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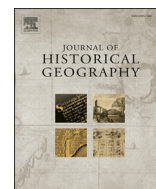


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## The atlas of local jurisdictions of Ancien Régime France

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## ABSTRACT

This article describes the construction and content of an atlas of local jurisdictions of Ancien Régime France: *bailliages*. *Bailliages* were at the center of the Ancien Régime's jurisdictional apparatus: they administered the ordinary royal justice, delineated the area of influence of heterogeneous customary laws, and served as electoral constituencies for the Estates General of 1614 and 1789. Yet, their territorial extent was relatively unknown to the royal authority, leading early scholars to assert the impossibility of mapping the geography of *bailliages*. Based on Armand Brette's *Atlas des bailliages et juridictions assimilées* published in 1904, we develop a historical geographic information system containing shapefiles and associated data files of *bailliage* courts at the time of the convocation of the Estates General of 1789. This new source has many potential applications, including mapping the different legal systems that coexisted in France, such as Roman law in *pays de droit écrit* and customary law in *pays de droit coutumier*, and studying elections to the Estates General of 1789.

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The legal system of Ancien Régime France was inherently complex and fragmented.<sup>1</sup> A myriad of local justices enforced a heterogeneous set of rules that varied from parish to parish, effectively regulating social and economic relations.<sup>2</sup> At the core of this jurisdictional apparatus were *bailliages*.<sup>3</sup> *Bailliage* courts administered the ordinary royal justice and had the authority to try civil and criminal cases of ordinary importance in first instance. They also had appellate jurisdiction over cases from inferior, subordinate courts. Beyond their legal attributions, *bailliages* were key administrative divisions: they delineated the areas of influence of

various local customary laws and were used as electoral constituencies for the Estates General of 1614 and 1789. Despite their importance, and much as other jurisdictions at the time, the territorial extent of *bailliages* was relatively unknown to the royal authority. In fact, the complexity of their limits led early scholars to assert the impossibility of mapping the geography of Ancien Régime *bailliage* jurisdictions.

This article describes the construction and content of a historical geographic information system (GIS) of *bailliages* in 1789: the *Atlas of Local Jurisdictions of Ancien Régime France*. This shapefile and associated data files are based on Armand Brette's *Atlas des bailliages et juridictions assimilées*.<sup>4</sup> This source overcomes uncertainty over the territorial extent of *bailliages* by taking advantage of a unique opportunity to gain insight into their territorial organization: the convocation of the Estates General of 1789, which used

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<sup>1</sup> Jean-Pierre Royer, *Histoire de la justice en France* (Paris: Presses universitaires de France, 1995); Didier Catarina, *Atlas des justices et seigneuries de Languedoc 1667–1789* (Toulouse: Fédération Historique de Midi-Pyrénées, 2014); Béatrice Fourniel, 'La carte judiciaire d'Ancien Régime: un enchevêtrement de ressorts', in *Atlas historique: Auvergne, Bourbonnais, Velay*, ed. by Stéphane Gomis (Clermont Ferrand: Université Clermont Auvergne, 2017).

<sup>2</sup> *Les justices de village. Administration et justice locales de la fin du Moyen Âge à la Révolution*, ed. by François Brizay, Antoine Follain, and Véronique Sarrazin (Rennes: Presses universitaires de Rennes, 2003).

<sup>3</sup> Jean-Michel Gorry 'Les bailliages royaux', in *Atlas archéologique de Touraine*, ed. by Elisabeth Zadora-Rio (Tours: FERACF, 2014).

<sup>4</sup> Armand Brette, *Atlas des bailliages ou juridictions assimilées ayant formé unité électorale en 1789 dressé d'après les actes de la convocation conservés aux Archives nationales* (Paris: Imprimerie Nationale, 1904). A geographic information system (GIS) is a type of database that links each element of data to a spatial location. GIS data are typically stored in shapefile format, which is a geospatial vector data format that consists of a set of files that collectively store both geometric and attribute data for geographic features. Attribute data are stored in attribute tables in dbf format. See Ian N. Gregory and Paul S. Ell, *Historical GIS: Technologies, Methodologies and Scholarship* (Cambridge: Cambridge University Press, 2007).

these jurisdictions as electoral constituencies. In particular, the text of the convocation as well as the minutes of bailliage assemblies in the preparation of these Estates precisely document the territorial distribution of parishes among bailliages.<sup>5</sup>

Since the publication of Brette's atlas, there have been several attempts to make its content accessible to researchers using modern mapping standards. In their *Atlas de la Révolution française*, for instance, Marie-Vic Ozouf-Marignier, Daniel Nordman, and Alexandra Laclau published a simplified version of Brette's map by representing the boundaries of bailliages – without additional information, such as bailliages' names or types – on a paper map at a scale an order of magnitude below the precision of Brette's original maps.<sup>6</sup> Later, several regional historical atlases published digital (that is, as PDF or JPEG) versions of bailliage maps using more precise scales but focusing on limited parts of the territory, such as Languedoc or Touraine.<sup>7</sup> In contrast, our atlas covers the entire territory and goes beyond these paper or digital maps by disseminating Brette's atlas as a historical GIS along with a set of attribute tables containing comprehensive information on the toponymy and characteristics of each bailliage. The data we propose can therefore be used directly by researchers and is compatible with other research programs that use localized historical information on Ancien Régime France.<sup>8</sup>

Creating a historical GIS of bailliages based on Brette's atlas poses several methodological challenges. Despite its widespread use in historical geography, Brette's atlas is not without limitations. Most importantly, these maps do not represent the exact territorial limits of bailliages. Rather, they indicate whether a particular parish or town belonged to a particular bailliage. As a result, the most common method used to construct geographic information systems based on historical maps – the vectorization of boundaries – would produce substantial inaccuracies, especially in regions where jurisdictions are highly fragmented. We propose a novel methodology that overcomes these limitations by combining GIS techniques with the use of historical toponymies. We also design our atlas in both polygon and point form to mitigate the methodological issue of a polygon representation of intertwined jurisdictions. This method can be emulated in many cases when creating historical GISs based on historical maps.

Our work contributes to the historical geography of administrative jurisdictions through GIS methods, which have gained a central place in historical geography scholarship along with the

spatial turn in the humanities.<sup>9</sup> Indeed, historical GISs have undergone significant developments in the last two decades for France (*TRF-GIS*, 1870–1940), Germany (*HGIS Germany*, 1820–1914), Great Britain (*Great Britain Historical GIS*, 1801–2001), the Netherlands (*NLGis*, 1812–1997), and the United States (*NHGIS*, 1790–2022).<sup>10</sup> The use of GIS in humanities research has enabled historians to radically change the way they think about space.<sup>11</sup> In France, early scholarship in the late nineteenth and early twentieth centuries focused on spatial considerations related to the creation of départements in the context of the centennial of the Revolution.<sup>12</sup> This field then experienced renewed interest in the late twentieth century with the prospect of the bicentennial of the Revolution.<sup>13</sup> Nevertheless, historical GISs have focused almost exclusively on nineteenth- and twentieth-century administrative constituencies, limiting the ability of historians and social scientists to analyze anterior historical spatial processes – some exceptions for pre-industrial periods include historical GISs for Ireland (*The Down Survey of Ireland*, 1656–8), the Netherlands (*Historical Atlas of the Low Countries*, 1350–1800), Portugal (*Atlas Cartografia Histórica*,

<sup>9</sup> Gregory and Ell, *Historical GIS; The Spatial Humanities: GIS and the Future of Humanities Scholarship*, ed. by David Bodenhamer, John Corrigan, and Trevor Harris (Bloomington: Indiana University Press, 2010); *Toward Spatial Humanities: Historical GIS and Spatial History*, ed. by Ian N. Gregory and Alistair Geddes (Bloomington: Indiana University Press, 2014).

<sup>10</sup> For France, see Jean-Luc Pinol, 'Les systèmes d'information géographique et la pratique de l'histoire', *Revue d'histoire moderne & contemporaine* 58 (2011) 111–26; Victor Gay, 'Mapping the Third Republic. A Geographic Information System of France (1870–1940)', *Historical Methods: A Journal of Quantitative and Interdisciplinary History* 54 (2021) 189–207. For Germany, see Andreas Kunz, *Das Historische Informationssystem HGIS Germany und seine Module* (Mainz: HGIS-Germany, 2008). For Great Britain, see Humphrey Southall, 'Rebuilding the Great Britain Historical GIS, Part 1: Building an Indefinitely Scalable Statistical Database', *Historical Methods: A Journal of Quantitative and Interdisciplinary History* 44 (2011) 149–59; Humphrey Southall, 'Rebuilding the Great Britain historical GIS, part 2: A Geo-Spatial Ontology of Administrative Units', *Historical Methods: A Journal of Quantitative and Interdisciplinary History* 45 (2012) 119–34; Humphrey Southall, 'Rebuilding the Great Britain Historical GIS, Part 3: Integrating Qualitative Content for a Sense of Place', *Historical Methods: A Journal of Quantitative and Interdisciplinary History* 47 (2014) 31–44. For the Netherlands, see Vyacheslav Tykhonov, Richard Zijdeman, and Jerry de Vries, *NLGIS-2: Website of Netherlands Geographic Information System* (Amsterdam: International Institute for Social History, 2014). For the United States, see Catherine A. Fitch and Steven Ruggles, 'Building the National Historical Geographic Information System', *Historical Methods: A Journal of Quantitative and Interdisciplinary History* 36 (2003), 41–51; Steven Manson, Jonathan Schroeder, David Van Riper, Tracy Kugler, and Steven Ruggles, *IPUMS National Historical Geographic Information System: Version 18.0* (Minneapolis: IPUMS, 2023).

<sup>11</sup> Luís Espinha da Silveira, 'Geographic Information Systems and Historical Research: An Appraisal', *International Journal of Humanities and Arts Computing* 8 (2014) 28–45; Gregory and Ell, *Historical GIS*, pp. 1–19; Patricia Murrieta-Flores and Bruno Martins, 'The Geospatial Humanities: Past, Present and Future', *International Journal of Geographical Information Science* 33 (2019) 2424–9.

