], p. 21sq.
10. Ellery SCHALK, *L'Épée et le sang : une histoire du concept de noblesse*, Seyssel, Champ Vallon, 1996 [1986]. The French title, translating *From Valor to Pedigree*, is misleading.
11. In Beauce, for example, as shown by Jean-Marie CONSTANT, *Nobles et paysans en Beauce aux XVI^e et XVII^e siècles*, Lille, Service de reproduction des thèses Université Lille III, 1981.
12. One example: “By the decree of 16 February of said year 1526, between said *procureur-général* and Jacques and Julien, called the de Fontaine brothers, it is said that these same de Fontaines have duly verified by both letters and witnesses their extraction from ancient nobility, and by this means orders that they will enjoy the said privilege of nobility and will be free and exempt of payment and contribution to the *taille* tax together with their posterity and lineage both born and yet to be born in loyal marriage, in living nobly, with coat and arms, and without doing anything that would derogate them from this status and privilege of nobility.” BNF, NAF 12394, *Recueil d'arrêts du parlement de Normandie relatifs aux preuves de noblesse, avec quelques blasons coloriés (1473-1527)*, p. 82.
13. Étienne PASQUIER, index to *Recherches de la France*, Paris, C. Sonnius, 1607. See Albert CREMER, « La genèse de la notion de noblesse de robe », *Revue d'Histoire Moderne et Contemporaine*, 46/1, 1999, p. 22-38.
14. Laurence JEAN-MARIE and Christophe MANEUVRIER (dir.), *Distinction et supériorité sociale (Moyen Âge et époque moderne)*, Caen, Publications du CRAHM, 2010.
15. For François L'ALOUËTE, bearing the sword was one of the six “marks of Nobles,” *Traité des Nobles et des Vertus dont ils sont formés*, Paris, R. Le Manier, 1577, livre I, chap. 8.
16. Louis TUETÉY, *Les Officiers sous l'Ancien Régime. Nobles et roturiers*, Paris, Plon, 1908. François BLUCHE and Pierre DURYE, *L'Anoblissement par charges avant 1789*, Paris, L'intermédiaire des chercheurs et des curieux, 1998 [1962], p. 83-91. See also, Alain TEXIER, *Qu'est-ce que la noblesse ? Droit et histoire*, Paris, Tallandier, 1988, p. 27-42.
17. Georges de BRÉBEUF, *Lucain travesty, ou les Guerres civiles de César et de Pompée en vers enjoués*, Paris, A. de Sommaville, 1656, p. 2.
18. François-André ISAMBERT et al., *Recueil général des anciennes lois françaises depuis l'an 420, jusqu'à la Révolution de 1789*, Paris, Belin-Leprieur, 1829, t. XVII, p. 313.
19. Armand ARRIAZA, « Noblesse politique et anoblissement : conception émergente au XIII^e siècle en France », *Revue historique de droit français et étranger*, 84/3, 2006, p. 333-351 ; Patrick GILLI, *La Noblesse du droit. Débats et controverses sur la culture juridique et le rôle des juristes dans l'Italie médiévale (XII^e-XV^e siècles)*, Paris, Champion, 2003.
20. On the social and ideological bases of the nobility of the robe, see Robert DESCIMON, « La haute noblesse parlementaire parisienne : la production d'une aristocratie d'État aux XVI^e et XVII^e siècles », in Philippe CONTAMINE (dir.), *L'État et les Aristocraties (France, Angleterre, Écosse), XII^e-XVII^e siècle*, Paris, Presses de l'ENS, 1989, p. 357-386, as well as « L'invention de la noblesse de robe. La jurisprudence du Parlement de Paris aux XVI^e et XVII^e siècles », in Jacques POUMARÈDE and Jack THOMAS (dir.), *Les Parlements de Province. Pouvoir, justice et société du XV^e au XVIII^e siècle*, Toulouse, FRAMESPA, 1996, p. 677-690.
21. On the investigations into the nobility, see Jean MEYER, *La Noblesse bretonne au XVIII^e siècle*, Paris, Éditions de l'EHESS, 1985 [1966] ; Valérie PIÉTRI, « Bonne renommée ou actes authentiques : la noblesse doit faire ses preuves (Provence, XVII^e siècle) », *Genèses*, 74, 2009/1, p. 5-24.

