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**Constraints On The Executive.
A Reappraisal Of The French And English Old
Regimes Through Parliamentary Activities**

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CONSTRAINTS ON THE EXECUTIVE.

A REAPPRAISAL OF THE FRENCH AND ENGLISH OLD REGIMES THROUGH PARLIAMENTARY ACTIVITIES

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Abstract:

We show that the constraints on the executive were higher in Old Regime France than in England. The French executive had to deal with local Parliaments registering its decisions. From an early similar level at the end of the 17th century, legislation registered in Westminster gradually increased compared to Toulouse, with much more acts about economy, transport, and alterations to property rights. In the event of war, the French executive remained unable to register more fiscal Acts nor increase its revenues. The opposite is observed in England.

JEL Codes: N13, N23, O10, P14, P16.

Keywords: Parliament, constraint on the executive, taxation, economic take-off, Old Regime, property rights.

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1- Introduction

Over the past decades, a quasi-consensus has emerged among economists: constraints on the executive are a crucial institutional feature that foster economic development. It is argued that the slow growth observed for centuries in Europe was due to rulers using their powers to expropriate producers, impose arbitrary taxes, renege on their debts, and allocate society's productive resources to their allies (e.g., Acemoglu et al., 2005a). Introducing checks and balances on the executive (North and Weingast, 1989), the Glorious Revolution that took place in England from 1688 onward is supposed to have reversed this bad equilibrium (e.g., Li, 2019). A shift not enjoyed by other countries, notably France, which still suffered from the predations of a supposed absolutist state.

The strengthening of Parliament would have constrained the state, allowing private activity to flourish as property rights were now strongly enforced (e.g., van Zanden et al., 2012). Subsequently, other checks were gradually introduced through better representation of citizens in Parliaments, completing a virtuous cycle of constraints on the executive, leading to growth and democracy. This narrative, which flourished in the early 21st century, is characteristic of the Whig school of history, a view that sees events as an inevitable march towards freedoms and democracy (O'Brien, 2003).

Several aspects of the original scheme proposed by North and Weingast (1989) have been criticized. Property rights were not better secured after the Glorious Revolution, but less so (Hoppit, 2011); they were at least as secure in France (Hoffman et al., 2000). The Glorious Revolution did not have the supposed effect on the English debt market, with the risk premium remaining high (Sussman and Yafeh, 2006), nor on the return on private capital (Clark, 1996; Quinn, 2001), neither did the financial credibility of the state increase (Murphy, 2009). The starting institutions were no worse in Spain and Portugal than they were in England (Henriques and Palma, 2019). Other possible explanations for England's success have also been put forward, such as the Whigs' reformist agenda (Pincus and Robinson, 2011), the capacity to tax (Dincecco, 2015) or the early establishment of a state capable of providing external security, internal order as well as a mercantilist policy (O'Brien, 2011).

But remains living, the premise that greater constraint on the state is supportive of economic development. Paradoxically, the past decades have also shown exceptional economic development in Asiatic countries in which the executives bear weak checks and balances. These recent cases confirm earlier examples (e.g., Meiji Japan, Soviet Russia) of crucial economic development in an authoritarian political context contradicting a too simplistic view of the necessity of strong constraints on the executive for development. It is thus time to question

this “Whig view of economic development” by going back to the source of this fundamental political economy issue.

To argue that the level of constraints after 1689 is high, this literature relies on a narrative comparison, explicit or not, with France identified as an absolutist state (for example, France is cited 21 times by North and Weingast, 1989). Indeed, the increasing constraints on the English executive following the Glorious Revolution provide no clue into its absolute extent compared to other countries, especially France. This account needs to be revisited as it is based on limited historical evidence on the French side. Researchers are often blinded by the term absolutism coined by French romantic historians to describe the rise of the central state under the French Old Regime without any insight regarding international comparison. Among the specialist, “Few historians today believe that there was anything very ‘absolute’ about what was once reflexively called the absolute monarchy of seventeenth- and eighteenth-century France.” (Hurt, 2002: IX). As stated by Epstein (2000: 13), “‘absolutism’ was a largely propagandistic device”. More broadly, England has always stressed the modernity of its Old Regime (Brown, 2016) while France painted an oppressive picture of its own to glorify its Revolution, supporting on both sides of the Channel the current dominant view of greater constraints on the English executive.

We argue in this paper that the constraints on the executive were higher in France than in England. We clarify the nature of the institutions that constrained the French executive at the eve of the economic take-off, showing that meetings of the Estates General (*Etats Généraux*), often used in recent literature, were never the regular way of placing constraints on the government but an exceptional meeting at a national level irrelevant regarding constraints exercised. Indeed, Old Regime France was not a unified state like England, because the French Kingdom emerged as successive additions of territories and cities enjoying specific relationships with an initially weak King. This fragmentation was not only an issue for taxation as stressed by Dincecco (2009) but constituted “practical checks on royal authority” from at least the Renaissance (Major, 1960: 13). The French executive had to deal with a combination of local authorities: cities, provincial Estates and more crucially Parliaments. The 14 sovereign Parliaments imposed a scrupulous respect for local laws and rights as well as the general interest, before registering a royal Act. They could and did refuse to make an executive decision effective.

We compare the Acts registered in the Parliament of Westminster to those in the Parliament of Toulouse. The resort of these two Parliaments was comparable in terms of both surface area and population. In 1700, the population of England is estimated at 5,200,000 while a population

of 3 million was ruled by the Toulouse Parliament.² The Toulouse Parliament was the second in France according to the size of its jurisdiction and claimed to be on an equal footing with that of Paris. More important, it ruled over a homogeneous area under the Roman civil law. On this aspect, Toulouse Parliament was comparable to Westminster. Conversely, Paris Parliament covered 50 different customary areas, which might have resulted in an overestimation of its legal activity through repeated jurisdictional registrations (Chénon, 1929, Vol. I, p. 323). Crucially, the jurisdiction of the Toulouse Parliament is a typical example of a southern European area that missed the economic take-off. Julian Hoppit generously shared his exhaustive database on Westminster Acts (see Hoppit, 2017) but those of the Parliament of Toulouse have required a huge archival investigation to collect all the acts registered between 1689 and 1779.

Supporting the comparison we undertake, the number of Acts registered each year in the two Parliaments is highly correlated over time but accompanied by a gradual increase in Westminster. This increase consisted of Acts dedicated to infrastructure, trade conditions and alterations to property rights. Conversely in Toulouse, Acts affecting trade remained very infrequent, attesting the constraint faced by the French executive in this matter. Indeed, trade conditions were mainly fixed by local statutes, supporting the views of an English advantage to implement mercantilist policies (O'Brien, 2000; Ashworth, 2017). As another manifestation of the constraint, very few Acts modified property rights because no French institution, executive or any Court, was able to change discretionary property rights, while these alterations in property rights played a key role in English economic success (Bogart and Richardson, 2011).

On the other hand, more Acts about religious issues (dealing with Protestant minorities and the Catholic church) were registered in Toulouse while the nationalization of the English Church reduced the required legislation. Much more Acts about taxation were registered in Toulouse. The privatization of most of the tax administration through “offices” and the heterogeneity of tax rules across the country explain this need for numerous Acts. This lack of a centralized administration ruling a unified territory, as in England, reconciles this high number of Acts with the low fiscal pressure of the French state documented by historians.

Focusing on taxation, we establish quantitatively that the constraint was stronger on the French executive when it came to both adopting and implementing new rules. The constraint on adoption of fiscal Acts is demonstrated by the fact that the number of fiscal Acts registered did not increase in the event of war (implying urgent financial needs) in Toulouse, unlike in Westminster. Moreover, the delay to register a fiscal Acts is not significantly reduced in

² Languedoc accounted for 1,600,000 inhabitants, the *Généralités* of Montauban for 600,000 inhabitants and of Auch for 800,000; see Frêche, 1971.

Toulouse in case of war. Constraint on implementation is supported by the lack of effect of the number of new fiscal Acts on government revenues in the following year, whereas again the opposite is observed in England (more fiscal Acts led to increased revenues in the following year).

The main implication of this research is that higher constraints on the executive cannot explain the economic success of England compared to France.

The paper is organized as follows. Section II presents the constraints that the French executive had to bear. Section III explains the data we use and compares the matters of Acts registered in the Westminster and Toulouse Parliaments. Section IV demonstrates that the constraints concerning taxation were greater in France than in England. The last section concludes.

2- Parliaments' constraints on the French executive

A- General Estates was not an effective constraining institution

Researchers have focused on Parliament as the main source of executive control.³ According to Stasavage (2016), the presence of Parliaments in Western Europe was due to the existence of numerous weak entities after the collapse of the Roman Empire. For Acemoglu et al. (2005b), the role played by the emergence of a merchant class involved in the Atlantic trade was crucial while de Magalhaes and Giovannoni (2019) highlighted in turn the risk of war. Stasavage (2010), Van Zanden et al. (2012), de Magalhaes and Giovannoni (2019), and Henriques and Palma (2019) compiled data on parliamentary sessions across Europe; the latter also investigated the reasons for convening a parliament. This stream of research neglects the French Parliaments assessing the French parliamentary activity through the Estates General, which is irrelevant.

France emerged from the Middle Ages with decentralized institutions that persisted throughout the Old Regime. This basic statement is essential for understanding the divergent nature of the French monarchy in comparison to England. France was not a centralized and unified state, the relevant constraining institutions were locals. For sure, the absence of national representation before 1789 was a cause of weak state-building. But this did not imply a low constraint on the executive. The opposite is true, such a national representation as observed in England could allow a check on the executive, but more surely a “cheque to the executive” signed by the taxpayers (Henriques and Palma, 2019).

³ As an alternative to “executive”, we also use royal, national, government, King and central state.

The Estates General was not a representative assembly, its only duty was to hear what was said (Chénon, 1929 0: 833-834). Members were delegated by an existing institution with an imperative mandate, far from modern ideas of representation (Bulst, 1992).⁴ Unlike provincial Estates or Parliaments, the Estates General had not fixed rules, even regarding the number of members (Naegle, 2016). It was only convened in times of crisis, mostly when war threatened the King. Therefore, fiscal issues discussed during its meeting derived from crisis circumstances and did not lead to direct decisions: any reform agreed upon by the Estates General had to be confirmed by the local authorities to be effective, especially Parliaments (Major, 1960). Parliaments, considered themselves the warrants of the constitutional law of France thus allow to reject General Estates decisions (Mousnier, 1974.2: 597)⁵. Any action of the French monarchy remained dependent on the cooperation with local institutions.

B- Various constraints from local Institutions

France was a mosaic of local institutions which the executive had to bargain with, especially regarding taxation. Most of the country was ruled directly by the central executive (*pays d'élections*) but a large third was governed by local Estates that enjoyed political and administrative competences (*pays d'Etats*). Estates existed before their annexation to France; for instance, Languedoc Estates claimed to be older than the French monarchy as direct successor of a Roman institution. Some owned limited jurisdictions, such as those in the Pyrenees, but most ruled over large territories such as Brittany, Burgundy, and Languedoc. Several of these Estates faded away, mainly because they were not in charge of tax collection (e.g., *Etats d'Auvergne* in 1651, *Etats de Normandie* in 1655), but most remained powerful until the French Revolution.

Estates had to consent to the direct national tax threw a “Free Gift”. “Offering “gifts” instead of taxation meant that local exemption remained valid and their liberties “remained uncompromised even as they advance money to the royal treasury.” (Kwass, 2000: 95). This Free Gift was negotiated as well as any new form of taxation before to be voted.⁶ Most of the time, informal negotiations were held previously voting taxation, as nowadays.⁷ Sometimes, rejection was staged to obtain a rebate (Chénon, 1929, I: 467). The Estates also had their own burden to provide public services. Doing so, financial discipline of the Estates was so efficient

⁴ The same was true in the Dutch Estates General but thanks to the small size of the entity, the representatives could constantly refer to their home cities (Stasavage, 2010).

⁵ For example, during the *Fronde* rebellion, the Parliament thus avoided the assembly of the Estates General, even though their reunion had been decided and elections had already taken place.

⁶ The Estates had ambassadors in Paris.