<sup>12</sup> See a review of this early scholarship in Nicolas Verdier and Marie-Vic Ozouf-Marignier, 'Circonscriptions et réseaux de voies: un angle mort de la géographie historique', *Études rurales* 188 (2011) 114–42.

<sup>13</sup> *Paroisses et communes de France. Dictionnaire d'histoire administrative et démographique*, ed. by Jean-Pierre Bardet and Jacques Dupâquier (Paris: Éditions du CNRS, 1974–91); Guy Arbellot, Jean-Pierre Goubert, Jacques Mallet, and Yvette Palazot, *Carte des généralités, subdélégations et élections en France à la veille de la Révolution de 1789* (Paris: Éditions du CNRS, 1986); Marie-Vic Ozouf-Marignier, *La formation des départements. La représentation du territoire français à la fin du XVIIIe siècle* (Paris: Éditions de l'EHESS, 1989); *Atlas de la Révolution française*, ed. by Serge Bonin and Claude Langlois (Paris: Éditions de l'EHESS, 1987–2000); Anne Zink, *Pays ou circonscription. Les collectivités territoriales de la France du Sud-Ouest sous l'Ancien Régime* (Paris: Publications de la Sorbonne, 2000); Claude Motte, Isabelle Ségué, and Christian Théré, *Communes d'hier, communes d'aujourd'hui. Les communes de la France métropolitaine, 1801–2001. Dictionnaire d'histoire administrative* (Paris: INED, 2003); *Des paroisses de Touraine aux communes d'Indre-et-Loire. La formation des territoires*, ed. by Elisabeth Zadora-Rio (Tours: FERACF, 2008); *Le canton. Un territoire du Quotidien?*, ed. by Yann Lagadec, Jean Le Bihan, and Jean-François Tanguy (Rennes: Presses universitaires de Rennes, 2009).

<sup>5</sup> Parishes were the most granular level of administration in Ancien Régime France – there were nearly forty-four thousand parishes in 1789. They encompassed three notions that did not overlap everywhere: the ecclesiastical parish, the fiscal parish, and the inhabitants community. The notion of fiscal parish was central during the transition to *municipalités* in 1789–93 and later to communes. See Jean-Michel Gorry, 'Des communes de la Révolution aux communes actuelles', in *Des paroisses de Touraine aux communes d'Indre-et-Loire: la formation des territoires*, ed. by Elisabeth Zadora-Rio (Tours: FERACF, 2008), pp. 121–83; Jean-Michel Gorry 'Des communes de 1790 aux communes actuelles', in *Atlas archéologique de Touraine*, ed. by Elisabeth Zadora-Rio (Tours: FERACF, 2014).

<sup>6</sup> Marie-Vic Ozouf-Marignier, Daniel Nordman, and Alexandra Laclau, 'Les bailliages électoraux en 1789', in *Atlas de la Révolution française. Le territoire (2). Les limites administratives*, ed. by Daniel Nordman and Marie-Vic Ozouf-Marignier (Paris: Éditions de l'EHESS, 1989) pp. 21–9.

<sup>7</sup> Elie Pélaquier, *Atlas historique de la province de Languedoc* (Montpellier: C.R.I.S.E.S., 2009); Gorry 'Les bailliages royaux'.

<sup>8</sup> As noted by Ian N. Gregory and Richard G. Healy in 'Historical GIS: Structuring, Mapping and Analysing Geographies of the Past', *Progress in Human Geography* 31 (2007) 638–53 (p. 639–40): 'Electronic databases are far more useful and useable than their paper counterparts, but ironically it is harder for them to gain academic standing and for their creators to receive due recognition'.

1758–2001), and colonial Spanish America (*HGIS de las Indias*, 1701–1808).<sup>14</sup> We contribute to filling this gap by providing one of the first curated historical GIS of administrative boundaries in Ancien Régime France.<sup>15</sup> It will further enable historical geographers to contextualize and explore the spatial dynamics of historical processes related to the complex jurisdictional landscape of Ancien Régime France.

The atlas we propose has many potential applications. First, it will empower historical geography and empirical research in the context of Ancien Régime France by providing an underlying GIS of reference for bailliages – a central jurisdiction in the regulation of Ancien Régime society. Second, because legal rules differed across bailliage jurisdictions, our historical GIS can be used to map the different legal systems that coexisted in France, such as Roman law in *pays de droit écrit* and customary law in *pays de droit coutumier*.<sup>16</sup> More precisely, each bailliage can be associated with a set of customary laws, so the map of bailliages is a necessary preliminary step to the construction of a customary map.<sup>17</sup> Customary boundaries then make it possible to study how different legal institutions emerge or affect societies. For instance, it has recently been used to map the spatial distribution of pre-Revolutionary inheritance rules and study how the unification of these rules in 1793 contributed to France's early fertility decline.<sup>18</sup> Third, because bailliages were used as electoral constituencies for the Estates General of 1789, our resource will be valuable for studying the social, political, and economic conditions leading up to the Revolution.<sup>19</sup> In particular, bailliages can be matched with the individuals elected to the Estates General – all listed in Brette (1894–1915) – and with the locations where the *cahiers de doléance* were produced, a source

commonly used to study the state of the country on the eve of the Revolution.<sup>20</sup> Fourth, because royal agents headed each bailliage, our data can be matched with individual-level information on royal offices, including the venality of their associated position from, for instance, the *Enquête Colbert* of 1665.<sup>21</sup> Finally, this resource will help historical geographers, as well as political and social scientists, shed new light on the evolution of jurisdictions and the extent to which post-revolutionary administrative divisions were rooted in, or deviated from, the jurisdictions that prevailed during the Ancien Régime.<sup>22</sup>

The shapefile and associated datafiles of our atlas of local jurisdictions of Ancien Régime France are disseminated in the open-access repository 'Bailliages in 1789 France' hosted on the Harvard Dataverse under the CC-BY 4.0 license.<sup>23</sup>

The remainder of this article is organized as follows: we first discuss Armand Brette's *Atlas des bailliages* – including an overview of the legal system of Ancien Régime France, the context of the convocation of the Estates General of 1789, as well as Armand Brette's cartography – then provide details on our mapping methodology, and finally describe the content of the data of our historical GIS. We conclude the article with two concrete examples of how our atlas of jurisdictions can be used.

## Armand Brette's *Atlas des bailliages*

### *The legal system of Ancien Régime France*

The legal system of Ancien Régime France was organized in several layers (Appendix Fig. A1). At the top of the system were the parliaments, which functioned as sovereign courts with appellate jurisdiction over civil and criminal cases from inferior courts. From the mid-thirteenth century, the Parliament of Paris was the only parliament and had jurisdiction over the entire royal domain. The number of parliaments then gradually increased to thirteen by the time of the Revolution, covering the entire territory.

Below parliaments, the local jurisdictions of bailliages administered the ordinary royal justice – in the southern part of the realm, these courts were also known as *sénéchaussées*.<sup>24</sup> Bailliages had the authority to try civil and criminal cases in first instance for royal cases of ordinary importance.<sup>25</sup> They also had appellate jurisdiction over ordinary cases from inferior, subordinate courts – *prévôtés*, *châtellenies*, and other manorial courts that existed throughout the territory, as well as regional courts such as *vigueries* in Languedoc

<sup>14</sup> For Ireland, see Mícheál Ó Siochru, *The Down Survey of Ireland Project* (Dublin: Trinity College Dublin, 2013). For the Netherlands, see Rombert Stapel, 'Historical Atlas of the Low Countries: A GIS Dataset of Locality-Level Boundaries (1350–1800)', *Research Data Journal for the Humanities and Social Sciences* 8 (2023) 1–33. For Portugal, see Luís Nuno Espinha da Silveira, Daniel Ribeiro Alves, Nuno Lima, Ana Alcântara, *Atlas Cartografia Histórica* (Lisbon: Faculdade de Ciências Sociais e Humanas, 2001). For colonial Spanish America, see Werner Stangl, 'Digital Resources: HGIS de las Indias', *Oxford Research Encyclopedia of Latin American History* (Oxford: Oxford University Press, 2020).

<sup>15</sup> Some notable exceptions are Arbellot, Goubert, Mallet, and Palazot, *Carte des généralités, subdélégations et élections; Atlas de la Révolution française*, ed. by Bonin and Langlois; Pélaquier, *Atlas historique de la province de Languedoc; Atlas archéologique de Touraine*, ed. by Elisabeth Zadora-Rio (Tours: FERACF, 2014); Catarina, *Atlas des justices et seigneuries de Languedoc; Atlas historique: Auvergne, Bourbonnais, Velay*, ed. by Stéphane Gomis (Clermont-Ferrand: Université Clermont Auvergne, 2017).

<sup>16</sup> Béatrice Fourniel and Jacqueline Vendrand-Voyer, 'Une bigarrure de loix dans une même province', in *Atlas historique: Auvergne, Bourbonnais, Velay*, ed. by Stéphane Gomis (Clermont Ferrand: Université Clermont Auvergne, 2017); Henri Klimrath, *Études sur les coutumes* (Paris: Levrard, 1837); Jean Hilaire and François Terré, 'Un cliché énigmatique. Une interprétation de la carte de la France coutumière', in *La Vie du Droit* (Paris: Presses universitaires de France, 1994).

<sup>17</sup> See Victor Gay, Paula E. Gobbi, and Marc Goñi, 'The Customary Atlas of Ancien Régime France', *Explorations in Economic History* 93 (2024), 101588, and the associated open-source shapefile in Victor Gay, Paula E. Gobbi, and Marc Goñi, *Customs in Ancien Régime France* (Harvard dataverse, 2024), available at <https://doi.org/10.7910/DVN/HYE209>. We develop this example in the last section of this article.

<sup>18</sup> Victor Gay, Paula E. Gobbi, and Marc Goñi, 'Revolutionary Transition: Inheritance Change and Fertility Decline', CEPR Discussion Paper 18607 (available at <https://hal.science/hal-04285818>).