22. Robert DESCIMON, « Chercher de nouvelles voies pour interpréter les phénomènes nobiliaires dans la France moderne. La noblesse, “essence” ou rapport social ? », *Revue d'Histoire Moderne et Contemporaine*, 46/1, 1999, p. 5-21.
23. M. de LA ROCHE-LAMBERT-MIONS (dir.), *Armorial Général de France. Recueil officiel. Dressé en vertu de l'Édit royal du 20 novembre 1696 par Charles d'Hozier*, Paris, Archives de la noblesse, 1903, 5 vol.
24. Antoine de FURETIÈRE, *Dictionnaire universel*, La Haye, A. and R. Leers, 1690.
25. François MÉNESTRIER, *Les Diverses especes de Noblesse, et les manieres d'en dresser les Preuves*, Paris, R.J.B. de La Caille, 1685, p. 6.
26. Robert DESCIMON, « Chercher de nouvelles voies pour interpréter les phénomènes nobiliaires dans la France moderne. La noblesse, “essence” ou rapport social ? », *Revue d'Histoire Moderne et Contemporaine*, 46/1, 1999, p. 5-21.
27. On all this, see Benoît de FAUCONPRET, *Les Preuves de noblesse au XVIII^e siècle. La réaction aristocratique*, Paris, L'intermédiaire des chercheurs et curieux, 1999.
28. See the *Mémoire présenté à S.A.R. Monseigneur le duc d'Orléans dans le commencement de sa Régence pour la construction d'un nobiliaire général*. Par M.L.C.D.C.D.B. (1716), presented and published by Diego VENTURINO in Chantal GRELL and Arnaud RAMIÈRE DE FORTANIER (dir.), *Le Second ordre : l'idéal nobiliaire. Hommage à Ellery Schalk*, Paris, Presses de l'Université de Paris-Sorbonne, 1999, p. 227-247.
29. Henri de BOULAINVILLIERS, *Lettres historiques sur les Parlements de France que l'on nomme États généraux*, London, T. Wood and S. Palmer, 1753, t. 3, letter XII (1727), p. 112.
30. Jean-Pierre BRANCOURT, *Le Duc de Saint-Simon et la monarchie*, Paris, Éditions de Cujas, 1971.
31. SAINT-SIMON, *Mémoires*, Yves Coirault, ed., Paris, Gallimard, 1983-1988, t. V, p. 141.
32. The Potier family has been the object of a detailed study by Robert Descimon and myself, presented in our seminar at the EHESS in 2008.
33. Nicola GOULAS, *Mémoires et autres inédits de Nicolas Goulas, gentilhomme ordinaire de la chambre du duc d'Orléans*, Noémi Hepp ed, Paris, Champion, 1995, p. 119-120. These memoirs were written starting in 1664.
34. Hervé DRÉVILLON, *L'Impôt du sang. Le métier des armes sous Louis XIV*, Paris, Tallandier, 2005, p. 311.
35. Robert DESCIMON, « Élités parisiennes entre XV^e et XVII^e siècle. Du bon usage du Cabinet des Titres », *Bibliothèque de l'École des chartes*, t. 155, 1997, p. 607-644.
36. Françoise BIBOLET, *Les Institutions municipales de Troyes aux XIV^e et XV^e siècles (1354-1494)*, dissertation for the École nationale des chartes, 1941 ; « Les Assemblées générales des habitants de Troyes aux XIV^e et XV^e siècles : la Saint-Barnabé », *Mémoires de la Société académique d'agriculture, des sciences, arts et belles-lettres du département de l'Aube*, t. CI, 1946-1953, p. 15-25 and 31-51 ; « Les Fonctionnaires royaux à Troyes aux XIV^e et XV^e siècles », *Mémoires de la Société académique d'agriculture, des sciences, arts et belles-lettres du département de l'Aube*, t. CIII, 1961-1963, p. 5-17.
37. Robert DESCIMON, « Sites coutumiers et mots incertains : la formation de la noblesse française à la charnière du Moyen Âge et des Temps modernes » in Thierry DUTOUR (dir.), *Les Nobles et la ville dans l'espace francophone (XII^e-XVI^e siècles)*, Paris, Presses universitaires de Paris-Sorbonne, 2010, p. 341-357.
38. Robert DESCIMON, « La vénalité des offices comme dette publique sous l'Old Regime français. Le bien commun au pays des intérêts privés », in Jean ANDREAU, Gérard BÉAUR and Jean-Yves GRENIER (dir.), *La Dette publique dans l'histoire*, Paris, Comité pour l'histoire économique et financière française, 2006, p. 177-242.
39. Jean de PLANTAVIT DE LA PAUSE, *Mémoires. Livre second depuis 1681 jusqu'au mois de septembre 1695*, éd. Hubert de Vergnette de Lamotte, Paris, Éditions du CTHS, 2012, p. 197.
40. For a detailed study of the Mesgrigny, Élie HADDAD, « Classement, ancienneté, hiérarchie : la question de la définition de la noblesse à travers la querelle entre les Chérin et les Mesgrigny à la

fin du XVIII^e siècle », in Gilles CHABAUD (dir.), *Classement, déclassement, reclassement de l'Antiquité à nos jours*, Limoges, Pulim, 2011, p. 259-281.