⁷ For instance, there is no case of rejection of any tax law under the Fifth French Republic.

that the French national state frequently used the Estates to obtain loans⁸; reducing as borrower the Free Gifts by the amount of their interests and repayments.⁹ The difficulty experienced by the executive for taxing according to its will is clearly revealed by the fact that the Free Gift remained constant for long periods (e.g., for several centuries, it remained stable in Britany at 2 millions Livres and 3 million in the event of war, Marion, 1923: 187). The central state succeeded to increase, even temporarily, the fiscal pressure through new forms of taxation such as *Capitation*, *Dixième* and *Vingtième* but still facing strong opposition from the Estates.¹⁰

In the whole country, the government was also constrained by historical requirements, *franchises* or *privileges*, enjoyed by all entities, especially the cities. Those were fiscal or legal arrangements of constitutional nature enjoyed by many inhabitants. For example, Parisians remained free of the main direct tax, the *taille* and Marseille was a free port avoiding any trade regulation.¹¹ The main indirect tax, the *gabelle* on salt, was collected according to six immutable regional rates, ranging from 0% to a fixed quantity of taxed salt to be bought each year. Moreover, some cities imposed an additional communal tax. An executive Act attempting to modify these rights and not agreed by the parties would fail to become effective. Indeed, it was up to the Parliaments to decide on the legality of the King's laws.

C- Parliaments as counter-powers

The Paris *Parlement* (from *parler*/to talk) originally emerged from the old King's Council to solve legal issues. Similar institutions also appeared in different political entities. As the Kingdom expanded, it respected these existing local high Courts that were gradually transformed into sovereign Parliaments. These Parliaments were sometimes explicitly acknowledged by treaties of union but were also probably a political lever for converting the local elite (Major, 1994: 20) and more practically, an efficient way of administering justice in territories geographically and culturally remote from Paris; this decentralization contrasts with the absorptions of the Parliaments of Ireland and Scotland by Westminster. At the end of the

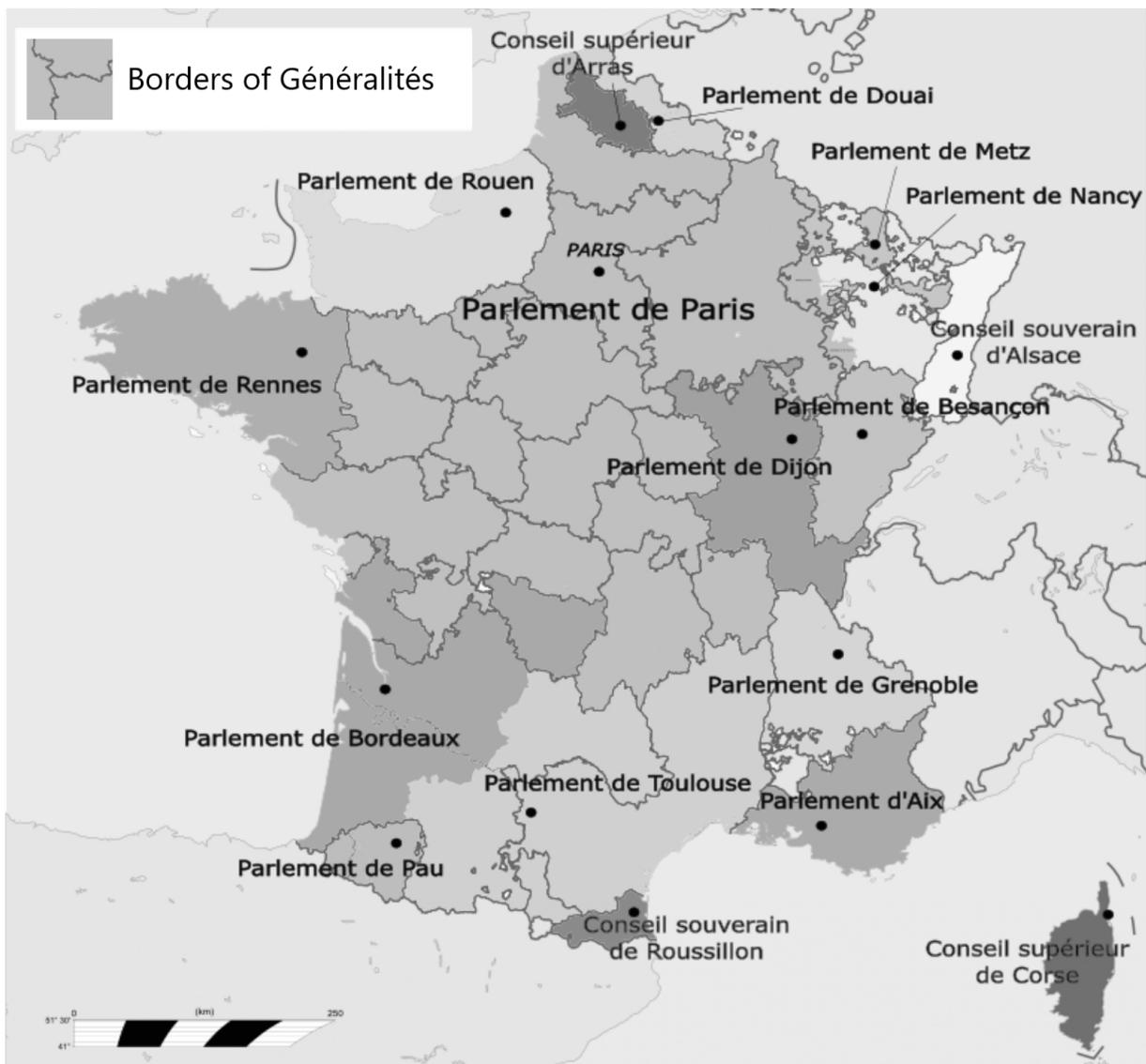
⁸ See Potter and Rosenthal (1997).

⁹ According to Beik (2005), the English Parliament did the same in the 1690s in floating the national debt.

¹⁰ The hostility to the first *Vingtième* was so strong that the Languedoc Estates have been suspended. Estates of Languedoc, Britany and Burgundy have finally accepted to pay a fixed amount as payment of the *Dixème* and *Vingtième*.

¹¹ The 1669 Act reaffirming Marseille as a free port shows an early version of the *doux commerce* argument: "Louis etc. ... As trade is the cleanest way to reconcile the different nations and maintain the most opposed minds in a good and mutual correspondence, brings and spreads abundance in the most innocent way, makes the subjects contented and the States more flourishing ...".

Old Regime, in addition to the 14 Parliaments, four *Conseils Souverains* had the same role over smaller jurisdictions (map 1).



Map 1: The Parliaments and the Conseil souverains under Old Regime France.

These Parliaments were at the heart of the public life of the time. Each new King had to be crowned in Reims Cathedral before making an official entry into the city of Paris. This entry respected a specific process concluded by a dinner at the Paris Parliament. When a new Governor, the central state agent controlling military forces, was appointed in an area, he had to swear before the local Parliament to respect local rules. Cities organized important popular festivities whenever a new First President of Parliament took office (Dubédat 1885 I: 303-304).

These Parliaments were called sovereign courts as they were the final court of appeal for legal disputes introduced in a jurisdiction. The Paris Parliament was not above them but differed in the breadth of its jurisdiction (about one third of all French territory) and several additional prerogatives: registration of Acts dealing with the transmission of the crown and cases against *grandeurs*. We refer hereafter to the Parliaments but in several areas part of these activities were shared with other sovereign courts: the *Cours des Aides* and the *Chambres des Comptes*. The *Cours des aides* were judicial court for fiscal litigation but also controlled the legality of state taxation. Initially set up to control the military aid provided to the King, these Courts became permanent as the central state taxation did. The *Cours des aides* were extremely careful to taxation, thus preventing an unchecked increase of the fiscal burden (Ligou, 1952). The state tried to withhold later taxes (capitation, *Dixième*, *Vingtième*) from their control. However, these Courts interpreted extensively their right of registration controlling for instance rules about tobacco growing (as a heavily taxed product), rules about industrial activities whenever fiscal concerns were involved, and international treaties such as those with Switzerland and the United States in the 18th century for the same reason (Ligou, 1952). All Acts concerning individuals or corporations (institutions) with fiscal issues were also registered by these Courts; this includes the appointment of fiscal officers within their jurisdiction. Depending on jurisdictions, the *Cours des aides*, was sometimes merged with local Parliaments or *Chambre des comptes* (as in Languedoc). The latter oversaw accounting, auditing, and registration of executive decisions, mainly regarding state properties, with the duty to prosecute forged or false accounts.

In addition, Parliaments also retained legislative powers as they regularly issued decisions that formalized a case-law. To clearly establish precedent, a Parliament could judge a case as an *arrêt de règlement*, meaning a similar case would then always be judged in the same way as this *précédent* case. Since the Parliaments were the jurisdictions of last resort, an *arrêt de règlement* was thus imposed on inferior jurisdictions (see Payen, 1997). Since there were 14 different Parliaments, one *arrêt de règlement* could then be imitated by another Parliament, or not.¹² An *arrêt de règlement* could also be registered without any case to judge but to create rules to maintain public order.¹³

Another important duty was to check on the executive. Most of the decisions of the government had to be registered by the Parliaments to become effective; only a few matters were theoretically excluded from this control as under the royal prerogative. This registration constituted a clear constraint on the executive recognized by legal scholars from the

¹² This French diversity contrasts with the strong uniformization that occurred after 1789 (Crettez et al., 2018).

¹³ Mainly on matters known in French as *police administrative*.

Renaissance.¹⁴ The courts determined whether an executive decision was consistent with the existing rules before registering it (Renoux-Zagamé, 2003: 236). They interpreted extensively this right of control. Parliaments considered themselves as the protectors of the local liberties that had been guaranteed for rallying the Kingdom (see Mousnier, 1971, vol. 1: 472-473). For this registration, Parliament's members "attended a plenary session, heard the laws read aloud and in full, analyzed them in detail, discussed them at length and then expressed their approval or disapproval by means of a free vote" (Hurt, 2002: 2). After registration, a copy of the *arrêt* was sent to lower jurisdictions before recording the new ruling in their own registers (Esmonin, 1964: 175-182).

A decision that had not been registered in the Parliament (not promulgated) could not be applied within its jurisdiction. Theoretically, the King should be able to oblige the registration of an Act but as stated by Adam Smith (1776, Book 5.1), "the violence which the French government usually employed in order to oblige all their parliaments, or sovereign courts of justice, to enregister any unpopular edict, very seldom succeeded." Indeed, Parliaments enjoyed independence and means of constraints.

D- Independence of Parliaments members and means of constraints

Members of Courts were fully independent because they owned their positions as offices. The state exerted direct control over neither their appointments, promotions nor dismissals (Klerman and Mahoney, 2007). These offices were considered as real estate. They could be sold on the market from 1522 and, from 1604, they could be inherited on payment of an annual tax of 1/60th of their value or a tax of 1/8th in the event of sale. The market for offices was relatively liquid (Descimon, 2006). Offices were coupled with privileges, i.e., tax exemptions and specific rights, which made the service of the state particularly attractive. Some offices reached considerable prices; parliamentary charges were among the most sought. Venality led families of merchant origin becoming dominant in these institutions through the frequent purchase of an office for a son.¹⁵ This practice ensured that the members of the Parliaments were usually young and responsive; from 1704 to 1771, new Paris Parliament members were, on average, aged 22 years and 7 months (Bluche, 1960), giving a majority of members below 35 years old from 1775 to 1790 (Egret, 1952).

¹⁴ Early on, Claude de Seyssel (C. 1450-1520) viewed the Parliament as mainly established as a way of placing constraints on the executive. "(...) *Parliaments that have been instituted mainly for this cause and for this purpose to curb the absolute power that kings would want to use.*", quoted by Naegle (2016).

¹⁵ Angelucci et al. (2018) show how merchants became represented only gradually in Westminster as representatives of cities.

Because the King's laws had to be checked and registered to become effective, the Parliaments could reject an Act when it appeared to be detrimental or illegal. To justify a rejection, the Parliament wrote a *remontrance* (to show again) explaining its motivations. Parliament's *remontrances* fulfilled a large spectrum of executive activities which includes royal ordinances (laws of general interest), *édits* (laws regarding a specific matter), declarations (clarifications of a former law) and *lettres patentes* (from *patente*, meaning manifest, i.e., a letter published openly, especially when granting a right). Parliaments also extended their powers to include writs of the King's council, called *Arrêts du Conseil*. In fact, Parliaments issued *remontrances* whenever they deemed it necessary (Antoine, 1993). *Arrêts* by the Toulouse Parliament often start with the sentence "The Court deliberating public affairs (...)".