<sup>19</sup> François Furet, 'The Monarchy and the Procedures for the Elections of 1789', *The Journal of Modern History* 60 (1988), 558–74; Malcolm Crook, 'The Persistence of the Ancien Régime in France: The Estates General of 1789 and the Origins of the Revolutionary Electoral System', *Parliaments, Estates and Representation* 13 (1993) 29–40; Malcolm Crook, *Elections in the French Revolution: An Apprenticeship in Democracy, 1789–1799* (Cambridge: Cambridge University Press, 1996).

<sup>20</sup> Beatrice F. Hyslop, *French Nationalism in 1789 according to the General Cahiers* (New York: Columbia University Press, 1934); Gilbert Shapiro and John Markoff, *Revolutionary Demands: A Content Analysis of the Cahiers de Doléances of 1789* (Stanford: Stanford University Press, 1988); Joseph Goy, 'Transmission successorale et paysannerie pendant la Révolution française: un grand malentendu', *Études rurales* 110–2 (1988) 45–56; Mara P. Squicciarini and Nico Voigtlander, 'Knowledge Elites and Modernization: Evidence from Revolutionary France', NBER Working Paper 22779 (2016).

<sup>21</sup> See, for instance, Christophe Blanquie, *Une enquête de Colbert en 1665. La généralité de Bordeaux dans l'enquête sur les offices* (Paris: L'Harmattan, 2012).

<sup>22</sup> Ozouf-Marignier, *La formation des départements: Des Paroisses de Touraine aux Communes d'Indre-et-Loire*, ed. by Elisabeth Zadora-Rio.

<sup>23</sup> It is available at the following address: <https://doi.org/10.7910/DVN/T8UXHK>. See Victor Gay, Paula E. Gobbi, and Marc Goñi, *Bailliages in 1789 France* (Harvard Dataverse, 2024).

<sup>24</sup> Between bailliages and parliaments was another legal institution: presidial courts (*présidiaux*). Created in 1551, these courts had appellate jurisdiction over cases from bailliage courts. There were initially about sixty presidial courts in the mid-sixteenth century, and as many as 101 by the mid-eighteenth century.

<sup>25</sup> Cases of "ordinary" importance were those involving property damages of up to 250 *livres tournois* from 1551, then up to 2000 from 1774. See Marcel Marion, 'À propos de la géographie judiciaire de la France sous l'Ancien Régime. La question du ressort des présidiaux', *Revue historique* 89 (1905) 80–8.

and *vicomtés* in Normandy.<sup>26</sup> Bailliages were created in the twelfth century on the basis of pre-existing feudal legal structures. They expanded significantly over time with the integration of new provinces into the kingdom: from forty-two in the fifteenth century, bailliages grew to over four hundred on the eve of the Revolution.<sup>27</sup>

Although bailliages were an emanation of the royal authority, their territorial jurisdiction was not centrally planned. Instead, bailliages developed haphazardly as the monarchy consolidated and feudal strongholds were unified, broken up, and suppressed. It was only with the process of codification and reformation of customs between the mid-fourteenth and late fifteenth centuries that bailliages acquired a clear status of legal territorial division.<sup>28</sup>

Bailliage agents benefited from the contemporary jurisdictional confusion. Because they had a financial stake in the territorial reach of their court, they were in a constant state of jurisdictional conflict with neighboring bailliages in a never-ending quest for expansion.<sup>29</sup> Moreover, because bailliages were subject to a heterogeneous set of customary laws, litigants often appealed to neighboring bailliage courts, playing them off against each other in the hope of obtaining a more favorable resolution of their case.<sup>30</sup> As a result, the territorial geography of bailliage jurisdictions was inherently fragmented. It exemplified the entanglement of jurisdictions and rights that characterized Ancien Régime institutions.<sup>31</sup>

The intricate nature of Ancien Régime bailliage jurisdictions led early scholars to claim that it was impossible to map their spatial distribution.<sup>32</sup> In fact, the royal authority – lacking precise knowledge of the territorial extent of bailliages – never produced such a map. In contrast, local administrators had a fair understanding of their spatial configuration, although they lacked the cartographic tools to effectively communicate this information up the jurisdictional hierarchy. Instead, they relied on parish lists – which territorial limits were well known to local communities – to manage

their jurisdiction.<sup>33</sup> The relative ignorance of central authorities may have been purposeful on the part of local bailliage agents as they had incentives to conceal information about the actual territorial extent of their jurisdiction in order to expand it. Thus, the uncertainty surrounding the territorial reach of bailliages may have been the result of a lack of appropriate cartographic tools combined with strategic motives rather than a reflection of sheer ignorance.<sup>34</sup>

Amid such complexity, the archival imprint left by the convocation of the Estates General of 1789 represents a unique opportunity to gain insight into the jurisdictional landscape of Ancien Régime France throughout its territory.

### *The convocation of the Estates General of 1789*

The Estates General of May–June 1789 were convened by King Louis XVI in August 1788 to address France's ongoing financial and economic crisis. They consisted of a consultative assembly composed of nearly twelve hundred elected representatives of the clergy, the nobility, and the Third Estate.<sup>35</sup> In order to organize the electoral process, the royal authority had to define the constituencies within which these representatives would be elected. Since the convocation was a judicial act – the modalities of which were codified by the royal decree of January 24, 1789 – the Royal Council decided that these elections would take place within the constituencies of the royal justice: bailliages.<sup>36</sup>

Upon the convocation of the Estates General, bailliage officers convened representatives of parishes in their jurisdiction to bailliage assemblies to form an electoral constituency and proceed with the elections. When they did not know the exact territory of their own bailliage, officers resorted to information available in secondary sources such as Expilly's or Bruzen de La Martinière's geographic dictionaries, or the text of their bailliage's customs.<sup>37</sup> Uncertainties about the territorial limits of bailliages were thus resolved upon the reunion of parishes during bailliage electoral assemblies.

While bailliage courts covered most of the territory, the royal justice did not operate everywhere. Several territories on the periphery of the kingdom had retained the power of justice within their realm, so that bailliage courts did not exist there. These territories thus had to rely on alternative jurisdictions of similar size to form electoral constituencies for the Estates General. For instance, the *généralité* of Strasbourg in Alsace formed three electoral constituencies through the reunion of its six *districts*, which were

<sup>26</sup> The jurisdiction of bailliage courts was codified by the edict of Crémieu on June 19, 1536. Other jurisdictions concerned specific domains: for instance, financial matters were administered by the *Cours des aides*, the *Chambre des comptes*, and the *Cours des monnaies*.

<sup>27</sup> Ozouf-Marignier, Nordman, and Laclau, 'Les Bailliages Électoraux en 1789'.

<sup>28</sup> Martine Grinberg, Simone Geoffroy-Poisson, and Alexandra Laclau, 'Rédaction des coutumes et territoires au XVIe Siècle: Paris et Montfort-L'Amaury', *Revue d'histoire moderne & contemporaine* 59 (2012) 7–55; Marie Seong-Hak Kim, *Custom, Law, and Monarchy: A Legal History of Early Modern France* (Oxford: Oxford University Press, 2021).

<sup>29</sup> Bernard Guenée, 'La géographie administrative de la France à la fin du Moyen Âge: élections et bailliages', *Le Moyen Âge* 66 (1961) 293–323.

<sup>30</sup> Fourniel, 'La carte judiciaire d'Ancien Régime'; Kim, *Custom, Law, and Monarchy*, p. 62.

<sup>31</sup> Although not directly related to the legal system, it is worth mentioning that ecclesiastical divisions (*diocèses*, *archidiaconés*, *archiprêtres*, *doyennés*) represented another layer of territorial complexity – although diocèses had been relatively stable since the fifth century. On the cartography of ecclesiastical divisions before the Revolution, see François de Dainville, *Cartes anciennes de l'Église de France. Historique, répertoire, guide d'usage* (Paris: J. Vrin, 1957) and Jacques Dubois, 'La carte des diocèses de France avant la Révolution', *Annales*, 20 (1965), 680–91. For further details on institutions of Ancien Régime France, see Marcel Marion, *Dictionnaire des institutions de la France aux XVIIe et XVIIIe siècles* (Paris: Picard, 1923); Denis Richet, *La France moderne: l'esprit des institutions* (Paris: Flammarion, 2019 [1973]); Roland Mousnier, *Les institutions de la France sous la monarchie absolue* (Paris: Presses universitaires de France, 1974); Bernard Barbiche, *Les institutions de la monarchie française à l'époque moderne, 16–18e siècles* (Paris: Presses universitaires de France, 1999); Christophe Blanquie, *Les institutions de la France des Bourbons (1589–1789)* (Paris: Belin, 2003); Albert Rigaudière, *Histoire du droit et des institutions dans la France médiévale et moderne* (Paris: Economica, 2010); and Laurent Avezou, *Les institutions de la France Moderne, XVIe–XVIIIe siècle* (Paris: Armand Colin, 2014).

<sup>32</sup> Gustave Dupont-Ferrier, *Les officiers royaux des bailliages et sénéchaussées et les institutions monarchiques locales en France à la fin du moyen âge* (Paris: Emile Bouillon, 1902).

<sup>33</sup> Guenée, 'La géographie administrative de la France à la fin du Moyen Âge'; Léonard Dauphant, *Géographies. Ce qu'ils savaient de la France (1100–1600)* (Ceyzérieu: Champ Vallon, 2018).

<sup>34</sup> Nelly Girard d'Albissin, 'Propos sur la frontière', *Revue historique de droit français et étranger* 47 (1969) 390–407.

<sup>35</sup> For more details on the organization of these elections, which occurred from January to May 1789, see Armand Brette, *Recueil de documents relatifs à la convocation des États généraux de 1789* (Paris: Imprimerie Nationale, 1894–1915); Furet, 'The Monarchy and the Procedures for the Elections of 1789'; Crook, 'The Persistence of the Ancien Régime in France'; Crook, *Elections in the French Revolution*.