41. « [T]he name of Forbin is fairly well known through the merit of several of those who have borne it, and who have long distinguished themselves in the Church, the Sword, and the Robe, », as writes Claude de FORBIN *Mémoires du comte de Forbin (1656-1733)*, éd. Micheline Cuénin, Paris, Mercure de France, 1993 [1729], p. 32.

42. Numerous examples in Claude de FORBIN, *Mémoires du comte de Forbin (1656-1733)*, éd. Micheline Cuénin, Paris, Mercure de France, 1993 [1729].

43. Jean de LA BRUYÈRE, *Les Caractères*, Paris, Librairie Générale Française, 1995 [1696], p. 167.

44. For example, Florent Carton DANCOURT, *La Foire de Saint-Germain*, Paris, T. Guillain, 1696, scène XVIII, p. 161.

45. MONTESQUIEU, *Lettres persanes*, Paris, Booking International, 1993 [1721], letter XLIV, p. 79.

46. Many occurrences for example in MARIVAUX, *La Vie de Marianne*, Paris, Gallimard, 1997 [1745], in Jacques de VARENNE, *Mémoires du chevalier de Ravanne*, Liège, s.n., 1740, and in A.-R. LESAGE, *Turcaret*, Paris, Départements étrangers, 1878 [1709].

47. François-Joachim de Pierre de BERNIS, *Mémoires du Cardinal de Bernis*, Paris, Mercure de France, 1986, p. 165-167.

48. François-Joachim de Pierre de BERNIS, *Mémoires du Cardinal de Bernis*, Paris, Mercure de France, 1986, p. 167.

49. Gabriel-François COYER, *La Noblesse commerçante*, London / Paris, Duchesne, 1756, p. 161.

50. See the analysis of the capitation tariff by Alain GUERY, « État, classification sociale et compromis sous Louis XIV : la capitation de 1695 », *Annales ESC*, 41/5, 1986, p. 1041-1060. Monarchical tax policy had considerable importance in the construction of social groups, particularly of the nobility and the Third Estate. See Rafe BLAUFARB, *The Politics of Fiscal Privilege in Provence, 1530-1830*, Washington, D.C, The Catholic University of America Press, 2012.

51. Daniel ROCHE, *La France des Lumières*, Paris, Fayard, 1993, p. 355-360.

52. Fanny COSANDEY, « Classement ou ordonnancement ? Les querelles de préséances en France sous l'Ancien Régime », in Gilles CHABAUD (éd.), *Classement, déclassement, reclassement de l'Antiquité à nos jours*, Limoges, Pulim, 2011, p. 95-103, and in the same book, Robert DESCIMON, « La société française avant les Lumières : une société hiérarchique ? », p. 51-69.

53. Jean de LA BRUYÈRE, *Les Caractères*, Paris, Librairie Générale Française, 1995 [1696], p. 359.

54. VOLTAIRE, *Essai sur les mœurs et l'esprit des nations, et sur les principaux faits de l'Histoire depuis Charlemagne jusqu'à Louis XIII*, Genève, s.n., 1769 [1756], t. III, p. 138.

55. Jean-Jacques ROUSSEAU, *Considérations sur le gouvernement de Pologne, et sur sa réformation projetée*, London, s.n., 1782 [1771], p. 102.

56. The idea of a relative impoverishment of the provincial nobility in favor of the world of the court is put forth by Jonathan DEWALD, « Régime nobiliaire en région avancée : essai d'un bilan », in Ariane BOLTANSKI and Alain HUGON (éd.), *Les Noblesses normandes (XVI^e-XIX^e siècle)*, Rennes, PUR, 2011, p. 289-299. On the disparity of fortunes in the Second Estate: Jean MEYER, *La Noblesse bretonne au XVIII^e siècle*, Paris, Éditions de l'EHESS, 1985 [1966] ; Michel NASSIET, *Noblesse et pauvreté. La petite noblesse en Bretagne. XV^e-XVIII^e siècles*, Rennes, Société d'histoire et d'archéologie de Bretagne, 1993 ; Guy CHAUSSINAND-NOGARET, *La Noblesse au XVIII^e siècle. De la Féodalité aux Lumières* (1977), Bruxelles, Complexe, 1984, chap. III.