Although many issues led to *remontrance*, they were almost systematic for fiscal matters (Félix, 2011). These *remontrances* constituted effective brakes to executive actions. For instance, in the fall of 1759, the tide of the Seven Years War turned against France with the loss of Quebec. Money was short, leading the state to suspend payments on public debt and invite the public to donate silver tableware. Despite this dramatic situation, it took seven months of discussions (including several *remontrances* and modifications of the executive's proposals) between Parliaments and the executive to increase a few taxes (Félix, 2011). The Courts did not focus only on legal aspects of executive decisions but provided a general appreciation. For instance, the Courts reacted strongly against the project of a general revenue tax of 5% (*Vingtième*) to repay public debt in 1757, arguing that such a tax would require collecting information on each taxpayer, leading to a "kind of Inquisition" with various negative potential consequences on merchants' activities and family life (Decroix, 2011).

Some *remontrances* were rejected without argument but most led to motivated answers, including changes to the initial Act. In some cases, the executive even asked the Courts to collaborate on a new wording.¹⁶ From a legal perspective, the executive could force the registration. However, this involved a complex, long and uncertain process. The executive should send a letter of *jussion* that officially enjoined a Parliament to register a law. But the court could repeat its opposition. A *lit de justice* then had to be organized, with the King or his representative sitting in the Parliament to force registration but without a guarantee of success for the executive. Introduced in the middle of the 16th century, such process was theoretically rejected by some lawyers and, when used, a mention was added giving the registration "a taint of illegality and jeopardized public acceptance of the law" (Hurt 2002: 5). Such an enforcement, "fraught with dangers" (Mettam, 1988: 129) was "a high-risk tactic . . . likely to misfire" (Briggs, 1992: 93) and could "increase opposition to new laws, inflaming the magistrates rather than subduing them" (Hurt, 2002: 5).

¹⁶ For instance, in 1763, for the writing of the Laverdy tax reform (Decroix, 2006).

Ultimately, Parliaments could refuse to register a law. For example, in Toulouse in 1763, after the return of peace at the end of the Seven Years' War, the Parliament refused to maintain some wartime taxes. The magistrates legitimized this refusal on the grounds that the state's finances were a matter of public order under their control. After several fruitless exchanges, the King sent soldiers commanded by the Duke of Fitz-James, the military governor of Languedoc, to the Parliament with full powers to constrain the institutions. Following a full night of procedural exchanges, the Duke forced the new taxes to be written into the register; this was cancelled by the Court but the cancellation was overturned by the Duke. Finally, the Duke sent soldiers to the house of each member of the Parliament to force them to stay at home. The same troubles occurred in other Parliaments, notably in Rouen and Grenoble, finally leading the executive to postpone this taxation and to free the members of Parliament. The Parliament requested the arrest of the Duke, forcing him to flee the Languedoc (see Alimento, 2008, p. 277).

The constraints exercised by the Parliaments were so strong that the government tried to reduce, if not remove, them. However, those attempts never succeeded to last. For instance, in 1673, Louis XIV imposed to the Parliament of Paris that the *remontrances* had to be expressed after registration and not before; but the other Courts remained free to address remonstrances before (Antoine, 1993) and the Paris Parliament still expressed its view through *Mémoires* before registration. At the death of Louis XIV, his successor was too young to reign. The Paris Parliament rejected the Regency council planned by the Sun King by giving the regency to a single prince, Philippe of Orléans and the Paris Courts recovered a full *droit de remontrances*. Another attempt of the executive to gain authority was in 1771 when the Chief Minister Maupéou abolished all the Parliaments in favor of a free justice system paid by the State. But, here again, those new Parliaments retained the right to issue remonstrances on executive decisions. The new system was difficult to set up and attacked especially through pamphlets by Beaumarchais. The new King Louis XVI called back the former *Parlementaires* as office-holders as soon as 1774. Parliaments regained broad latitude to constrain the executive, starting with immediate remonstrances against details of the Act reestablishing them. In 1788, a last attempt was the Lamoignon reform which planned to create a unique Parisian Court to register executive decisions. Again, this reform was registered in Toulouse under military pressure but canceled a few months later.

The control exercised by the Parliament on executive Acts was very effective because even after an Act was registered, opposition to the law could manifest through Parliament acting as last resort court of justice. The way to interpret, or even, to not apply rule constituted a kind of *ex post* control of the executive decisions (Saint Bonnet, 2010). One famous case was the “*Code Michau*” in 1629 that remained broadly ignored (Marion 1923: 409). Numerous aspects

of the many Codes issued by Colbert were also not applied (Carey, 1981). Therefore, enforcing a law was extremely difficult if Parliaments were opposed to it. Moreover, Parliaments also put considerable pressure by threatening justice strikes beyond the application of a specific Act.

Bargaining between Parliaments and the executive was thus the most common way to create new legislation (Chénon, 1929 I: 347). The draft of Act was frequently sent to the Parliaments by the executive asking for their opinions (see a detailed case in Lévy-Brühl, 1933). Before issuing objections, the Courts gave *Mémoires* or *Observations* expressing their views on a policy. Those were studied by the executive (Antoine, 1993). Finally, archives reveal numerous letters from members of Parliaments to the government which give concrete evidence of bargaining (Antoine, 1993).¹⁷ Its impact under the executive was stressed by contemporaries who stated that “ten hotheads in each parliament could bring government to a halt, and that administration could not function when remonstrance replaced discussion” (Egret, 1970: 99). Overall, this suggests a high level of constraint exercised by the Parliaments, which is confirmed quantitatively.

3. What was registered by the Toulouse and Westminster Parliaments?

A - Data

Royal Acts registered by the Toulouse Parliament are kept in the *Archives Départementales de la Haute Garonne*. The archives of the Toulouse Parliament represent a huge volume of 768 meters of shelving.¹⁸ Fortunately, an exhaustive inventory of the Acts initiated by the royal executive provides a short notice of form and content for each registered bill.¹⁹ In the event of missing information, we go back to the original copy of the *arrêt*. We start our collection in 1689 when Westminster started again to register Acts and stop in 1779 ten years before the Revolution begins. For Westminster, Julian Hoppit shared with us the exhaustive database he has carefully built and documented. We have adopted his broad classification to analyze the Acts registered in Toulouse. Following Hoppit (1996), we do not retain the unhelpful distinction between public and private Acts; for example, local turnpike funded by tolls were public whereas most enclosure Acts, which were similarly local, were private. We prefer classified Acts

¹⁷ For Toulouse, only a few archives of this nature (mainly letters exchanged with other Parliaments and with Kings and their ministers) have been kept (ADHG 1 B 4580 to 1 B 4595).

¹⁸ ADHG 1 B 1-1 B 4794. This excludes the approximately 100,000 trial documents (*sacs à procès*) still only very partially classified.

¹⁹ *Tome V : Enregistrement des actes du pouvoir royal (2^{ème} partie) 1568-1790* in *Inventaire sommaire des Archives départementales de la Haute-Garonne antérieures à 1790* written by Benjamin Faucher and Thérèse Gérard in 1965.

as General, Individual (specific to one person or entity) and Administration of public services (frequently required as the French administration was massively privatized through offices).

Between 1689 and 1779, 4,446 Acts of executive decisions have been registered in the Toulouse Parliament. Most of these Acts were *Lettres Patentes* (59%). About a third of the Acts had a general scope, 40 % were devoted to administrative management and the final third was made of individual acts; 636 of the 1,345 individual Acts were *lettres de dispense* (mostly dispensing with the need to study to obtain a university degree). Religion and taxation constitute the two more frequent matters with 24 and 19 % of the Acts respectively. Adding those dealing with economy, transport and property rights encompasses 54 % of all the Acts.

Nature of acts	Nature of acts		Scope					Issue				
	N.	%	General	Individual act	Administration	Tax	Economy	Religion	Transport	Property R.	Others	
Lettre	2608	59%	58	1255	1295	96	125	839	2	28	1518	
Edit	689	15%	682	2	5	500	34	19	2	19	115	
Déclaration	584	13%	572	2	10	198	34	81	3	43	162	
Arrêt	494	11%	2	34	458	52	105	98	4	30	205	
Others	71	2%	6	52	14	5	1	14	0	0	53	
Totals	4446	100.00%	1320	1345	1782	851	299	1051	11	120	2053	
<i>represents</i>			29.7%	30.3%	40.1%	19.1%	6.7%	23.6%	0.2%	2.7%	46.2%	

Table 1: Descriptive statistics of the royal Acts registered in Toulouse Parliament, 1689-1779.

In Languedoc, the registration of executive decisions on fiscal matters was shared with the *Cour des aides* of Montpellier. It is sometimes difficult to determine why a given executive decision was registered by one, the other or both courts. Broadly speaking, the more general and important fiscal decisions were registered in Parliaments while issues related to the management of the fiscal system were registered in the *Cours des aides* (e.g. tax computation, appointments, officers' costumes). The *Cour des aides* records are kept in the *Archives Départementales de l'Hérault*.²⁰ Over our period, 2,063 Acts were registered in the *Cour des aides* with a decline over the whole 18th century partially due to the Maupéou reform during which the *Cours des aides* were abolished.

B- The Acts registered in Parliaments

Numbers and correlation

²⁰ Available online:

http://archives-pierresvives.herault.fr/archives/archives/fonds/FRAD034_000000509/n:34/view:all

The two Parliaments passed Acts modifying the legal environment, but in different ways. In Toulouse, the Acts were always issued by the executive. As explained above, Parliament's members could only occasionally contribute to their writing; they were however free to create case law. Among Westminster Acts, it is not possible to distinguish executive projects from Acts originally introduced as private members' bills.

In both country, part of the executive decisions avoid Parliament registration as issued under the royal prerogatives. These prerogatives were much more limited in France as letters patent, granting privileges, incorporating companies and international treaties, needed to be registered by Parliaments in France but not in England (Henshall, 1992: 135).²¹ Moreover, in France near all public functions were venal and remained outside the direct control of the executive. Office-holders were reluctant to implement executive decisions, they "were extremely hard to control and operated as private individuals rather than public officials" (Bosher, 1970); intendants gradually compensated this weakness.²² Due to the privatization of most public services, even "lower management" decisions needed Parliamentary registration in France explaining why about 40 % of the Acts are classified as Administration (Table 1); privatized offices in Scotland, the heritable jurisdictions, were quite simply abolished in 1747 (Hoppit, 2011).

The broader English royal prerogative and the lack of state administration in France did not translate into a lower number of Acts in Westminster (Figure 1). Surprisingly, the two Parliaments initially registered about the same number of Acts each year. Both Parliamentary activities decreased at the beginning of the 18th century. The number of acts registered increased from the 1750s but at a much higher rate in England leading the Westminster Parliament to pass approximately twice as many Acts as Toulouse at the end of the century. Despite these differences, the variations in the number of Acts registered in the two Parliaments are broadly similar, with a highly significant correlation coefficient of 0.65. Several common factors (European economic conditions, wars, weather, religious troubles, rivalry, etc.) could explain this surprisingly high correlation.

²¹ See also notes 64 and 65 of Hoppit (1996) about what the Royal Council did independently from Westminster.

²² Crettez et al. (2019) offer a theoretical model showing that the main drawback for public services through the sale of offices is the loss of control by the State.