<sup>36</sup> The decree of January 24, 1789 stated that "the terms bailliage or sénéchaussée shall be understood to mean all the jurisdictions to which the knowledge of royal cases is attributed." A similar procedure had been used in the previous Estates General of 1614. Bailliages that had been electoral constituencies during those Estates General were qualified as "principal" in 1789, while those that had not been convened during those Estates were qualified as "secondary." This did not presume of any difference between these bailliages other than a formal rank.

<sup>37</sup> Jean-Joseph Expilly, *Dictionnaire géographique, historique et politique des Gaules et de la France* (Paris: Desaint et Saillant, 1762–1770); Antoine-Augustin Bruzen de La Martinière, *Le grand dictionnaire géographique et critique* (La Haye: P. Gosse, R. C. Alberts, P. de Hondt, 1726–1739); Charles-Antoine Bourdot de Richebourg, *Nouveau coutumier général, ou Corps des coutumes générales et particulières de France et des provinces connues sous le nom de Gaules* (Paris: Michel Brunet, 1724); Martine Grinberg, *Écrire les coutumes. Les droits seigneuriaux en France (XVIe–XVIIIe siècle)* (Paris: Presses universitaires de France, 2006).



geography of jurisdictions in Ancien Régime France and the origins of French *départements*.<sup>45</sup>

### Mapping methodology

To construct a GIS of bailliage jurisdictions in 1789, we propose a novel methodology that overcomes the limitations of our source map by combining GIS techniques and the use of historical toponomies. We proceed in four steps. First, we scan each of the thirty-two généralité-level maps of Brette's atlas at high resolution (that is, in TIFF format).<sup>46</sup> Second, we manually georeference these scans along an RGF93 projection. Next, we do not resort to the vectorization of bailliage boundaries, a method commonly used in the construction of geographic information systems based on historical maps.<sup>47</sup> This method would have led to substantial inaccuracies – especially in regions with highly fragmented jurisdictions – since colored areas on original maps should be interpreted as part of a jurisdiction only insofar as they include a particular commune seat. Instead, in a third step, we manually assign each commune to a specific bailliage. To that end, we overlay IGN's shapefile of current communes onto the georeferenced maps, revealing communes' seats and names as on Appendix Fig. A2.<sup>48</sup> This enables us to manually assign each commune polygon to a particular bailliage based on the comparison of names and seat locations across layers. In a fourth step, we dissolve commune polygons based on their bailliage attribute (Appendix Fig. A3).

The resulting shapefile of bailliages may be subject to two types of (limited) inaccuracies. First, the shapefile of contemporaneous communes does not exactly correspond to the base map of the *Dépôt de la guerre* of circa 1852 used by Armand Brette, as there were about 37,600 communes then versus 34,800 in 2021.<sup>49</sup>

Despite their stability over time, the boundaries of some contemporaneous communes are the result of mergers of smaller communes between 1852 and 2021.<sup>50</sup> As a result, some of these communes may be split between two bailliages, making the resulting shapefile potentially inaccurate at its boundaries in some cases.<sup>51</sup> For instance, the polygon corresponding to the bailliage of Ham includes the former parishes of Saint-Sulpice and Estouilly, as these were absorbed into the commune of Ham in 1964–5, although they historically belonged to the bailliage of Saint-Quentin. Second, the base map of the *Dépôt de la guerre* used by Armand Brette does not correspond exactly to the set of parish locations listed in the minutes of bailliage electoral assemblies in 1789, as there were nearly forty-four thousand parishes in 1789.<sup>52</sup> As a result, some communes that were the result of mergers of smaller parishes or communes between 1789 and 1852 may have been similarly divided between two bailliages.

We offer users the ability to mitigate these potential sources of inaccuracy. Specifically, we project the coordinates of parishes at the time of the Revolution onto our shapefile of bailliages.<sup>53</sup> This enables us to generate a layer of parish points with bailliage attributes corrected for the aforementioned inaccuracies – for instance, we reclassify the parishes of Saint-Sulpice and Estouilly as part of the bailliage of Saint-Quentin. In addition, this alternative approach allows users to project these points back onto any commune- or parish-level shapefile and aggregate the results into bailliage-level polygons best suited for their purposes. This approach also provides the basis for alternative visual vocabularies that better represent the nature of territoriality as envisioned by contemporaries, for whom the mental construction of space was closer to a collection of places and networks than an aggregation of contiguous spatial units—we return to this issue in the final section of this article.<sup>54</sup>

### Data description

Our atlas of local jurisdictions of Ancien Régime France contains three shapefiles: a shapefile of the territory of France in 1789, a shapefile of the types of jurisdictions that formed electoral constituencies for the Estates General, and the main output of the atlas, the shapefile of bailliages in 1789. Each shapefile is available in two forms: a polygon form and a point form, where each point represents a parish at the time of the Revolution. The content of attribute tables is identical for the polygon- and point-form shapefiles,

<sup>45</sup> Philippe Sagnac, 'La composition des États généraux et de l'Assemblée nationale (1789). Étude statistique et sociale', *Revue historique* 206 (1951) 8–28; Louis Trenard, 'Prétentions et doléances de l'Ardenais. La réorganisation administrative du royaume', *Annales historiques de la Révolution française* 46 (1974) 187–215; Abel Poitrineau, 'Les assemblées primaires du bailliage de Salers en 1789', *Revue d'histoire moderne & contemporaine* 25 (1978) 419–42; John Markoff, 'The Social Geography of Rural Revolt at the Beginning of the French Revolution', *American Sociological Review* 50 (1985) 761–81; John Markoff, 'Contexts and Forms of Rural Revolt: France in 1789', *Journal of Conflict Resolution* 30 (1986) 253–89; John Markoff, 'Peasant Grievances and Peasant Insurrection: France in 1789', *The Journal of Modern History* 62 (1990) 446–76; Ted W. Margadant, *Urban Rivalries in the French Revolution* (Princeton: Princeton University Press, 1992); Squicciarini and Voigtländer, 'Knowledge Elites and Modernization'; Saumitra Jha and Steven Wilkinson, 'Revolutionary Contagion', Stanford University Graduate School of Business Research Paper 4084 (2023); Pierre Chauun and Jean-Claude Gégot, 'Étude par sondage de la criminalité dans le bailliage de Falaise (XVIIe–XVIIIe siècle)', *Annales de Normandie* 16 (1966) 103–164; John A. Dickinson, 'L'activité judiciaire d'après la procédure civile. Le bailliage de Falaise, 1668–1790', *Revue d'histoire économique et sociale* 54 (1976) 145–68; Julius R. Ruff, *Crime, Justice and Public Order in Old Regime France* (London: Routledge, 1984); Antoine Follain, 'Les juridictions subalternes, sièges et ressorts des bailliages et vicomtes en Normandie sous l'Ancien Régime', *Annales de Normandie* 47 (1997), 211–26; Bernard Lepetit, 'Les temps de l'aménagement territorial. La formation des départements', *Les annales de la recherche urbaine* 43 (1989) 5–14.

<sup>46</sup> Each high-resolution scan is available in our "Bailliages in 1789 France" Data-verse. The text of the *Atlas des bailliages* is available from the numeric library of Sciences Po under the following Archival Resource Key (ARK) identifier: 46513/sc16qvxv1.

<sup>47</sup> See Gregory and Ell, *Historical GIS*, pp. 41–62; Jean-Luc Arnaud and Romain Suarez, 'The Map, from Analogue to Digital. Modes of Processing and Elements of a Method', *Humanités numériques* 7 (2023). The method of manual vectorization of boundaries and lines is, for instance, used in Julie Perret, Marco Gribaudo, and Marc Barthelemy, 'Roads and Cities of 18th Century France', *Scientific Data* 2 (2015) 150048, for France's roads in the late eighteenth century, or in Krzysztof Ostafin, Dominik Kaim, Tomasz Siwek, and Anna Mikla, 'Historical Dataset of Administrative Units with Socio-Economic Attributes for Austrian Silesia 1837–1910', *Scientific Data* 7 (2020) 208, for the administrative organization of Austrian Silesia in the nineteenth century.

<sup>48</sup> IGN, *ADMIN-EXPRESS édition mars 2021 par territoire France métropolitaine* (Paris: IGN, 2021).

<sup>49</sup> Gay, 'Mapping the Third Republic'.

<sup>50</sup> On the methodological issues of using current commune boundaries as the underlying framework, see Victor Gay, 'Mapping the Third Republic', p. 192; Stapel, 'Historical Atlas of the Low Countries', pp. 8–9.

<sup>51</sup> We are constrained to use the commune shapefile of 2021 because commune-level shapefiles for 1852 do not exist at this time – this is among the endeavors of the ongoing COMMUNE HIS-DBD project (<https://anrcommunes.hypotheses.org/>), which is scheduled to make these shapefiles available in 2025.

<sup>52</sup> The number of 43,792 parishes is based on the number of parish seats on Cassini's map of France (*Carte générale de la France*), which was surveyed between 1756 and 1789. See François de Dainville, 'La carte de Cassini et son intérêt géographique', *Bulletin de l'association des géographes français* 251 (1955) 138–47; Monique Pelletier, *La carte de Cassini. L'extraordinaire aventure de la carte de France* (Paris: Presses de l'École nationale des ponts-et-chaussées, 1990). The point coordinates of these parishes are available from Pascal Cristofoli, Marie-Christine Vouloir, Bertrand Duménieu, and Claude Motte, *Des chefs-lieux de Cassini aux communes de France (1756–1999)* (Paris: Laboratoire de démographie et d'histoire sociale [producer]; Paris: EHESS [distributeur], 2021).

<sup>53</sup> We use the dataset of Cristofoli, Vouloir, Duménieu, and Motte, *Des Chefs-Lieux de Cassini aux Communes de France*.

