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One King, One Faith

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One King, One Faith

The Parlement of Paris and the
Religious Reformations of the Sixteenth Century

Nancy Lyman Roelker

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FOREWORD

One King, One Faith has been more than twenty years in the writing and still longer in the making. To paraphrase one of the readers for the press, it represents "a lifetime of reading and thinking" about the central issues involved in France's response to the religious crisis of the sixteenth century. Sadly, the book's author did not live to see the completed work. Nancy Lyman Roelker died at her home in Rhode Island on November 27, 1993, just three months after she learned that her manuscript had been accepted for publication by the University of California Press.

Nancy Roelker's friends took comfort in the joy she experienced at having the manuscript accepted and knowing the work would appear. Still, her untimely death left many questions unanswered and many tasks undone. Everyone who has published a book knows how much work remains and how many decisions need to be made before the final product comes off the press, out of the bindery, and into the bookstores. In this case, the process was complicated by the fact that no one was certain just how far Nancy had gotten with her intended revisions. She had been working on the bibliography on the day that she died, and yet there were enough incomplete notes and bracketed comments in the manuscript to suggest that she intended to return to these passages to make more changes as well.

As the friend and colleague whose own research borders most closely on the subject of this book, I have assisted Nancy's sister, Helen Kessler, and the editors at the UC Press with the editorial tasks that remained. We have tried to proceed delicately, with a lighter editorial hand than might have been applied to a manuscript whose author could still be queried on intentions and shades of meaning. Nancy Roelker has a distinct and vibrant authorial voice, and we wanted that voice to speak unimpeded. I have accordingly tried to limit my own role to checking citations, filling in

missing references, and clarifying the occasional passage where mechanical or other errors obscured what seemed to be a clearly intended meaning. I have been assisted greatly in this process by a former student, John McGrath, who recently completed a dissertation in sixteenth-century French history. We used the same New England libraries where Nancy Roelker did the bulk of her research and also went back to earlier drafts of the manuscript, which Helen Kessler was able to supply. It has not been possible to check French archival citations or references to certain rare books; nor has it proved possible to identify conclusively several passages that appear in quotation marks in the text. I beg the readers' indulgence and hope they will agree that the book has been held up long enough.

It is important that the book be published, not only as the culmination of Nancy Roelker's distinguished career, but also as an unparalleled synthesis of recent research on sixteenth-century France. Nancy Roelker's tribute to the younger scholars whose work has contributed to her own is characteristically generous. Indeed, she has dedicated this book to some twenty-two "younger *seizièmistes*" who sent her the products of their research while it was still in manuscript form. Much of this research has since appeared in the form of articles and books, but an important part remains unpublished and hence largely inaccessible to other scholars. Several of the historians whose research has contributed most to this study have left the profession; their work in particular risked disappearing but for Nancy Roelker's recognition of its worth. Thanks to her efforts, their key findings can now be integrated into our changing picture of sixteenth-century French politics and society.

I stress the role of synthesis here; I would stress the role of interpretation as well. *One King, One Faith* does not just summarize recent scholarship, rather it mines this work thoughtfully yet critically, in order to integrate it into a broader and more penetrating vision of the past. The same is true of the primary sources on which Nancy Roelker relies. When she began her work, she clearly intended to do very extensive archival research in the unpublished and underutilized records of the Parlement of Paris. Declining health made it impossible for her to complete the original, ambitious plan for archival research, and careful readers will notice that archival references diminish in number as the book progresses, while an increasing proportion of the footnotes cite such familiar published primary sources as the *Mémoires-Journaux* of Pierre de L'Estoile, the *Histoire universelle* of Jacques-Auguste de Thou, and the correspondence of Étienne Pasquier. At first glance this focus may appear ironic, for these are the very same sources that have traditionally dominated historians' interpretations of France's

civil and religious wars, the same sources whose authors' social and political biases Robert Descimon has accused of obscuring a true understanding of this complex period.¹ And yet, this is precisely where Roelker excels, for if she narrates events in the words of and, seemingly, through the eyes of L'Estoile, Pasquier, or de Thou, it is not to present their views as impartial truth but rather to probe more deeply, to explain just why they saw things the way they did. She empathizes with the men who emerge as her spokesmen but never loses sight of her real quest, which is to understand their *mentalité*, to uncover the unique constellation of social, political, and intellectual values that gave shape to their views.