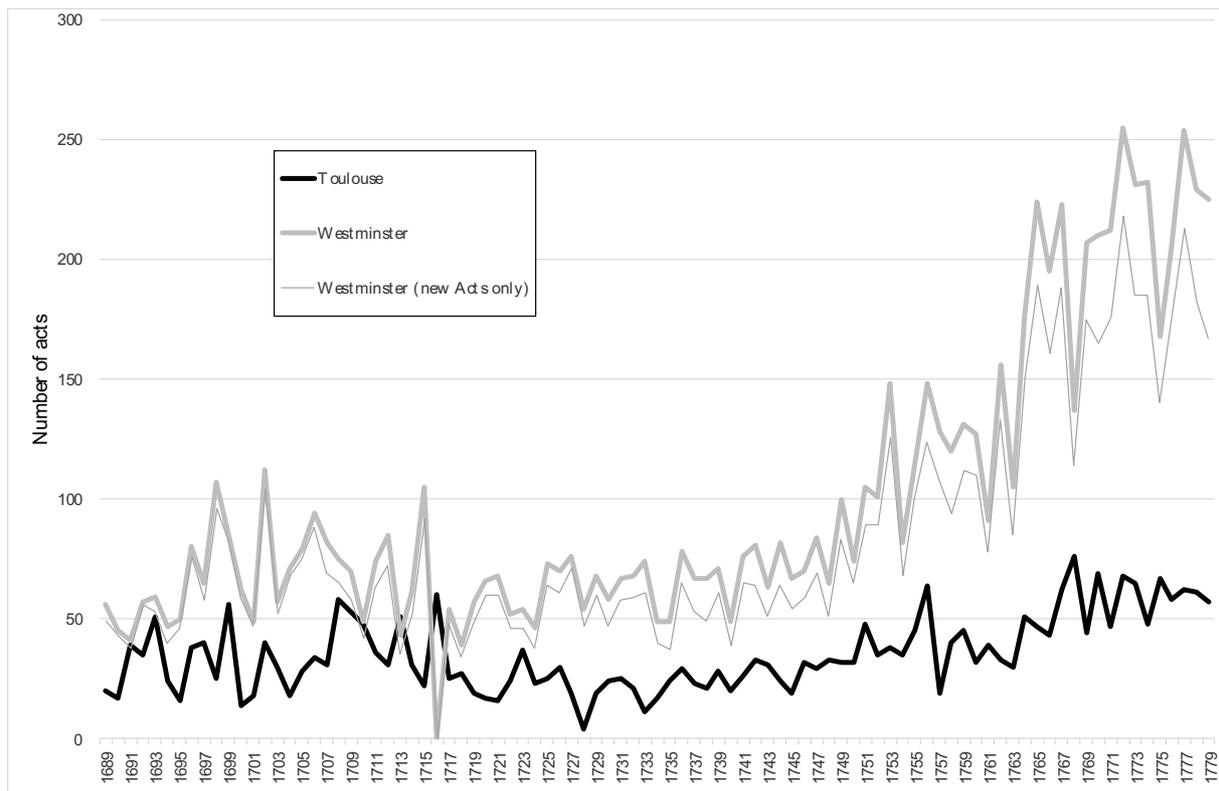


Fig. 1: Total number of Acts registered each year

Note: All Acts. For Westminster, we do not have the exact date of registration. We only know the Parliament session, that usually ran from the Autumn to Spring. We affect all Acts of one session to the Spring year.

The higher number of Acts registered in Westminster is not due to slight modifications to existing Acts, as revealed by the control we applied distinguishing “new Acts only” (Figure 1) nor to the union with the Edinburgh Parliament that occurred in 1707, as shown by Hoppit (1996). Demographic differences explain only part of the rise of the number of Acts in Westminster. Indeed, the English population increased much more quickly at the end of the 18th century than the French did and the number of Acts could be dependent on the number of inhabitants. The figures are closer after computing the number of Acts per capita in the two Parliaments (see Fig. A in Appendix). In each Parliament, the total numbers of registered Acts sum legislations of variable importance from Acts specific to an individual to important regulation such as the creation of the Bank of England. However, it seems impossible to define an objective criterion to try to distinguish important versus minor Acts. Anyway, the two Parliaments differs mainly regarding the issues of the registered Acts.

Differences regarding religion, transport, and economy

Acts related to religion were much more numerous in Toulouse. The nationalization of the Church in England eliminated many of the source of conflicts that led to Acts in Toulouse. A recurrent issue concerned Church properties, about a tenth of the French territory, that was in most cases exempt from regular taxation. The state fought to gain influence over this temporal aspect of religious activity (*gallicanisme*). The executive attempted to reduce the increase of the Church estates by controlling and even banning the purchase or donation of real estate through different regulations (e.g., 1549, 1661, 1749). An Act of 1768 also forced the closure of small monasteries. As a strong decline in vocations affected France at this time, numerous Acts were special authorization for monasteries to remain open.

Religious minorities were also under control. In England, there was greater toleration for Protestant dissidents after 1689 (Toleration Act) but this was not extended to Roman Catholics (Henshall, 1992: 116). There were thus Acts directed at “Papists” in Westminster but very few compared to the legislation concerning the Protestants in France. After the revocation of the Edit de Nantes, although religious belief was tolerated at the individual level, legislation organized the persecution of the Protestant cult as well as the prohibition of emigration. In Toulouse, there were also religious Acts, due to the legal fragmentation of the country. For instance, allowing Catholics to work in the recently conquered Principality of Orange.²³ Thirty years after this annexation, Acts were still passed prohibiting “new Catholics” from selling their properties without authorization (to prevent emigration).

²³ The Protestant city near Avignon gave its name to William III of the House of Orange-Nassau.

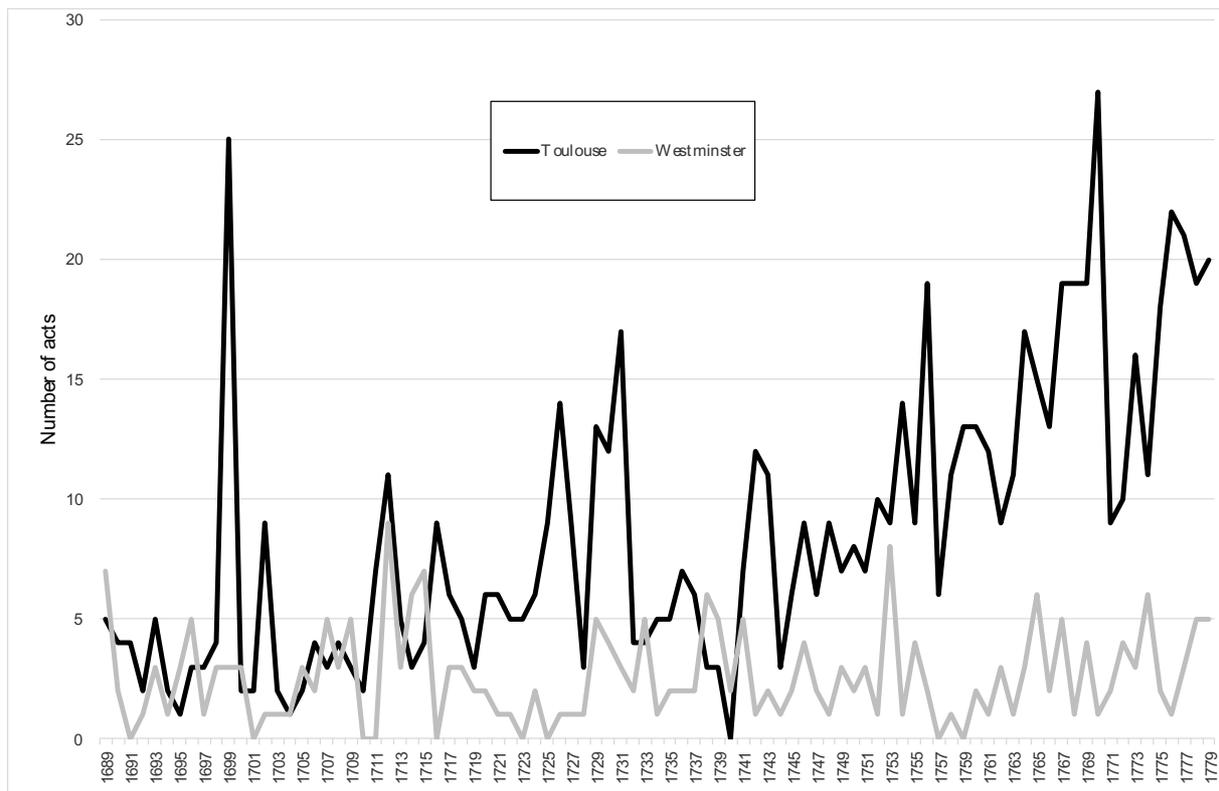


Fig. 2. Acts dealing with religion

The Westminster Parliament was able to register “statutory acts” creating new organizations that built, operated, and maintained infrastructure and public services in exchange for the right to collect tolls, levy taxes, issue debt, and purchase land without consent. The Acts fostered the construction, improvement, and maintenance of infrastructure (roads, bridges, river navigation, ports, canals, and railways). Urban improvement Acts provided for street paving, garbage collection, sewage extraction, water provision, and police protection (Bogart and Richardson, 2011). In Languedoc, the political economy of the infrastructures was different. The King granted in 1644 an entrepreneur, Jacques Brun, the right to dig a canal (without public subsidies) between the Rhone and the pounds around Agde. Languedoc Estates rejected his royal license leading the areas already excavated to be filled in 1656. After this conflict, the local Estates will assume themselves the building and financing of all infrastructures (canal, roads, ports). Rosenthal (1990) stressed that profitable irrigation projects were not undertaken in Provence because France had no equivalent of Westminster’s statutory Acts that overrode property owners opposed to the construction across their lands. However, the French system did not prevent the construction of ambitious infrastructures such as the Canal du Languedoc

(now Canal du Midi) linking the Atlantic to the Mediterranean via Toulouse, completed in 1681 under the supervision of the Languedoc Estates.²⁴

The role of the Toulouse Parliament was thus more limited. Infrastructure was developed by the Estates or the intendants through contracts signed with local builders. When required, modifications of property rights were made through financial compensation under the control of the Parliament (Slonina, 1999). The Parliaments had only to rule on the legality and fairness of required expropriations. Hoppit grouped together all Acts dealing with infrastructure of communication, showing their increase over time. The few Acts dedicated to transport infrastructures remained stable in Toulouse. It is difficult to assess whether this difference comes from institutional issues or is the manifestation of economic growth undertaken by England at this time. Durand et al. (2014) also show an increase of the investments in infrastructures made by the Estates during the 18th century. Moreover, geographic conditions made infrastructure frequently more difficult to undertake within the jurisdiction of the Toulouse Parliament.

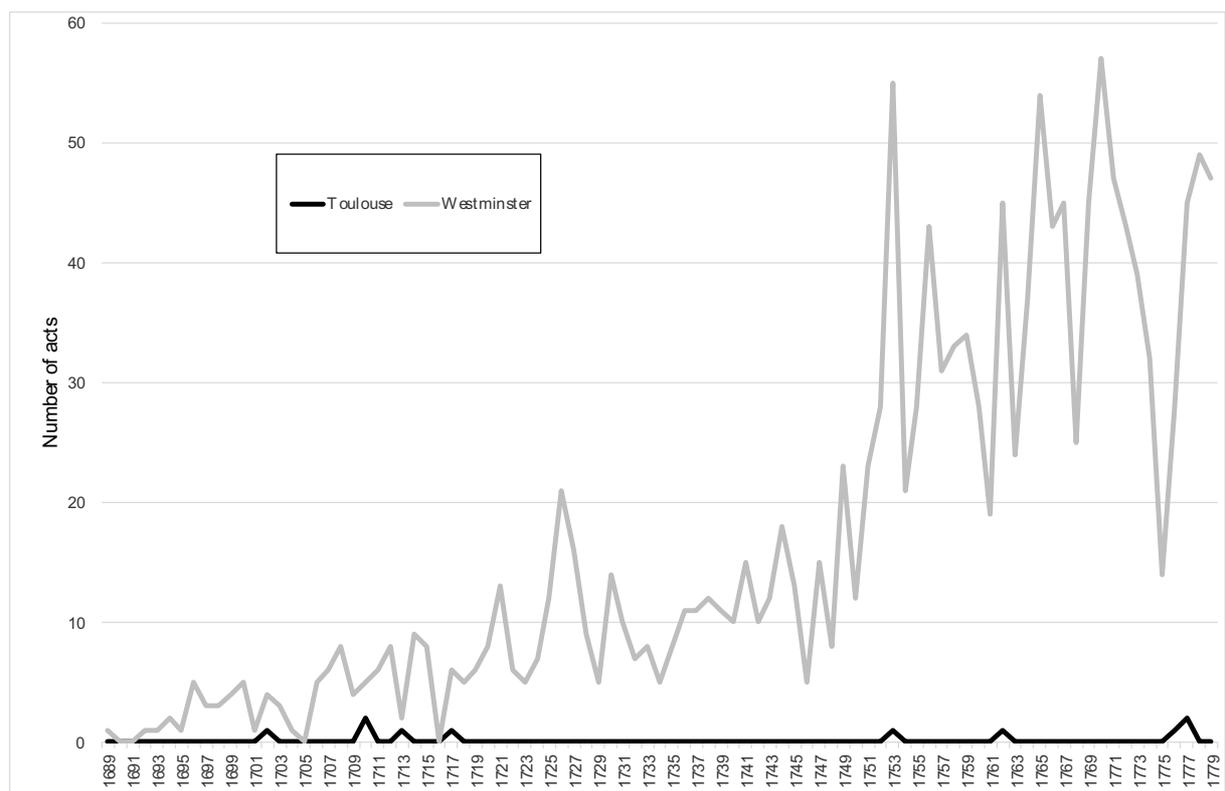


Fig. 3. Acts dealing with transport infrastructure registered in the two Parliaments

²⁴ Adam Smith (*Wealth of Nations*, book 5.1) acknowledged the quality of the management of this infrastructure while being more skeptical about turnpikes in England.