<sup>54</sup> Merrick L. Berman, 'Boundaries or Networks in Historical GIS: Concepts of Measuring Space and Administrative Geography in Chinese History', *Historical Geography* 33 (2005) 118–33; Dauphant, *Géographies*; Mark Ravina, 'Algorithmic Maps and the Political Geography of Early-Modern Japan', *Journal of Cultural Analytics* 8 (2023) 1–32; Luca Scholz, 'Deceptive Contiguity: The Polygon in Spatial History', *Cartographica* 54 (2019) 206–16; Stapel, 'Historical Atlas of the Low Countries', p. 7.

except that the latter contains additional parish-level information: each parish's Cassini identifier, its name as it appears on the Cassini map and on the 1793 (*an 3*), 1801 (*an 8*), and 1999 censuses, and its geographic coordinates in RGF93 projection. Attribute tables associated with each shapefile are available in Stata data format (dta) and text delimited format (txt).<sup>55</sup>

### The territory of France in 1789

The first shapefile of our atlas represents the extent of Brette's atlas, that is, the territory of the Kingdom of France in 1789. This broadly corresponds to the current territory of mainland France, with three major exceptions: the Duchy of Savoy, the County of Nice, and the Comtat Venaissin.<sup>56</sup> Together, these territories represent only three percent of France's current territory and two percent of all parishes at the time of the Revolution (Appendix Table A1). Other exceptions include several small principalities (Montbéliard, Salm), independent cities (Avignon, Mulhouse), counties (Saar-Werden, Sault), and lordships (Montjoie, Mandeure, Bidache).<sup>57</sup> We display the shapefile of the territory of France in 1789 below (Fig. 2) – the corresponding shapefile in point form is displayed in Appendix (Fig. A4). Attribute tables associated with these shapefiles contain an identifier for each of these territorial entities, as given by Brette, along with their names (see Table 1).

### Types of jurisdictions

Most of the electoral constituencies for the Estates General of 1789 correspond to the local jurisdictions of the royal justice: bailliages and sénéchaussées. This was the case for eighty-four percent of France's territory and parishes (Appendix Table A2). The remaining electoral constituencies correspond to alternative jurisdictions, generally because the royal justice did not operate there.<sup>58</sup> We map the spatial distribution of these jurisdictions below (Fig. 3). The attribute table associated with this shapefile contains a jurisdiction type identifier along with their names (Table 1).

### Bailliages

The shapefile of bailliages in 1789 is displayed below (Fig. 4) – the corresponding shapefile in point form is displayed in Appendix (Fig. A5). It exhibits 435 jurisdictions. Two bailliages are not displayed on this map, although they are present in the data files

<sup>55</sup> These data files contain name strings in both uppercase and proper forms, while attribute tables (dbf files) contain name strings in uppercase only to avoid compatibility issues with accented letters in GIS processing software.

<sup>56</sup> Small parts of the northeastern territory of France were ceded to Prussia by the Second Treaty of Paris on November 20, 1815. This included the entire bailliage of Sarrelouis, part of the bailliage of Bouzonville in the généralité of Metz, and areas near Wissembourg and Landau concerning parts of the districts of Haguenau and Wissembourg, as well as the ten imperial cities in the intendance of Strasbourg. These areas are not displayed in our shapefiles.

<sup>57</sup> These territories were incorporated into the territory of France soon after the Revolution: 1790 for the lordship of Bidache, 1791 for the city of Avignon and the Comtat Venaissin, 1793 for the principalities of Montbéliard and of Salm, the county of Saar-Werden, and the lordship of Mandeure, and 1798 for the city of Mulhouse. The Duchy of Savoy and the County of Nice were only annexed in 1860. Moreover, Brette's atlas considers the island of Corsica to be part of the Kingdom of France, since the National Assembly issued a decree on November 30, 1789 stating that "the island of Corsica is part of the French empire." Finally, the enclaved foreign territory of the commune of Llivia, visible on Brette's atlas, is not included in our GIS, as it still belongs to Spain today.

<sup>58</sup> Brette distinguished eighteen other types of jurisdictions that formed electoral constituencies: *baronnies*, *comtés*, *districts*, *gouvernances*, *hautes justices*, *juridictions royales*, *pays*, *principautés*, *provinces*, *prévôtés*, *châtellenies*, *vicomtés*, *royaumes*, *sièges royaux*, *souverainetés*, *vigueries*, *villes*, and *élections*.

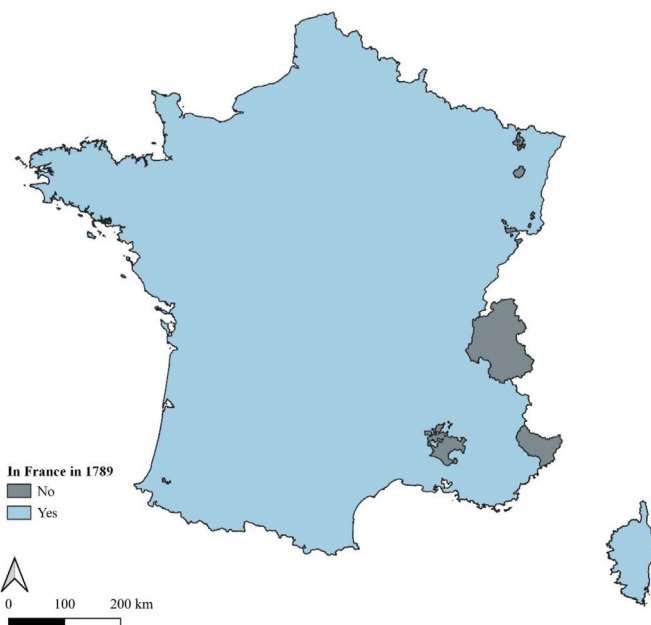


Fig. 2. Extent of the territory of France in 1789. Source: map produced with QGIS and IGN's ADMIN-EXPRESS édition mars 2021, available under a CC0 license.

associated with our atlas. The first is the bailliage of Sarrelouis, since its territory was ceded to Prussia by the Treaty of Paris of November 20, 1815. The second is the bailliage of Bassigny-Barrois, which did not have a territorial constituency for the Estates General of 1789.<sup>59</sup>

The attribute table associated with this shapefile contains several variables that characterize each bailliage, including an identifier, a set of names, a rank, and a seat (*chef-lieu*). Below, we describe each of these variables. They are listed in Table 1.<sup>60</sup>

### Bailliage identifiers

Each bailliage is characterized by an identifier according to Brette's nomenclature, under variable name *bailliage*.<sup>61</sup> These identifiers range from 001 to 445, except for the jurisdictions of Dauphiné in the généralité of Grenoble, which combine a number and a letter from 442A to 442F.<sup>62</sup>

### Bailliage names

We provide bailliage names in several forms: a short form that corresponds to the most representative name of the bailliage

<sup>59</sup> Members of this electoral constituency elected one representative from the union of the bailliages of Bourmont and of Lamarche.

<sup>60</sup> The attribute table also contains the type of jurisdictions (*type\_gen* and *type\_det*) and the name of the généralité in which bailliages are located per Brette's classification (*generalite\_name*). These thirty-three généralités are displayed in Appendix Fig. A5. Note that seat locations are characterized by a set of identifiers, names, and geographic location (latitude and longitude).

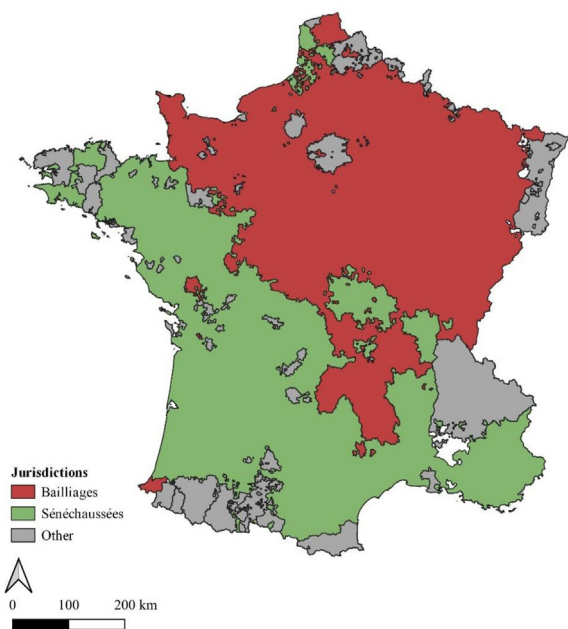
<sup>61</sup> We indicate variable names as they appear in the dta and txt files associated with the shapefiles. Corresponding variable names in attribute tables can be found in Table 1. These differ due to technical constraints imposed by GIS processing software.

<sup>62</sup> Brette's nomenclature of bailliages is not continuous for two reasons. First, four bailliages were erroneously included in the royal decree of January 24, 1798, convening the Estates General – the bailliages of Ezy (87), Pacy (91), Château-Renard (128), and Schambourg (371). These virtual bailliages did not actually correspond to a jurisdiction and did not exist at the time of the convocation. Second, the electoral constituencies specifically dedicated to the election of representatives of the Clergy in Brittany (dioceses), numbered 422–430, are not represented in our atlas.