One King, One Faith: the phrase is a shorthand for the longer French saying, *un roi, une loi, une foi*, and encapsulates the essential values that Nancy Roelker attributes to the core of Parlement's magistrates, as it summarizes their most profound understanding of the constitutional bases of monarchical authority in France. The political, ecclesiastical, and legal unity of the monarchy were all wrapped up in this phrase, and in allegiance to a monarch who was simultaneously king, priest, and judge. As Roelker argues, the magistrates of Parlement saw themselves as essential guarantors of this constitution, and this belief indelibly shaped their attitudes toward both politics and religion. Indeed, as she further argues, at the most profound level they could not separate politics from religion. This book is the story of the complex positions they staked out in defense of *One King, One Faith*.

BARBARA B. DIEFENDORF

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My special thanks to younger *seizièmistes* who allowed me to use their work (unpublished at the time). This long-delayed result is dedicated to them with gratitude and affection.

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INTRODUCTION

Traditional studies of the French Wars of Religion were usually narrative; more recent ones, applying the methods of social history, often become microanalyses of particular local episodes or situations. Little attention has been paid to the *mentalités* of educated Catholics who rejected any kind of religious change. In the hope of filling the gap, this study will analyze the attitudes toward religion of the most influential group, the magistrates of the Parlement of Paris.

The overwhelming majority held to the traditional Gallican that is, uniquely French form of Catholicism, which had evolved in the Middle Ages and become institutionalized by the mid-fifteenth century. This consistent loyalty conditioned their attitudes toward any and all deviations from it. The deviations lie along a spectrum of opinions from what most contemporaries deemed "heresy," the outright repudiation of any Catholic doctrine and/or practice, to an ultramontane, that is, pro-papal Counter-Reformation eventually Tridentine position. As is well known, the latter was much less open, more rigid, and tightly structured than medieval Catholicism. It can be called more conservative, in that there were fewer options, or more radical, in that it was more militant and ideological than traditional western Catholicism.

Both ends of the spectrum included degrees of deviation. Heresy, at its vaguest, could be alleged if neighborhood gossip had a housewife patronizing the butcher on a fast-day, or it could connote deliberate, reasoned departure, in words or behavior, from conventional practices of the sixteenth-century Roman church, such as sale of indulgences, veneration of saints, interpretation of the mass. At the height of the League rebellion (1588-94) when the extreme (Parisian) faction, the Sixteen, turned to

Philip II of Spain for material support, arms, and money, "ultramontane" meant beyond the Pyrenees as well as beyond the Alps.

The specific substance of the study is an analysis of the *mentalité* or mind-set of the dominant members of the court. It begins with general matters that provide the context for their religious views— notably the laws, government, and history of France and of the Parlement itself— and then analyzes parlementaires' religious attitudes as they changed and developed in relation to events during the Reformations, Protestant and Catholic. Those I call "mainstream" were centrist, conventional rather than militantly or ideologically Catholic, often outspokenly anticlerical. These characteristics did not change throughout the century despite many dramatic events affecting the court and all the French people. They were always in the majority, as far as can be determined, but it was often a silent one, especially in periods when the ultras held the leadership.

Compared to the religious views of heretics and ultras, those of the mainstream are hard to discern, and for the most part they are disappointingly general and paradoxical. Why did magistrates who never deviated from the traditional religious position yet shared the values and opinions of their equally humanist-educated peers who were converted to the reform stay within the old church? They had Huguenot friends; they stated publicly— often at considerable risk— their belief that the root cause of heresy and all its evil consequences, including civil war, was the delinquency of the clergy in the higher echelons, pluralism of benefices, absenteeism (many bishops held their offices through simony or political considerations), and at the parish level, ignorance, even to the point of illiteracy, lack of spiritual vocation, and life-styles most conspicuous for drunkenness and greed. They repeatedly declared that the sole remedy for these abuses was reform of the contemporary church. What accounts for the adherence that representative parlementaires, guardians of the tradition, gave to an institution they regarded as "riddled with corruption" and weakened by elements such as the doctrine of Purgatory, indulgences, the cult of the Virgin? In addition, they were deeply committed to the Renaissance ideal, *ad fontes*, even more to the Christian than to the classical sources, and, like Protestants, held up what they believed to be the "primitive church" as the model. How can we explain the paradox?