Turning to economic issues, both Parliaments started from a low base, but Westminster became much more active. The share of legislation affecting economic life in a large sense increased from 30 to 72% between the Glorious Revolution and the end of the 18th century (Hoppit, 2017: 91). As for Acts dealing with infrastructure, this rise could just reflect the economic take-off enjoyed by England. However, Acts on international trade increased strongly while domestic trade Acts remained constant suggesting an active policy (see Figs B and C in appendix). Montesquieu already stressed the active legislation that affected tariffs in England.²⁵ Smith (1776, Book 4.II) was also clear on this protectionist policy: “The variety of goods of which the importation into Great Britain is prohibited, either absolutely, or under certain circumstances, greatly exceeds what can easily be suspected by those who are not well acquainted with the laws of the customs.” More precisely, the executive gained a large control on trade conditions, through the Parliament (Hoppit, 2017: 81) allowing an active mercantilist policy (O’Brien, 2000).

Conversely, the French executive remained unable to act effectively on trade (Dincecco, 2010). Each port and each area had specific trade rules, historically negotiated or given in exchange for financial support (see Johnson and Koyama, 2014). For instance, the export of wine from Bordeaux benefited from a privilege conceded under Edward III in 1341 that banned the wine from the countryside (not under the control of the English King at this time). Moreover, numerous foreign territories partially enclosed inside French territory (e.g., Republic of Mulhouse, Papal states, Principality of Bidache) prevented any efficient border control. These restrictions are reflected in the few international trade Acts registered in Toulouse compared to the numerous observed in Westminster since the middle of the 18th century (Fig. C in appendix).

²⁵ Montesquieu, *Esprit des lois livre 4 : L'Angleterre n'a guère de tarif réglé avec les autres nations ; son tarif change, pour ainsi dire, à chaque parlement, par les droits particuliers qu'elle ôte, ou qu'elle impose.*

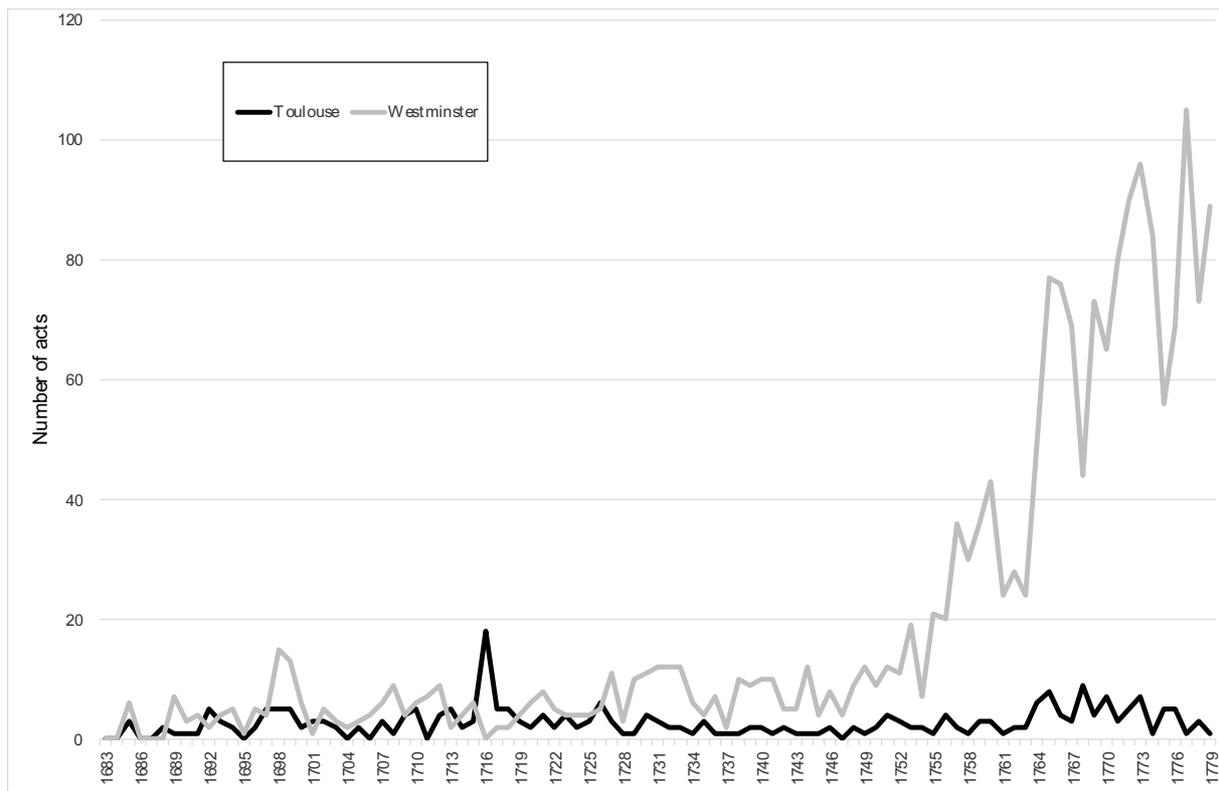


Fig. 4. Acts dealing with economic issues

Constraints on the alteration of property rights

Rights on lands were complex everywhere in Europe. They resulted of contracts accumulated since medieval times. In England, many people enjoyed rights on land through settlements (contracts linking the feudal landholder, his family, and beneficiaries, see Bogart and Richardson, 2010), while large areas were also held in common. In France, land was mostly held through *tenure* (also called *censive*). An initial medieval landholder became the “land lord” (*seigneur*), leasing his property for a fixed rent (*cens*) to individuals who enjoyed tenure as long as they pay the initial rent (decreased to virtually nothing at the end of the Old Regime because of monetary inflation) and a fee in the event of sale and mortgage (*lods*). Legal entities such as communities could also hold rights, adding a third level of property such as grazing rights (*vaine pâture*), gleaning rights and so on (Hoffman, 1996).

In France, property rights were extremely protected. Neither the King or the Parliament could renege on contracts without consent while the judicial system exercised strong constraint on any attempts to alter them. Conversely, the Westminster Parliament modified property rights and contracts through two types of Acts.²⁶ Estate Acts altered the individual and family rights

²⁶ Statutory Acts mentioned above were a third way but justified by general interest for infrastructures.

on lands. Enclosure Acts disbanded collectively managed common field, attributing pieces of property to individuals (Allen, 1992). Following requests by individuals, families, and communities, Westminster considered those requirements before rewriting rules regarding the use of land and resources.

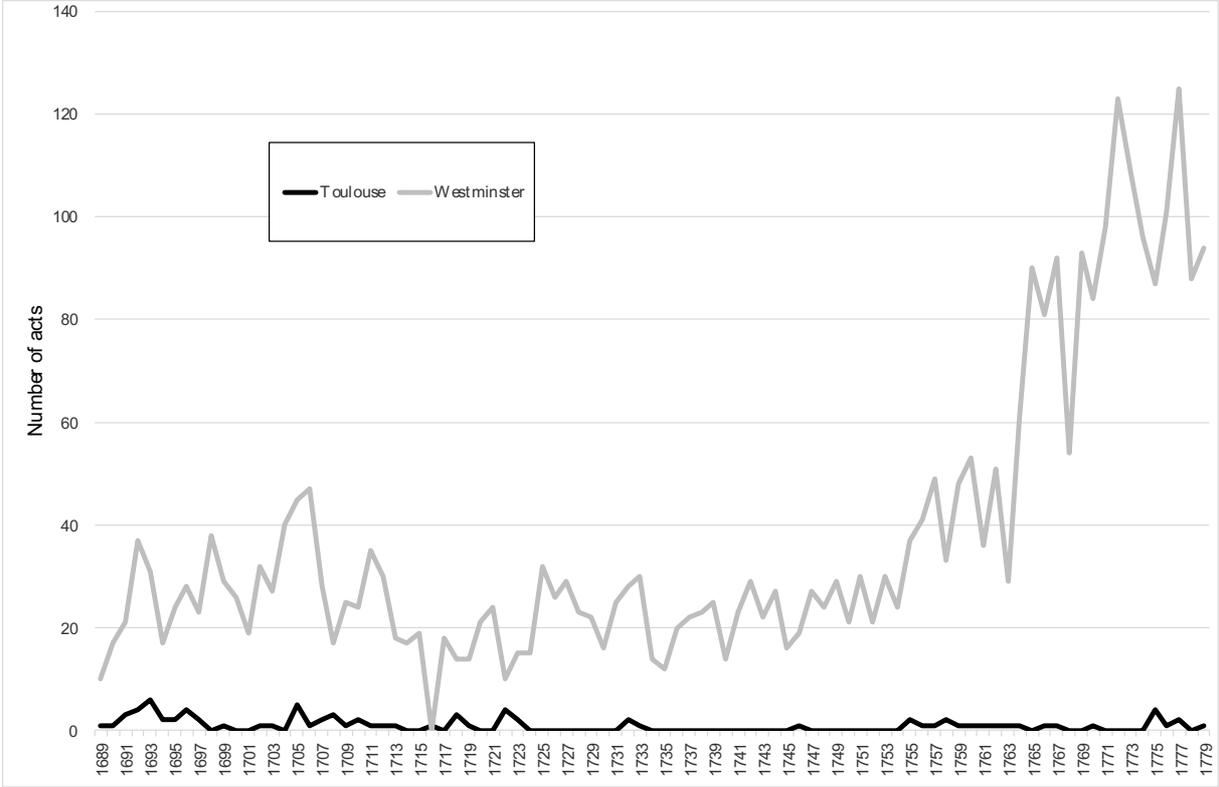


Fig. 5. Acts affecting property rights (real estate)

Figure 5 shows the Acts modifying property rights as reported by Hoppit.²⁷ This body of legislation contrasts with the modest number of 128 Acts altering property rights in Toulouse. Moreover, mostly came from formal recognition of a private agreement. This confirms the special legal ability of Westminster; for Langford (1991), the 18th century Westminster Parliament “found its *métier* as an institution devoted to the remodeling and revision of property rights”. As a result, “In Britain, the feudal elite became landlords with large land holdings and secure property rights” while in France as in most western Europe “direct agricultural producers gained control of the land” (Harvey, 2014: 499).

Considering that the competences of the respective Parliaments were endogenous (not exogenously fixed), how can we explain Westminster’s activism on property rights? Following

²⁷ They are broadly the same as those studied by Bogart and Richardson. We sum the Acts classified as “Estates broadly defined including settlements, specific leases, jointures” (000), “Wills, inheritance” (001) and “Lands” (70).

a purely utilitarian approach, reallocations made by Westminster may launching (or reinforcing an ongoing movement) of agricultural modernization, since the change of distribution in property rights was economically efficient. Bogart and Richardson (2009) view Westminster as a forum where the allocation of rights depended on the economic opportunities.

However, a second potential explanation relies on the private interest of the members of the Parliament, which included many owners of feudal rights on lands; in 1784, 304 out of 558 members of Westminster were related to peers (Canon, 1984: 104-115). The Parliamentary activity on estate Acts driven by economic conditions, as stressed by Bogart and Richardson (2011), can be understood as evidence that this institution was captured by private interests.²⁸ This reading concurs with older literature analyzing Westminster activism as a coercive power to modify property rights in favor of the state's elite. Marx devoted a whole chapter to what he interpreted as the expropriation of English peasants.²⁹ For Henshall (1992: 109), "most of the parliament's energies were devoted to managing the private and local affairs of the landed classes." E. P. Thompson qualifies the enclosures as "a plain enough case of class robbery".³⁰

At the end of the day, the alteration to property right caused an extreme concentration of land ownership in England. In the middle of the 19th century, a total population of 30 million included only 30,000 landowners, and less than 7,000 proprietors owned four-fifths of the total acreage (Beckett, 1984). Even today, less than 1 percent of the population still owns 70 percent of the land (Cahill, 2002). In France, conversely, landowners were estimated at about four million before the Revolution (Marion, 1923). Almost every family owned a few plots of land, especially in the south. Indeed, the Parliaments, as last resort Courts, actively defended the existing property rights; for instance, the defense of the gleaning rights, which in some places obliged harvesters to leave stubble of a specific length, led to a ban on the scythe by several Parliaments. Land lords pushed to reestablish some symbolic recognition of their status, but very few had any real value while the Revolution finally removed their claims (Bastier, 1975).