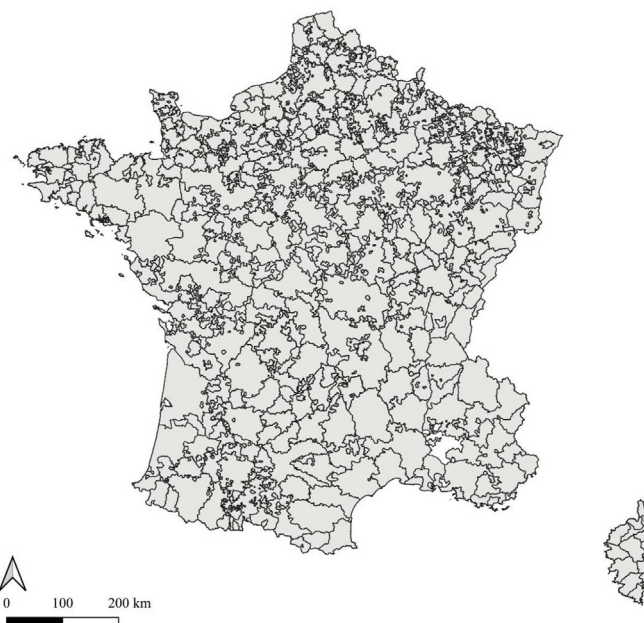


**Table 1**  
Variables in the *Atlas of Local Jurisdictions* data files.

Shapefile/dataset	Variables		Description
	dta/txt	dbf	
BRETTE_FRANCE	territory	TER_ID	Territory identifier
	territory_name	TER_NS	Territory name (short, upper case)
	territory_name_prop		Territory name (short, proper case)
	territory_name_long	TER_NL	Territory name (long, upper case)
BRETTE_JURISDICTION	territory_name_long_prop		Territory name (long, proper case)
	type_gen	TYPG_ID	Type of jurisdiction identifier (general)
	type_gen_name	TYPG_N	Type of jurisdiction name (general, upper case)
	type_gen_name_prop		Type of jurisdiction name (general, proper case)
BRETTE_BAILLIAGES	type_det	TYPD_ID	Type of jurisdiction identifier (detailed)
	type_det_name	TYPD_N	Type of jurisdiction name (detailed, upper case)
	type_det_name_prop		Type of jurisdiction name (detailed, proper case)
	generalite_name	GEN_N	Généralité name (upper case)
	generalite_name_prop		Généralité name (proper case)
	bailliage	BAIL_ID	Bailliage or equivalent jurisdiction identifier
	bailliage_name	BAIL_NS	Bailliage or equivalent jurisdiction name (short, upper case)
	bailliage_name_prop		Bailliage or equivalent jurisdiction name (short, proper case)
	bailliage_name_long	BAIL_NL	Bailliage or equivalent jurisdiction name (long, upper case)
	bailliage_name_long_prop		Bailliage or equivalent jurisdiction name (long, proper case)
	bailliage_name_brette	BAIL_NB	Bailliage or equivalent jurisdiction original name (proper case)
	bailliage_rank	BAIL_RK	Bailliage or equivalent jurisdiction rank
	bailliage_sup	BAIL_SUP	Identifier of principal bailliage or equivalent jurisdiction
	type_gen	TYPG_ID	Type of jurisdiction identifier (general)
	type_det	TYPD_ID	Type of jurisdiction identifier (detailed)
	cl_flag	CL_FLG	Bailliage chef-lieu flag
	cl_noacass	CL_CASS	Bailliage chef-lieu cassini identifier
	cl_insee	CL_INSEE	Bailliage chef-lieu INSEE 2021 identifier
	cl_nom_cassini	CL_NC	Bailliage chef-lieu cassini name (proper case)
cl_nom_1793	CL_N1793	Bailliage chef-lieu 1793 name (proper case)	
cl_nom_1801	CL_N1801	Bailliage chef-lieu 1801 name (proper case)	
cl_nom_1999	CL_N1999	Bailliage chef-lieu 1999 name (proper case)	
cl_nom_2021	CL_N2021	Bailliage chef-lieu 2021 name (proper case)	
cl_position_x	CL_X	Bailliage chef-lieu latitude in RGF93	
cl_position_y	CL_Y	Bailliage chef-lieu longitude in RGF93	



**Fig. 3.** Types of jurisdictions that formed electoral constituencies in 1789. Source: map produced with QGIS and IGN's *ADMIN-EXPRESS édition mars 2021*, available under a CCO license.



**Fig. 4.** Bailliages in 1789. Source: map produced with QGIS and IGN's *ADMIN-EXPRESS édition mars 2021*, available under a CCO license.

(*bailliage\_name*), usually the name of the city where its seat was located – for instance, Amiens – a long form (*bailliage\_name\_long*) that also includes its jurisdiction type – for instance, Bailliage d'Amiens – and its original name (*bailliage\_name\_brette*) as written in Brette. In almost all cases (406 out of 437), long-form names are identical to original names.<sup>63</sup>

In addition, when ambiguity would arise in short-form names, we qualify them with their jurisdiction type in parentheses. For instance, bailliages with identifiers 151 and 316 both have their seat in the commune of Mortagne, but the former refers to the *bailliage* of Mortagne while the latter refers to the *prévôté* of Mortagne. In this case, we modify these short-form names to Mortagne (*bailliage*) and Mortagne (*prévôté*).<sup>64</sup>

### Bailliage ranks

Electoral constituencies for the Estates General of 1614 were also based on bailliage jurisdictions. Bailliages that had been electoral constituencies during these Estates were qualified as “principal” in 1789, while those that had not been summoned were qualified as “secondary” and attached to a principal bailliage. We qualify the rank of each bailliage (*bailliage\_rank*) and provide the principal bailliage to which secondary bailliages were attached (*bailliage\_sup*).

### Bailliage seats

Finally, we provide information on the location of the seat (*chef-lieu*) of each bailliage, that is, the location where the bailliage assembly occurred upon the convocation of the Estates General. In particular, we indicate each seat's Cassini and INSEE identifiers (*cl\_noacass* and *cl\_insee*), name on Cassini's map (*cl\_name\_cassini*), name in the censuses of 1793 (*cl\_name\_1793*), 1801 (*cl\_name\_1801*), 1999 (*cl\_name\_1999*), and 2021 (*cl\_name\_2021*), as well as the geographic coordinates in RGF93 projection (*cl\_position\_x* and *cl\_position\_y*). Almost all bailliage names correspond to the location of their seat, with a few exceptions that are flagged by the variable *cl\_flag* in the attribute table.<sup>65</sup>

### Applications

To conclude this article, we provide two concrete examples of how our atlas of local jurisdictions of Ancien Régime France can be

used in practice: to construct a customary map and to develop alternative visual vocabularies for representing the relationship between space and jurisdictional power as envisioned by contemporaries.

### A customary map of Ancien Régime France

As mentioned above, our historical GIS is a necessary preliminary step to mapping the different legal systems that coexisted before the Revolution.<sup>66</sup> Until their abolition and the advent of the Civil Code in 1804, nearly a hundred different customs regulated various dimensions of people's lives, from the legal status of individuals to marital rules, parental authority, inheritance, economic transactions, or punishment for crimes.<sup>67</sup> In 1454, Charles VII's ordinance of Montils-lès-Tours initiated a century-long process of codification of customs.<sup>68</sup> This process clearly delineated the bailliages within which each of the ninety-three customs would be enforced.<sup>69</sup> To construct a customary map of Ancien Régime France, we match each of the 435 bailliages in our atlas to its corresponding custom based on Armand Brette's *Recueil de documents relatifs à la convocation des États généraux de 1789*, which reports the customs that applied in about half of the realm's jurisdictions. For the other half, we resort to the original source used by Armand Brette: Bourdot de Richebourg's *Nouveau coutumier général*, which provides the original texts of most of the customs along with their associated jurisdictions. To cover the remaining jurisdictions missing from the *Nouveau coutumier général*, we use several secondary sources.<sup>70</sup> The resulting spatial distribution of general customs is provided in Fig. 5. This map can be used by future researchers to study the relationship between customary rules and a variety of economic, social, and demographic outcomes.

### A network alternative to a 'jigsaw-puzzle' polygon representation

Our atlas is available along two formal representations of space: a polygon form, where each polygon represents a bailliage based on the aggregation of underlying 2021 commune-level polygons, and a

<sup>66</sup> This application is based on Victor Gay, Paula E. Gobbi, and Marc Goñi, 'The Customary Atlas of Ancien Régime France'.

<sup>67</sup> See, e.g., Émile Chénon, *Histoire générale du droit français public et privé des origines à 1815* (Paris: Recueil Sirey, 1926). While the northern part of the country was under customary law during the Ancien Régime (*pays de droit coutumier*), the southern part of the country was under written law (*pays de droit écrit*). However, some jurisdictions in written-law country also had a custom, such as the Basque Country, Provence, or Dauphiné. Likewise, some jurisdictions in Lorraine and Alsace also followed written law, although located in customary-law country. In practice, however, written law in these areas was often only complementary to customary law and applied only in the absence of a relevant customary rule, so that these areas may be classified as 'mixed' in terms of their legal system, as emphasized by Béatrice Fourniel and Jacqueline Vendrant-Voyer, 'Une bigarrure de loix dans une même province', in *Atlas historique: Auvergne, Bourbonnais, Velay*, ed. by Stéphane Gomis (Clermont-Ferrand: Université Clermont Auvergne, 2017). As a result, the traditional division of Ancien Régime France into a written-law and a customary-law country along a north-south divide is less clear than previously thought. On this point, see Jean Hilaire and François Terré, *La vie du droit: coutumes et droit écrit* (Paris: Presses universitaires de France, 1994).

<sup>68</sup> As explicitly stated in Charles VII's ordinance, this process would help customary law achieve greater certainty, stability, and uniformity, and thus, legitimacy. See, e.g., Martine Grinberg, *Écrire les Coutumes. Les Droits Seigneuriaux en France* (Paris: Presses universitaires de France, 2006).

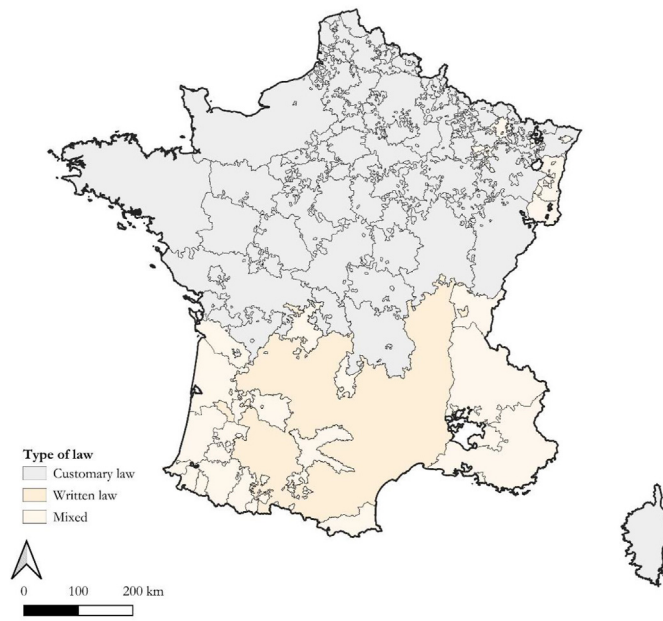
<sup>69</sup> Our application refers to general customs, which are a set of rules enforced in a given bailliage. In contrast, local customs specified deviations from specific articles of their general customs. For a discussion of these distinctions, see Grinberg, *Écrire les Coutumes* and Gay, Gobbi, Goñi, 'The Customary Atlas of Ancien Régime France'.