My consultation with specialists explained the prior neglect of this key question: obstacles included limitations within the registers of the Parlement, many large handwritten volumes, difficult to decipher, never inventoried, with missing records for certain crucial periods such as the days before and after the Massacre of St. Bartholomew. More important, lacking

the equivalent of U.S. Supreme Court opinions, one learns only who was sitting in a particular case and what the final judgment was. From the registers alone, therefore, one could not draw conclusions about the opinions, religious or other, of individual magistrates.

Thanks to two strokes of exceptional good luck, I was able to pursue the quest. Among the manuscripts in the Bibliothèque de la société de l'histoire du protestantisme français is a three-volume handwritten work, "Extraits des Registres Criminels du Parlement de Paris en ce qui se rapporte aux Protestants, 1499-1603." It was compiled by one Nicolas Dongois (d. 1717), a nephew of Boileau, who held the office of chief clerk in the Parlement for sixty years and was much respected.¹ From internal evidence I had previously concluded that Dongois was concerned with many of the same cases and individuals as I was, although his interest lay in the Protestant victims and mine in their Catholic judges. His full, careful, and *dated* transcriptions made it possible to locate his sources in the registers to see if his work could be trusted and used as an "Ariadne thread"; to pursue the comparison, however, required a first-class *archiviste-paléographe*. The second and determining stroke of luck was the generosity of Bernard Barbiche, a leading *chartiste* who had helped me extensively in previous archival research. He was interested in the problem and willing to give hours of his time and his incomparable skills to making the test. We were unable to find every case I had selected from Dongois (the organization of the registers is not consistent and some may have been included in other series), but every one we found my mentor pronounced reliable. To the extent that my findings are valuable in the solution of the problem, they can be added to his many contributions to the field. Deficiencies, of course, are entirely attributable to myself.

In order to gain as complete an understanding of the group *mentalité* as possible, I was obliged to supplement the registers with a wide variety of sources: correspondence, memoirs, tracts (legal, political, religious), diplomatic dispatches, collections of *arrêts*, manuals of parlementaire procedure and behavior. I began with the most prominent magistrates, on whom the sources are most abundant, and gradually added lesser members as they surfaced in my research. It soon became clear that my findings would not constitute a true prosopographical study too much information was lacking but rather conclusions and hypotheses concerning the range of opin-

1. Bibliothèque de la société de l'histoire du protestantisme français, ms. 486: Nicolas Dongois, Extraits des registres criminels du Parlement de Paris en ce qui se rapporte aux Protestants, 1534-1584 (vol. 3 of Registres criminels du Parlement, cotés 58-143, 19 novembre 1499-30 octobre 1603, avec 12 ans perdus novembre 1571-novembre 1583).

ion on a variety of religious issues, especially relations of church and state, in a time frame of approximately seventy-five years, from the late 1520s to the promulgation of the Edict of Nantes (1598-99) and the court's final rejection of the Trent decrees (1607).

Description of Parlement as an institution, its structure and the differences among the several chambers, do not figure in this work because specialized studies are readily available. Nor are the genealogical data exhaustive. The focus is rather on the determining elements of the mind-set of the elite leadership of the *gens de robe*. The principal sources of its cohesion and persistence were the bonds of family and property; corporatist and professional bonds; heightened self-consciousness of tradition because of new threats to it; reinforcement of tradition for the sake of self-preservation. Significant variables were also operative within the mainstream: socioeconomic, ideological, and generational factors as well as patronage patterns.

The organization of the text is as follows.

In part 1, chapters 1-4 correlate and synthesize the work of scholars on particular aspects of the problem and aim to create an overview of parlementaire *mentalités* within which the religious attitudes can be located.

In part 2, chapter 5 sets forth the methodology and describes the Parlement's religious tradition. Chapters 6-10 analyze religious attitudes in chronological segments established by events and Parlement's reactions from the mid-1520s to the mid-1580s.

In part 3, chapters 11-14 describe and analyze Parlement's role in the rise and fall of the League and the triumph of Henri IV, 1584-94.

The epilogue treats Parlement's relation to the Edict of Nantes and its rejection of the Trent decrees, and the final chapter offers my hypotheses and conclusions.