Members of French Parliaments had also specific interests. They mainly originated in the merchant class rich enough to buy an office (Egret, 1952). Doing so, they constituted a specific class, the *noblesse de robe*, which was not endowed with the feudal rights on lands owned by the old nobility, called *noblesse d'épée*, and had no interest in supporting such claims. At the end of the 18th century, 38% of the Members of the Bordeaux Parliament had ancestors who had not been noble in 1700, 10% were sons of merchants and 30% married daughters of

²⁸ Moreover, Hoppit (1996) shows that the pattern of estate Acts after 1760 shows many similarities to that of enclosure Acts.

²⁹ Capital, Chapter 27 Expropriation of the Agricultural Population from the Land. <https://www.marxists.org/archive/marx/works/1867-c1/ch27.htm>.

³⁰ On these debates, see Ashton and Philpin (1985).

merchants (Doyle, 1968: 30-37). This background helps explain the antitax activism of Parliaments, the wide support for “laissez-faire laissez-passer” and the lack of backing for the feudal rights (Doyle 1968: 261-263; 365).

Overall, the alteration of property rights favored the economic take-off of England with many farms reaching the critical size necessary to invest, increasing productivity (O'Brien, 1996). This greater efficiency was obtained through less secure property rights compared to before 1688 (Hoppit, 2011) but also compared to those ensured by the Toulouse Parliament. In France, the defense of property rights favored small farms but was detrimental to productivity (Innes 1992, 1998; Hoppit et al., 1994). The reallocation of rights on lands in France did not occur before the WWII.³¹ During the Old Regime, the constraints on property rights were too strong to be overridden either by the executive or a small elite.

³¹ A law voted in 1941 enabled a general land regrouping after the War.

4- The constraint on taxation: the sinew of power

A- Taxation systems in France compared to England

Historians are unanimous in observing that taxation was higher in Britain than across the Channel (e.g., Mathias and O'Brien 1976, 1978; Hoffman and Norberg 1994; Bonney 1999; Hoffman and Rosenthal, 1997). England extracted the same revenue from a population one-third of the size and producing half the GDP, while the nobility paid less than its counterpart in France (Braudel, 1984: 383-384). However, in most periods the number of Acts dealing with taxation were more numerous in Toulouse than in Westminster. Moreover, many fiscal decisions taken by the French executive were not registered by the Parliament but by the *Cour des aides* in Montpellier. Adding this legislation, the volume of fiscal decisions increases considerably, leaving Westminster mostly far behind (Figure 6). While legislation remained quite stable over time in Westminster, a strong fall occurred in Toulouse from 1717 when the Law system temporarily relaxed the financial pressure. In Montpellier, a gradual decline is observed until the 1760s. From then, despite the frequent dramatic budgetary situation, their number remained lower than observed at the beginning of the 18th century.

How to explain such legal activity when the French state was unable to levy taxes on the same scale as its English counterpart? First, taxation in France was mostly decentralized (only a few indirect taxes were collected by the tiny royal administration) contrasting with the centralized nature of the English fiscal system. Indeed, almost the entire tax system was held by local institutions such as the Estates or delegated to private agents who owned their offices or leased as a farm (White, 2004). Despite several attempts at rationalization (Johnson, 2006), the Old Regime French fiscal system never evolved towards a bureaucratic administration because of its heterogeneity (Johnson and Koyama, 2014) and failed to modernize its tax collection (White, 1989).

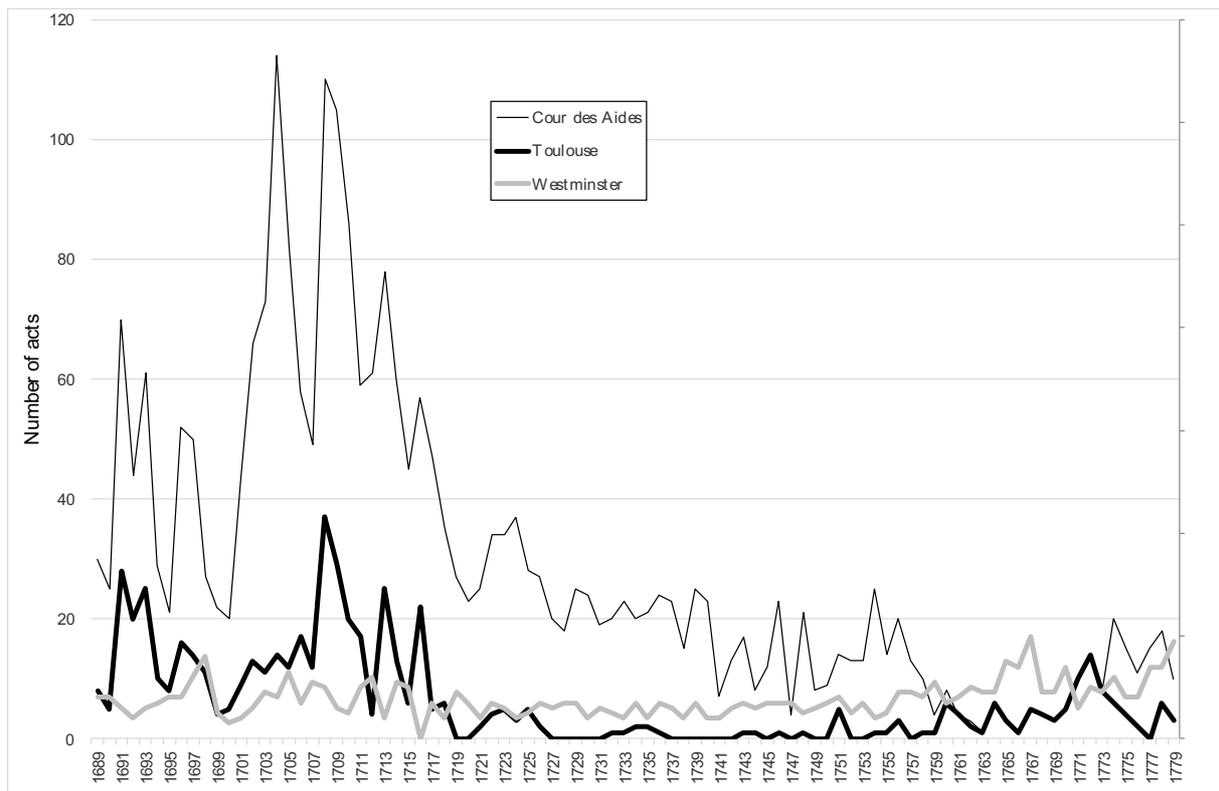


Fig. 6. Acts dealing with taxation registered in Parliaments and Cour des aides

Note: The number of Acts registered in the Cour des Aides is cumulated to the Toulouse Parliament figure.

Therefore, basic administrative decisions such as details regarding taxation or the appointment of a new officer had to undergo registration. Indeed, without a centralized, hierarchical fiscal administration as in England, the executive's only solution for modifying or clarifying rules was through registration in a sovereign Court to force its decentralized administration to apply these new rules. In France, a hierarchical approach was simply ineffective, if not impossible. As we show, the centralized English tax system did not imply more constraints on the executive but fewer.

Moreover, taxation was highly heterogeneous across France. Historical rules limited the state's ability to easily raise new fundings in a homogenous way. For instance, England was famous for its high rates and revenues from the tax on drinking (Nye, 2007). A similar tax had been imposed in France to pay the ransom of John II (Jean Le Bon) in 1358, but tax collection methods varied geographically. As a result, after latter increases, a large part of the country was exempt (because they initially paid a capital to avoid the tax) or paid much less than others, including nearby areas, (Marion, 1923: 9).

Finally, checks and balances were so powerful in France that even successful fiscal tax increases remained strictly controlled implying redundant Acts. One means of control was to register

taxation for a limited period. War was the main justification for imposing new taxation, but following the maxim *cessante causa, cessat effectus*, the end of the war also meant the end of taxation (Brown, 1972). When the *Vingtième* tax (a 5% tax on revenues) was introduced in 1749, the Parliaments opposed it as it was levied in peacetime. The executive argued that it replaced a previous wartime tax of 10%, but the opposition never ceased. It forced the government to plan the end of a second *Vingtième* registered in 1756 three months after the future peace. This tax was registered again in 1760 but for only two years, and so on.

Another means of control was to refuse any increase. For instance, one of the few successful attempts to impose a new indirect centralized tax was the *Centième denier*, a tax of 1% on all real estate transactions finally adopted in 1703 after decades of efforts; note that the transactions signed in Paris, the main market place, remained free of this tax. Its purpose was to ensure that the buyer had paid the potential *lods*, the feudal tax on transaction due to the land lord, and to secure the property rights. But from then on, the state was unable to increase its rate nor to extend its application to Paris. However, this tax was multiplied by four with the Revolution, increasing the rate again to 6.5% in 1816. The tax provided 18% (183 million Francs) of the 1817 French budget, a resource that lacked to Old Regime governments.

A further means of control was to reduce the impact of a tax. When the Paris Parliament finally accepted the prolongation of the *Vingtième* in 1763, it imposed the use of the existing tax rolls and prohibited any increase, threatening to prosecute any officer attempting to raise the existing tax amount. In 1777, one Parliament prohibited tax inspections in a parish more often than every twenty years, and insisted they apply to all the parish's inhabitants and not to only one specific taxpayer (Marion, 1923: 557-560).

Facing this strong opposition, the French state used a backdoor method to increase its funding. From the 16th century on, it sold public positions as offices. By this indirect means, the state succeeded in slightly increasing indirect taxation. Indeed, the office-holders received fees from the people they served such as the *épices* for judges while the state obtained the present value of this indirect taxation. This funding also constituted a kind of debt issue (Descimon and Guéry, 1989). The heterogeneity and the size of the French territory probably implied that this decentralized administration was partially a rational solution.

But the debt-providing aspect of venality also led to the appointment of more officers than required by public needs. Paradoxical consequence, civil servants were thus created in France when money was needed; the opposite effect is expected in modern state management. From 1689 to 1715, 2,461 offices were created in the docks, ports, and markets of Paris alone (Marion, 1923: 405) and crazy offices were mocked by Voltaire such as wood stack controller, wig controller... In Toulouse, 67% of the registered taxation Acts dealt with offices.

B- Quantitative evidence on the constraints on taxation in France and England

Constraint on adoption of fiscal Acts

We now back up our claim about the stronger constraint on the French executive with quantitative tests on fiscal Acts. We successively study the constraint on the adoption and on the implementation of productive taxation in both France and England. We thereby assess part of a “state capacity”.

We demonstrate the inability of the French executive to obtain consent on fiscal legislation showing that the number of tax registrations did not increase during wars. Conversely, London’s executive did succeed in registering more fiscal decisions if needed (see Figs D and E in Appendix). To quantitatively test this relationship, we run Poisson regressions correcting for overdispersion:³²

$$\text{Number of fiscal acts in a Parliamentary year}_t = \alpha + \beta_1 \text{War}_t + \beta_{i,t} X_{i,t} + \varepsilon_t \quad (1)$$

explaining the number of fiscal Acts with a dummy variable for years during which the country is at war (*War*); we also add one year after each period of war because it was crucial to find fiscal resources at the end of a war to consolidate public finances, as shown by Weir and Velde (1992).³³ $X_{i,t}$ is a set of control variables observed in year t .

The number of fiscal Acts is significantly higher in Westminster during wars, unlike in Toulouse (Table 2). In Westminster, about 2.2 additional fiscal Acts were registered in war years. We control for a time trend as we saw that the number of fiscal Acts decreased over time in France and for the general Parliamentary activity of the year, proxied by the total number of Acts registered in the other Parliament; this variable is highly significant.³⁴ Control is also made for the previous year revenue change. Whatever the specifications, war significantly increases the number of fiscal Acts registered in Westminster but not in Toulouse. These results are maintained when alternative measures of fiscal Acts are used: focusing on general fiscal Acts

³² To avoid too easily identifying variables as significant due to over-dispersion compared to true Poisson distribution, we correct the standard errors for over-dispersion of our observations. We multiply the standard errors produced by the regression by $\sqrt{\chi^2/(n-p)}$, with χ^2 being the Pearson Chi square of the regression, n the number of observations and p the number of parameters.

³³ Wars are defined according to Wikipedia lists ([France](#), [Great Britain](#)); civil conflicts like the Jacobite or Camisards rebellions are excluded.

³⁴ Controlling for the total number of Acts in the other Parliament (the activities of the two Parliaments were highly correlated at 0.65) avoids the potential bias resulting from the fact that a Parliament could pass a fixed number of Acts each year, causing the number of fiscal Acts to be mechanically negatively correlated with the number of other Acts.

only and adding, for Toulouse, those registered in the *Cour des Aides*. This shows that the French executive was not able to increase the registration of fiscal Acts in the event of urgent need, unlike the government in London.