57. For a reflection on the diversity of the Second Estate during the Enlightenment, on the global perception of that estate and on the relationship to Enlightenment thought, Pierre SERNA, « Le noble », in Michel VOVELLE (dir.), *L'Homme des Lumières*, Paris, Seuil, 1996, p. 39-92.

58. « [I]n one way or another, all the branches of executive power have also fallen into the caste that provides the Church, the Robe and the Sword. A sort of spirit of brotherhood makes Nobles

prefer each other, and in all things, to the rest of the Nation.”» Emmanuel SIEYÈS, *Qu'est-ce que le Tiers état ?*, s.l., s.n., 1789, p. 16.

59. David BIEN, « Aristocratie » in François FURET and Mona OZOUF (dir.), *Dictionnaire critique de la Révolution française. Idées*, Paris, Flammarion, 1992 [1988], p. 45-66.

60. Jean-Clément MARTIN, *Contre-Révolution, Révolution et Nation en France, 1789-1799*, Paris, Seuil, 1998.

61. Claude-Isabelle BRELOT, *La Noblesse réinventée. Nobles de Franche-Comté de 1814 à 1870*, Paris, Les Belles Lettres, 1992 [1972], 2 vol. ; David HIGGS, *Nobles, titrés, aristocrates en France après la Révolution, 1800-1870*, Paris, L. Levi, 1990 [1987] ; Étienne PAISNEL, « Au XIX^e siècle, une noblesse régénérée ? », in Ariane BOLTANSKI and Alain HUGON (éd.), *Les Noblesses normandes (XVI^e-XIX^e siècle)*, Rennes, PUR, 2011, p. 333-354.

62. Laurence KAUFMANN and Jacques GUILHAUMOU (ed.), *L'Invention de la société. Nominalisme politique et science sociale au XVIII^e siècle*, Paris, Éditions de l'EHESS, 2003 ; Marcel GAUCHET (dir.), *Philosophie des sciences historiques. Le moment romantique*, Paris, Seuil, 2002 [1988].

ABSTRACTS

“Nobility of the Robe” and “Nobility of the Sword,” two expressions commonly repeated in historiography of the nobility of the modern era, are not simple social descriptions. Their chronologically staggered appearance, and the development of their usage in the seventeenth century are the result of the transformations of the Second Estate, transformations which themselves stemmed from monarchical policy (development of the venality of offices, desire to control the definition of nobility) and from struggles for power among the elites of the realm. A social history of their uses should be confronted with an analysis of the social careers of Second Estate families. This would show to what extent these expressions are above all ascriptions referring to ideological confrontations, to value judgments about what the nobility should be, and, finally, to a desire to separate social spaces that were, nevertheless, porous. Such a history clearly shows how terms designating conditions become categories designating groups based on classification. These were changes that brought about great consequences as much for the future of noble families as for the concept of the nobility itself.

« Noblesse de robe » et « noblesse d'épée », deux expressions couramment reprises dans l'historiographie de la noblesse à l'époque moderne, ne sont pas de simples descriptions sociales : leur apparition – décalée chronologiquement – et le développement de leur emploi au XVII^e siècle sont le fruit des transformations du second ordre, elles-mêmes conséquences de la politique monarchique (développement de la vénalité des offices, volonté de contrôler la définition de la noblesse) et des luttes de pouvoir au sein des élites du royaume. Une histoire sociale de leurs usages, confrontée à l'analyse des parcours sociaux des familles du second ordre, permet de montrer combien ces expressions sont avant tout des assignations qui renvoient à des confrontations idéologiques, à des jugements de valeur sur ce que doit être la noblesse, à une volonté de séparer des espaces sociaux pourtant poreux. Elle met en évidence le passage de termes désignant des états à des catégories désignant des groupes fondés sur des opérations de classement. Autant de changements qui eurent de grandes conséquences tant sur le devenir des familles nobles que sur la conception de la noblesse elle-même.

INDEX

Keywords: nobility, France, Old Regime, early modern period, social history, social categories

Mots-clés: noblesse, France, Ancien Régime, époque moderne, histoire sociale, catégories sociales

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