PART 1
THE MAIN STREAM PARLEMENTAIRE MENTALITÉ

1
The Mainstream Parlements
Who They Were and How They Got There

The Historical Takeoff

Although the history of the Parlement of Paris as an institution goes back to the fourteenth century, the parlementaire *mentalité* with which we are concerned originated in a particular set of historical circumstances in the late fifteenth and early sixteenth centuries. In chronological sequence, the first of these was the revival of royal power and national unity in the 1460s after the long disintegration of the Hundred Years War. The task was complicated by the struggle between two noble factions, led by the houses of Orléans and Burgundy. Paris having been dominated for some time by the Burgundian rebels, Louis XI was obliged to regain the allegiance of magistrates, among others, of that party, as well as to reward the faithful. In a series of skillful negotiations, he reconstituted the court and staffed it with able men. Office in the court offered considerably more scope for their ambition than had been the case in the medieval parlements. Notably an *ordonnance* (ordinance, or general law) of 1467 declared that royal officers could not be deprived of their offices without due process, and the old election procedures of 1446 by which three names were presented to the king to choose from were reinstated.¹ These concessions to the Parlement

1. Christopher W. Stocker, "Offices and Officers: Recruitment and Composition of the Parlement of Paris, 1461-1525" (Ph.D. diss., Cornell University, 1965), esp. 50-57. See also two articles by Stocker: "The Politics of the Parlement of Paris in 1525," *French Historical Studies* 8 (1973): 191-212; and "Public and Private Enterprise in the Administration of a Renaissance Monarchy: The First Sales of Office in the Parlement of Paris, 1512-1534," *Sixteenth Century Journal* 9 (1978): 4-29. It would be impossible to exaggerate the indebtedness of my work to Christopher Stocker's. Both the substance and the sources, especially in this chapter and chapter 4, draw heavily on his dissertation, which merits publication in full.

of Paris were later extended to those of Toulouse and Bordeaux as well. From this time on, in their dealings with the crown, the magistrates showed a degree of boldness and independence unheard of in earlier generations; we shall see them challenging every king from François I to Henri IV.

Already at the start of the reign of Charles VIII, in 1483, the members of Parlement asserted their right to determine its composition by presenting to the new king a roll, not of the court as constituted at the death of Louis XI, but as they wished it to be constituted; for instance, the sitting premier président was placed at the bottom of the list. Kings continued to violate the procedures in order to place men they favored for some reason (usually financial advantage to the crown), yet the court also continually strengthened its autonomy, especially through the exercise of the *resignatio in favorem*. While prominent families like the Briçonnet obtained their foothold through royal favor, as many as thirty-five out of sixty magistrates (in the middle years of the reign of Charles VIII) were admitted by resignation, that is, by co-option.² Moreover, the privilege was extended so that relatives of colleagues and members of the Paris bar could be favored when no immediate family member was available.³ One result of this latter concession was the growing predominance of Paris lawyers in the Parlement at the end of the fifteenth century. Of the forty-nine conseillers listed in the reign of Charles VIII whose backgrounds are known, thirty-seven were previously practitioners of law in the capital and two others were professors of law there.⁴ This influx of Parisians marked parlementaire *mentalité* in a number of ways, of which the most important was the overlap of membership in the Parlement with that in the city councils of the Hôtel de Ville, and the consequent harmony of the values of the two groups.⁵

Louis XII, who would emerge in the later sixteenth century as the parlementaire model of the good king though not for this reason felt that this trend toward monopoly must be checked. An ordinance of 1499 decreed that only one-third of the members of Parlement could be Parisians and that no father and son or pair of brothers could hold office at the same time.

2. Stocker, "Offices and Officers," 72.

3. Ibid., 100.

4. Ibid., 95-96, but see the different interpretation of Denis Richet cited in note 7.

5. Barbara B. Diefendorf, *Paris City Councillors in the Sixteenth Century* (Princeton, 1983), 42-52, tbs., appendix on 308-311. The overlap of membership in the Parlement and the *bureau de la ville de Paris* (hereafter in text and notes, the Bureau de Ville) makes this a major source for the present study. I am deeply grateful to Barbara Diefendorf for access to her dissertation and manuscript versions, and for the many benefits of our collaboration and collegueship over the years. Articles of hers dealing with the mid-sixteenth century are listed in part 2.