	Number of fiscal Acts in Toulouse					Number of fiscal Acts in Westminster				
	(I)	(II)	(III)	only general (IV)	adding Aides (V)	(VI)	(VII)	(VIII)	only general (IX)	
France	0.219	0.191	0.182	0.313	0.202	England	0.384***	0.337***	0.322***	0.314***
at war	(0.278)	(0.272)	(0.000)	(0.312)	(0.144)	at war	(0.092)	(0.086)	(0.087)	(0.092)
Total Acts registered		0.011***	0.011***	0.008**	-0.001	Total Acts registered		0.005***	0.005***	0.004**
in Westminster		(0.003)	(0.003)	(0.004)	(0.002)	in Toulouse		(0.002)	(0.002)	(0.002)
Change in budget			-0.491	-0.551	-0.057	Change in budget			(0.35)	0.52
in France in t-1			(0.69)	(0.759)	(0.121)	in England in t-1			(0.38)	(0.41)
Time trend	Yes	Yes	Yes	Yes	Yes	Time trend	Yes	Yes	Yes	Yes
N. obs.	91	91	91	91	91	N. obs.	91	91	91	91
Pearson χ^2	513	525	514	497	747	Pearson χ^2	96	87	86	89
Pseudo R ²	0.93	0.97	0.97	0.97	1.00	Pseudo R ²	0.33	0.38	0.38	0.42

Table 2: Impact of war on number of fiscal Acts registered

Note: This Table shows the results of Poisson regressions explaining the number of fiscal Acts registered. War time is a dummy variable, taking the value 1 when a country is at war and during the year following each war. We control for the general Parliamentary activity by the total number of Acts registered in the other Parliament and for the previous year change in revenues registered using data from Dincecco (2009). Nagelkerke version of Pseudo R² is presented. Standard errors, corrected for overdispersion, are reported in parentheses. *** and ** represent significance at the 1 and 5% levels respectively.

Our quantitative investigations provide clear support for stronger constraints on the French executive confirming historians such as Daunton (2012: 117) stating “the seemingly absolutist French state was in reality weaker than the constitutional monarchy of Britain.” How to explain that Westminster approved taxation while Toulouse Parliament rejected it? As for the registration of acts modifying property rights, the interest of Parliaments members could be at play. Mathias and O’Brien (1976) suggested that the English state relied increasingly upon indirect taxes on domestic consumption goods paid mostly by the middle-income social groups; excise tax increased from 27 per cent of all revenues in 1695 to 55 per cent by 1735 while direct tax fall from 47 per cent to a low of 17 per cent over the same period (O’Brien, 1988). From 1689, the land tax was organized to collect a fixed amount leading “the land-owners’ contribution to the finances of the state to fell over the eighteenth century” (Daunton 2012: 118). Westminster therefore voted taxes, but taxes that did not affect its members. Moreover, they were also creditors of the state thus highly interested in the state capacity to repay its debt.

Conversely in France, while indirect taxation was much more constrained due to the constitutional arrangements previously detailed, the interest of the Parliaments members was mainly distinguished from the state's ones. Indeed, except for those in Paris, members of Parliaments hold almost no state debt (Kwass, 2000: 182). Citing Miromesnil, minister of Louis XVI, Kwass concludes that “Many land-owning provincial magistrates considered royal bankruptcy preferable to a tax burden” urging for instance “Louis XV to tax bonds, slash interest rates, or suspend payments to creditors instead of taxing lands.”

Another evidence for the constraint on Act adoption is offered by the delay before registration of a fiscal Act in the Toulouse Parliament; data for Westminster are not available. We compute the delay between the issue (*emanation*) and registration of an Act. Sometimes the date of issue or registration is missing but we can compute the delay for 3,200 Acts. On average, the delay to register an Act is 5.3 months (S.D. = 10.3) with a reduced 4.5 months (S.D.=7.4) for the 553 fiscal Acts documented. To test if the delay is reduced for fiscal Acts during wars, we run Poisson regressions of this kind:

$$\text{Delay for fiscal Act registration}_{a,t} = \alpha + \beta_1 \text{War}_t + \beta_{i,t} X_{i,t} + \varepsilon_a \quad (2)$$

with the delay measured in number of months and, among the set of control variables $X_{i,t}$ observed in year t , the average delay of non-fiscal Acts observed during the year of a given fiscal Act.

For the 553 fiscal Acts registered in Toulouse Parliament, the delay of registration appears lower in case of war. This suggests that, even if no more Acts were recorded during wars, the Acts that were sent to the Parliament were more quickly adopted. This is consistent with the process previously detailed according to which the official sent of an Act occurred most of the time after long exchanges with Parliaments to make them accepting to register the bill. This significant reduced delay is maintained when controlling for characteristics of Acts in terms of nature (Edit, Declaration...) and scope (General, Individual or Administrative). However, the significance (10%) is very weak and not confirmed with a Difference in Difference approach.

We assume that the delays behave similarly for both fiscal and non-fiscal Acts in time of peace (hypothesis not visually rejected by the Fig. F in appendix). We can assess the effect of wars on the delay through a DiD analysis on all our Acts assuming wars as “treatment” on fiscal Acts only. The variable of interest becoming the interaction term $\text{War} * \text{Fiscal}$. We thus run this kind of regressions:

$$\begin{aligned} \text{Delay for Act registration}_{a,t} \\ = \alpha + \beta_1 \text{War}_t + \beta_2 \text{Fiscal}_a + \beta_3 \text{War}_t * \text{Fiscal}_a + \beta_{i,t} X_{i,t} + \varepsilon_a \end{aligned} \quad (3)$$

Fiscal Acts during wars ($War*Fiscal$) exhibit a negative coefficient meaning that the delay is reduced in critical needs while fiscal acts in general suffer a longer delay (i.e. positive coefficients). However, these coefficients are never significant controlling or not for other characteristics and using an OLS regression instead of a Poisson one (Column VII). The delay to register an Act appears largely uncorrelated with all our variables except the number of Acts that is recorded the same year which is always significantly negative; This negative coefficient implies that some years, numerous Acts were registered quickly maybe because the Parliament devoted a given time to study Acts leading to a reduced delay when Acts were numerous. Legislation that clarifies an existing rule (*declarations*), also appears to be registered quicker.

	Delay to register a fiscal Act			Delay to register an Act			
	(I)	(II)	(III)	DID (IV)	DID (V)	DID (VI)	DID (VII)
France	-0.325*	-0.335*	-0.347*	0.050	0.002	-0.068	-0.370
at war	(0.181)	(0.182)	(0.180)	(0.180)	(0.075)	(0.076)	(0.459)
War * Fiscal				-0.344 (0.216)	-0.274 (1.706)	-0.068 (0.076)	-1.552 (1.058)
Fiscal Act				0.050 (0.180)	0.216 (0.186)	0.250 (0.184)	1.312 (0.928)
Declaration		-0.014 (1.298)	0.020 (1.302)		-1.091*** (0.002)	-1.242*** (0.349)	-6.403** (2.688)
Edit		0.531 (1.293)	0.567 (1.297)		-0.530 (0.345)	-0.655 (-0.500)	-4.265 (2.696)
Arrêt		0.409 (0.939)	0.466 (0.934)		-0.218 (0.241)	-0.296 (0.238)	-2.140 (2.801)
Lettre		0.469 (0.910)	0.567 (0.904)		-0.427 (0.216)	-0.472** (0.213)	-3.306 (2.692)
General Act		0.079 (0.921)	0.135 (0.936)		-0.112 (0.256)	-0.030 (0.259)	-0.208 (0.595)
Individual Act		-0.762 (1.471)	-0.548 (1.464)		-0.026 (0.081)	-0.061 (0.080)	-0.350 (0.552)
Number of Act in t			-0.012** (0.006)			-0.010*** (0.003)	-0.053*** (0.014)
Change in government revenue in t			-0.346 (0.549)			-0.143 (0.206)	-0.810 (1.280)
Level of revenue in t-1 (in log)			-0.026 (0.351)			0.032 (0.128)	0.110 (0.864)
Delay of registration for non-fiscal Acts			-0.024 (0.032)				
Time trend	Yes	Yes	Yes	No	No	No	No
N. obs.	553	553	553	3200	3200	3200	3200
Pearson χ^2	6291	6134	5990	67031	62363	60290	
Pseudo R ²	0.11	0.29	0.35	0.05	0.29	0.37	
R ²							0.02

Table 3: Impact of war on delay in the registration of fiscal Acts

Note: This Table shows the results of Poisson regressions explaining the delay in registering fiscal Acts in time of war. Standard errors, corrected for overdispersion, are reported in parentheses. Nagelkerke version of Pseudo R² is presented. Column VII reports an OLS regression made for purpose of control. ***, ** and * indicates significance at the 1%, 5% and 10% level.

Constraints on implementation of taxation

Constraint could also be exercised on implementation of a productive taxation. The adoption of a fiscal Act could have a limited impact on effective taxation if the executive could not efficiently implement productive tax. Strong constraints on implementation would prevent a significant increase in the state’s revenues. We study the relationship between the number of fiscal Acts and the changes in the total central state revenues of the following year (all measures are in logarithm). French revenues were much more volatile and without any correlation with the number of fiscal Acts while the opposite is observed in London (see Fig. G in Appendix). This is confirmed by an econometric analysis. We run OLS regressions of this kind:

$$Revenue\ change_{t+1} = \alpha + \beta_1 Number\ of\ fiscal\ Acts_t + \beta_{i,t} X_{i,t} + \varepsilon_t \quad (4)$$

with $X_{i,t}$ as a set of control variables observed in year t .

We do not find any statistical relationship between the number of fiscal Acts registered and the following year’s revenues in France, whereas more fiscal Acts led to an increase in English revenues as soon as we control for the level of revenue of the previous year (i.e., the additional government revenue negatively depends on what was already collected). This effect (lack of effect) of new fiscal rules on the English (French) state revenue is robust when controlled for the general Parliament activity as captured by the total number of Acts registered in the other Parliament. It holds when focusing on general fiscal Acts and when the legislation registered in the *Cour des Aides* is added. We thus confirm “the success of the British state as a tax collection machine” (Mokyr, 2009: 736).

	Additional Paris Government Revenue in t+1					Additional London Government Revenue in t+1				
	(I)	(II)	(III)	only general (IV)	adding Aides (V)	(VI)	(VII)	(VIII)	only general (IX)	
Number of fiscal Acts in t	-0.006 (0.019)	0.002 (0.018)	-0.008 (0.019)	-0.027 (0.020)	0.002 (0.024)	0.031 (0.025)	0.070** (0.024)	0.059** (0.025)	0.052** (0.023)	
Level of Paris gvt. revenue in t		-0.343*** (0.081)	-0.350*** (0.081)	-0.346*** (0.078)	-0.282*** (0.068)		-0.415** (0.114)	-0.430*** (0.111)	-0.408** (0.105)	
Total Acts registered in Westminster in t			0.052 (0.062)	0.022 (0.062)	0.042 (0.047)			0.028 (0.019)	0.032* (0.019)	
Time trend	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
N. obs.	91	91	91	91	91	91	91	91	91	
R ²	-0.02	0.18	0.18	0.20	0.11	-0.01	0.24	0.26	0.25	

Table 4: Impact of the number of fiscal Acts on the following year’s revenue in Paris and London

Note: This Table shows the results of OLS regressions explaining state revenues change from Dincecco (2009) by number of fiscal Acts, as described above. Standard errors, corrected for heteroskedasticity, are reported in parentheses. ***, ** and * represent significance at the 1, 5 and 10% levels respectively.

Finally, we run the same regression but explaining the change in the tax collected by the Languedoc Estates. Most of the tax in Languedoc were collected by the Estates before to be shared between the central state and various local institutions. The yearly amount of each tax has been computed by Elie Pélaquier (Durand, et al., 2014: 216), we use the total collected.³⁵ Here again, the registered fiscal legislation had no effect on the change in tax collected, except when controlling for a time trend but with a negative sign (i.e., more fiscal Acts reduces the tax collection). The only significant variable is the negative effect of the amount of the previous taxation level meaning that it was more difficult to increase taxation when the tax collected is already high; the same was also observed when explaining London and Paris revenues.