<sup>70</sup> Among other sources, we use Anne Zink, *L'héritier de la maison. Géographie coutumière du sud-ouest de la France sous l'Ancien Régime* (Paris: EHESS, 1993) for the south-west and Laurence Joignon, *Coutumes, familles, successions et alliances en Lorraine: 1670–1900* (Paris: EHESS, 1989) for Lorraine.

<sup>63</sup> Long-form names differ from short-form names in thirty-one cases because we omit the name of the seat location when indicated in the original name. For instance, the long-form name of the bailliage with original name Bailliage de La Montagne, séant à Châtillon-sur-Seine is Bailliage de La Montagne, while its short name is La Montagne.

<sup>64</sup> These cases are relatively rare and further concern the following bailliages, which all have their seat in the same commune: Paris (ville et faubourgs) (144) and Paris (hors les murs) (145), Valenciennes (ville) (312) and Valenciennes (prévôté) (314), Metz (ville) (330) and Metz (bailliage) (331), and Arles (sénéchaussée) (384) and Arles (ville et territoire) (385).

<sup>65</sup> First, some bailliage names correspond to a region, especially in *pays d'Etat*. Pays d'Etat were regions that had retained a representative assembly of the three orders that negotiated tax collection processes with royal commissioners. See Mousnier, *Les institutions de la France sous la monarchie absolue*; Barbiche, *Les institutions de la monarchie française*. For instance, the bailliage of the Pays des Quatre-Vallées (023) had its seat in La Barthe-de-Neste. Second, by 1789, the seats of several bailliages had moved from their original locations without changing their names. For instance, the seat of the bailliage of Vouvant (167) had moved from Vouvant to La Châtaigneraie, a dozen kilometers away. Third, some bailliage seats were located outside the territorial jurisdiction of their bailliage. For instance, the bailliage of Andelat (095) had its seat in Murat, about 20 km from Andelat and outside the bailliage. Finally, bailliages that were divided between the inner and outer areas of a town had their seat in the same town. This was the case for the bailliages listed in footnote 64.



**Fig. 5.** General customary regions in 1789. Source: map produced with QGIS and IGN's *ADMIN-EXPRESS édition mars 2021*, available under a CC0 license, based on Gay, Gobbi, Goñi, 'The Customary Atlas of Ancien Régime France'.

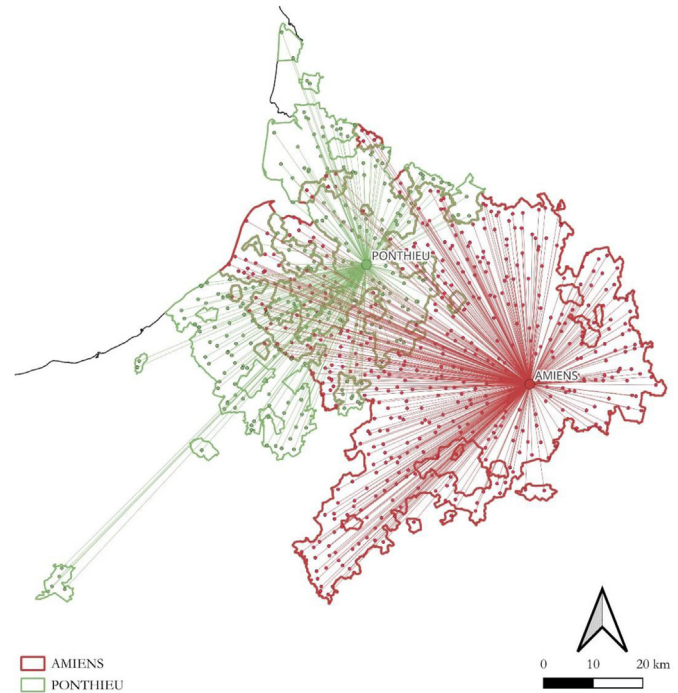
point form, where each point represents a parish at the time of the Revolution. As noted above, a polygon-based approach poses a methodological challenge if a user wishes to represent early modern relationships between space and jurisdictional power as conceived by contemporaries.<sup>71</sup> Indeed, polygon-based representations assume that the territorial reach of a given jurisdiction changed discretely at its boundaries, while in fact it was more of a continuous process. Jurisdictional conflicts on the outskirts of bailliages – due to the confrontation of expansionist bailliage agents – resulted in the fragmentation of their territories, as highlighted by the non-compactness of many bailliage shapes. Thus, the mental projection of political space by contemporaries resembled a collection of places rather than an aggregation of contiguous spatial units. This explains why, despite the availability of mapping technology, early modern political spaces were generally not represented as maps but as lists of places—a mode of representation at odds with the polygon-based nature of GIS software.<sup>72</sup> More broadly, such 'jigsaw-puzzle view of discrete, bounded territories' might be considered anachronistic, reflecting our own preconceptions of what a political territory should be and obscuring our understanding of the relationship between space and power in Ancien Régime France.<sup>73</sup>

The point-based layer avoids polygons altogether and can be the basis for alternative visual vocabularies to represent the nature of political territoriality as envisioned by contemporaries. In particular, we propose a network approach that represents the jurisdictional hierarchy between bailliage seats and the parishes within their reach, making the interpenetration of space and power

<sup>71</sup> Berman, 'Boundaries or Networks in Historical GIS'; Ravina, 'Algorithmic Maps and the Political Geography of Early-Modern Japan'; Scholz, 'Deceptive Contiguity'.

<sup>72</sup> Patrick Boucheron, 'Représenter l'espace féodal: un défi à relever', *Espaces temps* 68–70 (1998), 59–66; Dauphant, *Géographies*.

<sup>73</sup> Martin M. Lewis and Kären E. Wigen, *The Myth of Continents. A Critique of Metageography* (Los Angeles: University of California Press, 1997), p. 12. More precisely, '[b]y a jigsaw-puzzle view of the world, we mean the expectation that a proper will always show a set of sharply bounded units that fit together with no overlap and no unclaimed territory.' Lewis and Wigen, *The Myth of Continents*, p. 11.



**Fig. 6.** Network representation of parishes of the bailliages of Ponthieu and Amiens. Source: map produced with QGIS, IGN's *ADMIN-EXPRESS édition mars 2021*, and Cristofoli, Vouloir, Duméniou, and Motte's *Des chefs-lieux de Cassini aux communes de France*, available under a CC0 license.

apparent. Specifically, this implies connecting each parish to its corresponding bailliage seat through a vector.<sup>74</sup> An example of this interpenetration for the bailliages of Ponthieu (séant à Abbeville) and Amiens is shown in Fig. 6. The figure covers about the same area as Fig. 1 and shows the corresponding polygons for reference. Our network approach can be easily generalized to the entire set of bailliages. This alternative representation reflects more accurately the way contemporaries conceived political territories: a set of intertwined hierarchies with overlapping areas of jurisdictional conflict.

## Conclusion

This article describes the construction and content of a curated atlas of the local jurisdictions that were at the core of Ancien Régime's judicial apparatus: bailliages. These jurisdictions epitomize the interweaving of legal institutions that characterized Ancien Régime France. Their haphazard development alongside the consolidation of the monarchy and the dissolution of feudal strongholds was such that the exact territorial extent of these jurisdictions was not known with precision by the royal authority, which never mapped their spatial distribution. Based on Brette's *Atlas des bailliages* and the convocation of the Estates General of 1789, we fill this gap and provide an atlas of bailliages in shapefile form along with

<sup>74</sup> This approach is similar to Berman's and Bol's approaches to Chinese historical geography. See Berman, 'Boundaries or Networks in Historical GIS'; Petter K. Bol, 'Creating a GIS for the History of China' in *Placing History: How Maps, Spatial Data, and GIS Are Changing Historical Scholarship*, ed. by Anne K. Knowles and Amy Hillier (New York: ESRI Press, 2008), pp. 27–59. An alternative approach – used by Ravina in the context of Tokugawa Japan – is to perform a Voronoi tessellation around each parish to reconstruct abstract pseudo-boundaries by aggregating the resulting Voronoi polygons. See Ravina, 'Algorithmic Maps and the Political Geography of Early-Modern Japan'.

relevant information at the bailliage level. Our database is available in the open-access repository 'Bailliages in 1789 France' hosted on the Harvard Dataverse.

Although GIS methods have reached a central place in historical geography scholarship and their importance to the humanities is growing, their application to the study of administrative jurisdictions in Ancien Régime France remains elusive. This has limited the ability of historians and social scientists to study the historical processes at play through the lens of spatial methods. By providing one of the first GIS for Ancien Régime France, our work will empower historical geographers to explore the spatial dynamics of this period, particularly those related to the functioning of a complex jurisdictional landscape and the Estates General of 1789. Compared to previous work on the geography of bailliages, our GIS covers the entire French territory and precisely maps the dramatic heterogeneity of bailliage shapes and sizes, as well as their numerous enclaves—sometimes dozens of kilometers from their bailliage seat. These advances will enable historical geographers to uncover the spatial intricacies of power and governance structures that contributed to the dislocation of France's Ancien Régime society and, ultimately, to the French Revolution.