This was never enforced, however, and "private venality" continued apace; the Hennequin and Le Coq dynasties were among those that originated in this way. But the king, the queen (Anne de Bretagne), and Louis's chief advisers, Georges, cardinal d'Amboise and Florimond Robertet, *secrétaire de finances*, also frequently intervened in appointments to the high court, a precedent for patron-client relationships between *les grands* and members of Parlement that would be fateful when the royal court and the kingdom fell prey to two rival noble factions in 1559.⁶

Of all the new tendencies, by far the most revolutionary was the practice of venality by the crown itself. In the financial squeeze that followed the loss of Milan in 1512, Louis XII sought a remedy in the creation of a number of judicial offices. Families of later prominence, such as the Tronson, the Hurault, and the Le Viste, were among the beneficiaries, as were members of the former Senate of Milan, like Jean de Selve (later premier président, 1519-29). As Denis Richet points out, the crown had been drawing on the prosperous bourgeoisie for aid ever since the "king of Bourges" began to reconquer his kingdom, in the middle third of the fifteenth century, with the result that they had obtained a dominant role in the reborn state *et se firent grasement payer ce rôle*.⁷

Compared to the explosion of offices and the regularization of venality in the reign of François I, however, all prior developments fade into insignificance and are seen as mere foreshadowings. The king ignored all the election procedures and established "royalized" venality once and for all, as a means of attracting needed cash quickly. The power of Robertet became ever greater; even Louise de Savoie and Marguerite d'Angoulême, the king's mother and sister, resorted to his intervention, as in the case of the nephew of Jean de Selve for whom the premier président sought an office.⁸ Simultaneously, the chancellor, Antoine Duprat, was exploiting the situation to build a "party" or faction, loyal to himself in Parlement, by bringing forward suitable candidates, that is, men with money, ability, and ambition. By this ladder many of his fellow Auvergnats climbed up to the Parlement,

6. Stocker, "Offices and Officers," 138-145, 152-159.

7. Ibid., 150-151; Denis Richet, "Élite et noblesse: la formation des grands serviteurs de l'état (fin XVIe-début XVIIe siècle)," in *De la réforme à la Révolution: études sur la France moderne* (Paris, 1991), 143-154 (hereafter Richet, "Grands serviteurs"). For differences between Stocker and Richet on the Parisian question, see note below. On Jean de Selve (1475-1529) see chapter 2.

8. On the explosion of offices under François I, see Édouard Maugis, *Histoire du Parlement de Paris de l'avènement des rois Valois à la mort d'Henri IV* (Paris, 1913), 1:143, 171-180. Vol. 3 contains the chronological list of all members, with offices and other biographical data. See also Stocker, "Public and Private Enterprise."

including Pierre Lizet, who would have an important impact on the court and the kingdom, as *avocat du roi*, président, and finally, premier président, 1529-49, when he became the leader of the ultra-Catholic faction opposed to the crown's more moderate religious policy.⁹

Parlement did not easily cave in to demands by the crown or *les grands*. The court repeatedly delayed action on François I's plan in 1521 to create a new Chambre des Enquêtes, the lowest of the chambers, with twenty members. Louise de Savoie, attempting without success to act as intermediary, let it be known that she might persuade the king to drop the plan if the members of the court would come forward with 120,000 *livres tournois*, but the court rejected both alternatives.¹⁰ After a prolonged standoff, twenty new offices were created by an edict of January 1522. Those "provided" in violation of the rules included some to individuals who will figure in our study. The inflation of Parlement in return for "loans" was only one instrument of royal policy to raise money by any means. The creation of *rentes* on the Hôtel de Ville and François's attack on the financial oligarchy, culminating in the trial of Jacques de Beaune, sieur de Semblançay, were other means to the same end.¹¹ In order to appease the magistrates' fury, the king promised in 1524 that he would create no more new judicial offices, and in order to flatter the magistrates' sense of importance, he "requested" the court to depute three or four of its members to investigate the professional and personal qualifications (*suffisance*) of all candidates.¹²

In these years (1520s), Parlement regularly resorted to the negative tactics of protest and delay, biding its time until circumstances should enable it to seize the initiative. The opportunity came in 1525, when François I was defeated by Charles V, taken captive, and held prisoner in Madrid for months, while his mother ruled France as regent. Details of her confrontation with the court will be included in our discussion of the Concordat of Bologna, the original bone of contention.

As tension between the crown and the court increased, the magistrates' self-confidence and professional esprit de corps also increased, and an elite nucleus emerged in the court, creating an inner hierarchy. This loosely defined group included most of the présidents, a few conseillers, and some representatives of the *gens du roi*, held together by family ties and mutual

9. Stocker, "Offices and Officers," 179-185.

10. Ibid., 215-222.

11. Henry Le Monnier, *La Lutte contre la maison d'Autriche: la France sous Henri II*. Vol. 5 of *Histoire de France depuis les origines jusqu'à la Révolution*, ed. Ernest Lavisse (Paris, 1911), 230-235.

12. Stocker, "Offices and Officers," 238.