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### CRedit authorship contribution statement

**Victor Gay:** Writing – review & editing, Writing – original draft, Visualization, Validation, Supervision, Software, Resources, Project administration, Methodology, Investigation, Funding acquisition, Formal analysis, Data curation, Conceptualization. **Paula E. Gobbi:** Writing – review & editing, Writing – original draft, Visualization, Validation, Supervision, Software, Resources, Project administration, Methodology, Investigation, Funding acquisition, Formal analysis, Data curation, Conceptualization. **Marc Goñi:** Writing – review & editing, Writing – original draft, Visualization, Validation, Supervision, Software, Resources, Project administration, Methodology, Investigation, Formal analysis, Data curation, Conceptualization.

### Data availability

The data used in this article is available on the Harvard dataverse at <https://doi.org/10.7910/DVN/T8UXHK>.

### Acknowledgement

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## APPENDIX

### Appendix Figures

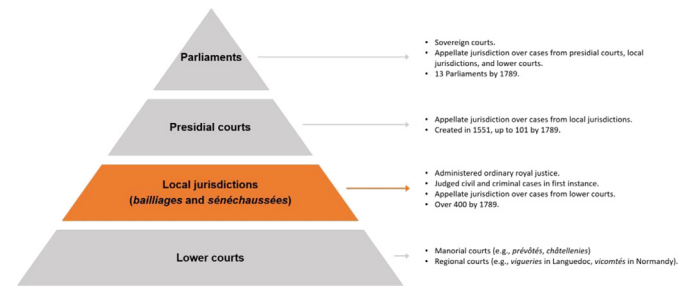


Fig. A1. Organization of Ancien Régime jurisdictions. Source: authors' own creation.

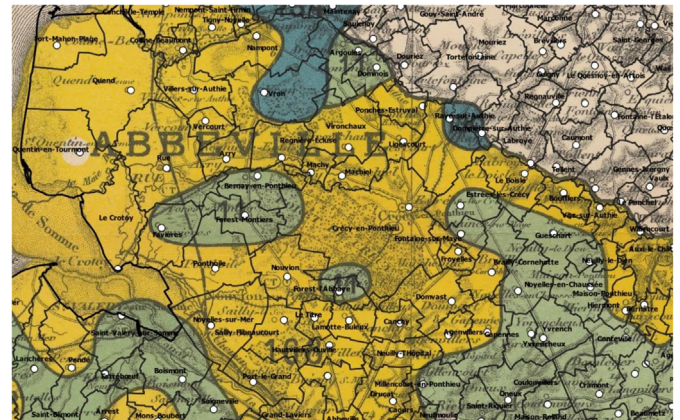


Fig. A2. Overlay between IGN's Communes shapefile layer and Brette's georeferenced Atlas. Produced with QGIS. Black lines indicate current communes boundaries and white dots these communes' seats. Source: Brette, *Atlas des bailliages* and IGN's ADMIN-EXPRESS édition mars 2021, available under a CC0 license.

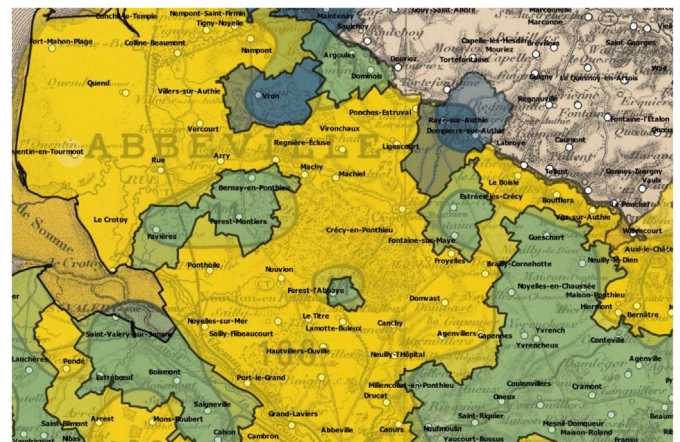
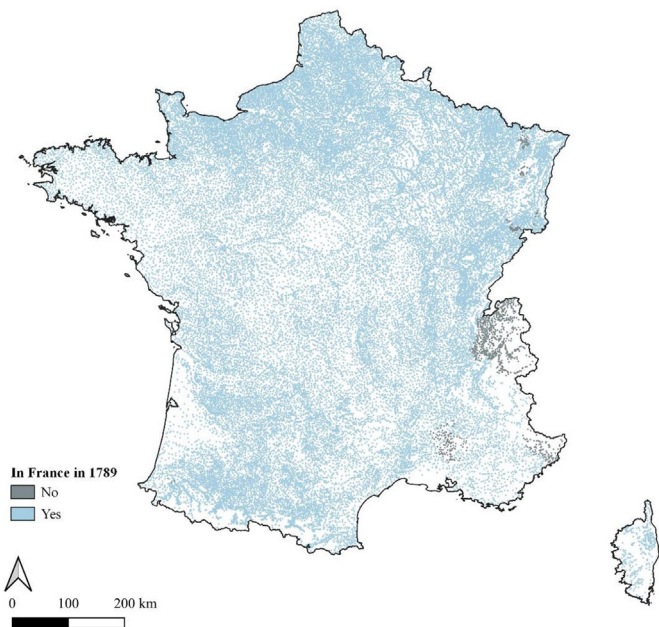
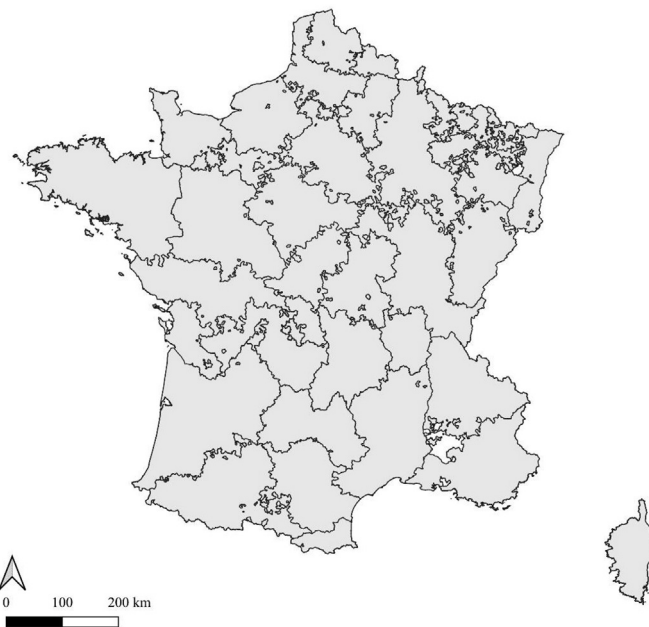


Fig. A3. Dissolved layer based on bailliages attributes. Produced with QGIS. Source: Brette, *Atlas des bailliages* and IGN's ADMIN-EXPRESS édition mars 2021, available under a CC0 license.



**Fig. A4.** Extent of France's territory in 1789. Source: map produced with QGIS, IGN's ADMIN-EXPRESS édition mars 2021 and Cristofoli, Vouloir, Duménieu, and Motte's *Des chefs-lieux de Cassini aux communes de France*, available under a CC0 license.



**Fig. A6.** Généralités in 1789. Source: map produced with QGIS and IGN's ADMIN-EXPRESS édition mars 2021, available under a CC0 license.

Appendix Tables

**Table A1**

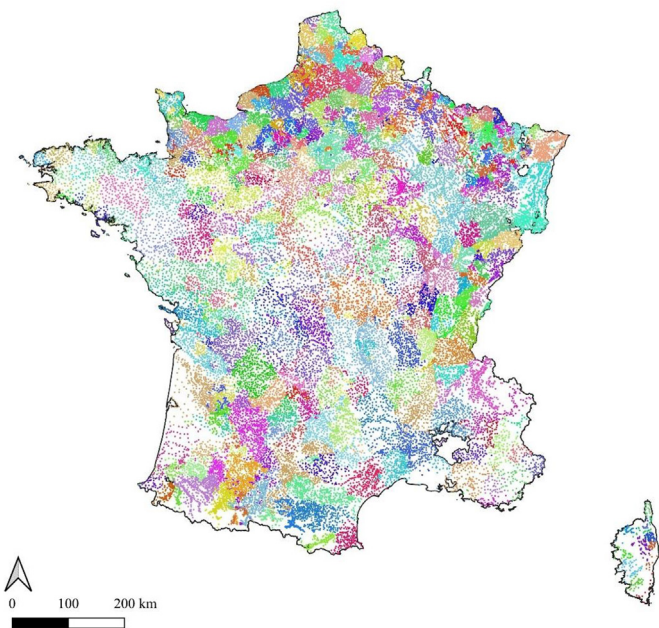
Extent of the territory of France in 1789

Territory	Parishes		Area (km <sup>2</sup> )	
	Total	%	Total	%
0 France	42,771	97.67	531865	96.85
Outside of France	1021	2.33	17291	3.15
I État d'Avignon	4	0.01	86	0.50
II Comtat Venaissin	105	0.24	1992	11.52
III Souveraineté de Bidache et duché de Gramont	3	0.01	47	0.27
IV Seigneurie de Mandœuvre	1	0.00	15	0.09
V Principauté de Montbéliard	37	0.08	177	1.02
VI Ville de Mulhouse	5	0.01	38	0.22
VII Comté de Saar-Werden	36	0.08	292	1.69
VIII Principauté de Salm	23	0.05	268	1.55
IX Comté de Sault	9	0.02	339	1.96
X Seigneurie de Montjoie	15	0.03	108	0.62
XII Duché de Savoie	684	1.56	11144	64.45
XIII Comté de Nice	99	0.23	2784	16.10

**Table A2**

Types of jurisdictions that formed electoral constituencies in 1789

Jurisdiction	Parishes		Area	
	Total	%	Total	%
Bailliages	22,033	51.51	233,588	43.92
Sénéchaussées	13,837	32.35	215,300	40.48
Other	6901	16.13	82,877	15.6



**Fig. A5.** Bailliages in 1789. Source: map produced with QGIS, IGN's ADMIN-EXPRESS édition mars 2021 and Cristofoli, Vouloir, Duménieu, and Motte's *Des chefs-lieux de Cassini aux communes de France*, available under a CC0 license.