	Additional taxation by Languedoc Estates in t+1				
	(I)	(II)	(III)	only general (IV)	adding Aides (V)
Number of fiscal Acts in t	-0.023*** (0.008)	0.007 (0.009)	0.008 (0.011)	0.008 (0.011)	-0.002 (0.012)
Level of tax collected by Languedoc in t		-0.221*** (0.084)	-0.246*** (0.080)	-0.246*** (0.080)	-0.209*** (0.065)
Total Acts registered in Westminster in t			0.024 (0.037)	0.024 (0.037)	0.041 (0.031)
Time trend	Yes	Yes	Yes	Yes	Yes
N. obs.	91	91	91	91	91
R ²	0.04	0.09	0.10	0.10	0.09

Table 5: Impact of the number of fiscal Acts on the following year’s tax collected in Languedoc

Note: This Table shows the results of OLS regressions explaining change in tax collected by Languedoc Estates from Durand et al. (2014) by number of fiscal Acts, as described above. Standard errors, corrected for heteroskedasticity, are reported in parentheses. ** and * represent significance at the 5 and 10% levels respectively.

Our investigations show that London was able to register fiscal Acts in Parliament and to collect the revenues effectively while the French executive failed in both activities. An contemporaneous literature has pointed the constraints on the English government as the cause of its ability to raise debt at low cost. But the ability of a government to collect taxes and to

³⁵ This total is the sum of different taxes including especially the *taille* and *taillon*, *don gratuit*, *capitation*, *dixième*, *vingtième* and other *impôts abonnés*.

do so in the future may be more crucial for lenders (Stasavage, 2003: 63). On this aspect, the French government knew that the strong constraints placed upon it by the Parliaments was a major cause of its bad financing conditions and not at all a reason to enjoy lower rates. In the words of Miromesnil, Louis XVI's minister and well-informed former President of the Parliament of Normandy, it meant that:

“What is this principle of credit so necessary to the State? It is confidence, and can confidence exist when Courts race to cast suspicions, disfavor, and even disgust on all activities of the minister? (...) The publicity of the Parliaments resistance, he said, was prompting Dutch, German and Swiss financiers to lend money to England instead of France. (...) Given all the fighting over taxes in France, European creditors believed it would be safer to invest in England.”³⁶

³⁶ Miromesnil, letter of June 1760, quoted by Kwass (2000: 173-179).

5- Conclusion

We show the constraints enforced on the French executive. Most of these passed through the local Parliaments which, despite significant historical works, have been ignored in recent economic literature. In doing so, many researchers have missed the fundamental nature of the French Old Regime where the executive remained extremely constrained by decentralized institutions.

Religion was an important matter in Toulouse because the executive had to manage relationships with a large Protestant minority and, more important, the Catholic church, while the “establishment” of the Church of England eliminated such a conflict. Very few Acts were dedicated to transport infrastructure in Toulouse whereas the Westminster Parliament was allowed to impose taxes, tolls, and expropriations in favor of statutory authorities in charge of infrastructure. But the rise in infrastructure Acts in Westminster could just be a manifestation of the economic take-off enjoyed by England at this time. The number of Acts related to economy also increased considerably in Westminster at the end of the 18th century, while in Toulouse the executive was broadly unable to modify economic rules especially trade conditions enjoyed by cities as governed by historical rights.

When focusing on Acts dealing with property rights, the Toulouse Parliament registered only few modifications while numerous estate and enclosure Acts were adopted in Westminster. The Westminster Parliament imposed strong alteration of property rights, cancelling existing contracts, mainly in favor of owners of feudal rights on lands. This behavior could have been motivated by the interests of the members of Parliament, which included many owners of this kind of rights, whereas the members of the Toulouse Parliament were mostly drawn from the enriched merchant class without inherited feudal rights on lands. But Westminster’s support for the claims of feudal rights owners proved to be economically efficient in raising agricultural productivity.

Toulouse dealt with a higher number of Acts related to taxation, but these mainly concerned basic administrative management related to offices sold by the state to obtain credit and a backdoor for imposing a few new taxes (the fees received by the officers from the public). This backdoor was used by the French executive because it had practically no legal means of increasing taxation on the population. Conversely, English tax system was closer to our modern conception because there were far fewer constraints impeding the rise of fiscal pressure.

In the event of war, the French executive failed to register more fiscal Acts (or to significantly reduce the delay of registration). Moreover, more fiscal Acts did not lead to higher state revenues for the French state in the following year. Fiscal constraints served as an engine of

the French Revolution (Sargent and Velde, 1995). Moreover, the inability of the French executive to influence economic outcome through trade conditions and adaptations of property rights most likely played a complementary role to the pure budgetary constraints highlighted by Dincecco and Katz (2016). We also partially document the lack of an “effective state” claimed by Dincecco (2009, 2015) but the French case mitigates the supposed chronological order since the Parliaments exerted a strong institutional control before the rise of an effective state. The French state capacity is inherited from the past (as in Besley and Persson, 2009) but the strong historical legal rules and rigid defense of property rights enforced by Parliaments may have postponed the economic development of France compared to England on the eve of the economic take-off.

The opposite is observed in England, war is associated with more fiscal Acts and higher revenues in line with “most absolutist fiscal system in Europe” depicted by O’Brien (2003). These resources supported the unique English fiscal-military efficiency (Brewer, 1990). allowing its military involvement and success in Europe: between 75 and 85 percent of revenues went on the armed forces employing one man in every thirty-six; France was far below for these two indicators (Brewer, 1990). The anglophile Jean-Baptiste Say already stressed the high taxation and the military power of England as a key cause of its economic success (Say, 1816).

England enjoyed such a powerful state, even if gradually constrained, on a territory unified regarding law, tax, and trade as a long-term legacy of the reset made after the Norman Conquest (Berman, 1985). Therefore, “it was much easier to implement a national tax, trading, and manufacturing policy than in France” (Ashworth, 2017: 120). This institutional advantage of England was unique compared to the heterogeneity that characterized France and most of continental Europe until 1789. Adam Smith highlighted this advantage offering an answer to the question of his most famous book:

“This freedom of interior commerce, the effect of the uniformity of the system of taxation, is perhaps one of the principal causes of the prosperity of Great Britain” (Wealth of Nations, Book 5.II).

As far as institutions are concerned, what made England special at the eve of the economic take-off compared to France was not more constraints on its executive, nor better protected property rights, but an early unified and centralized institutional system (including law, tax, and representation) governed by a strong executive.

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Appendices:

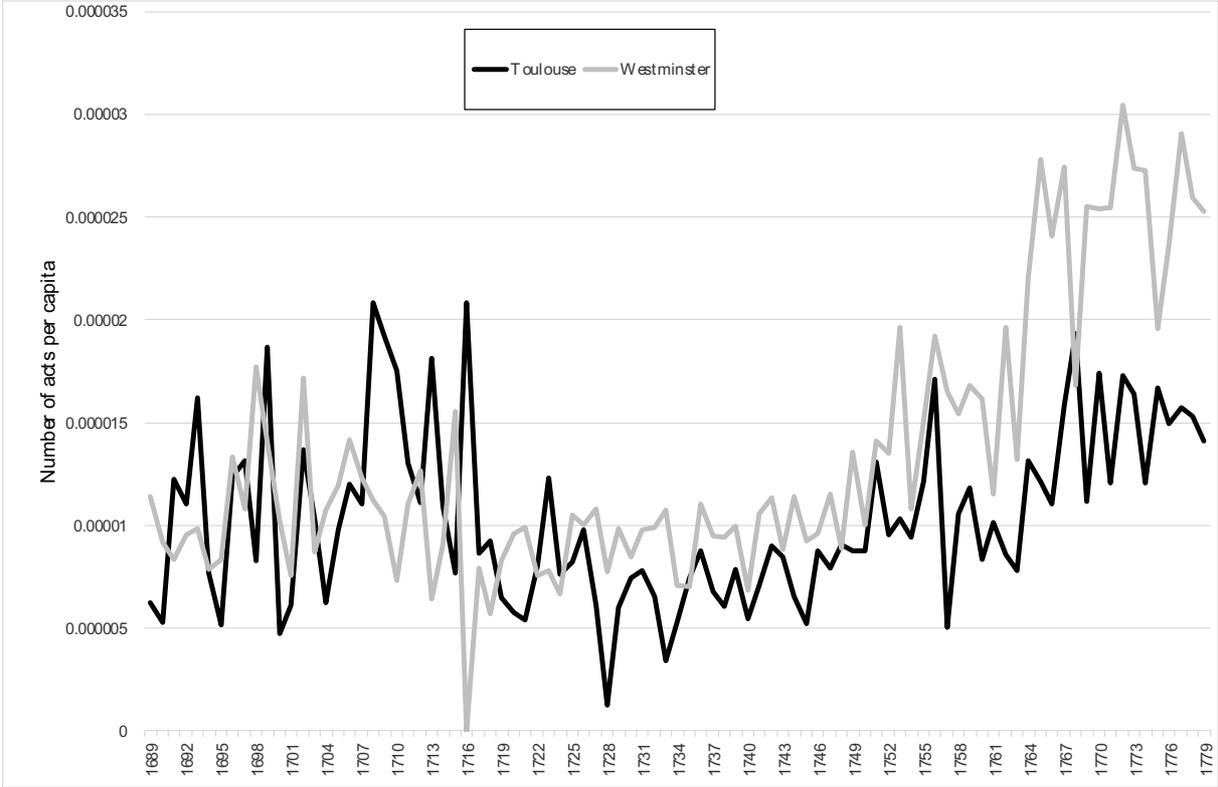


Fig. A: Total number of Acts per capita registered each year

Notes: We divide the total number of Acts represented in Figure 1 by the number of inhabitants each year. Population numbers are from Dincecco (2009). For the Toulouse jurisdiction, we adjust the 3 million population observed in 1700 according to the changes observed in the whole of France.

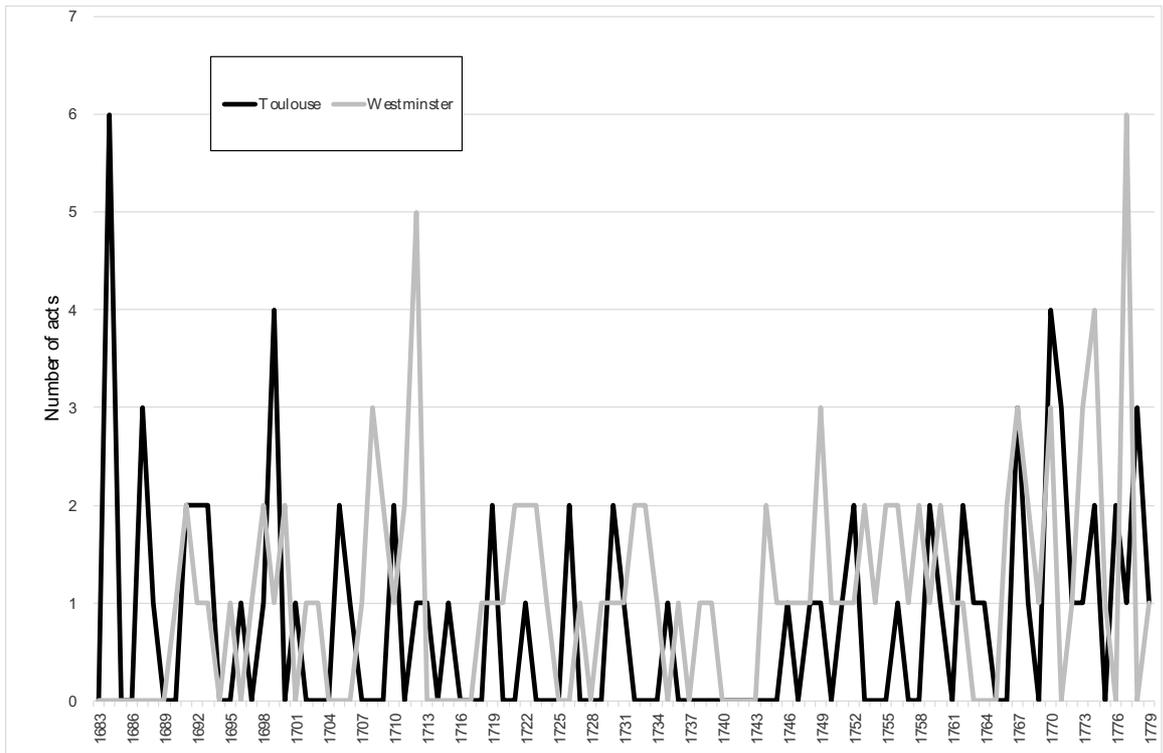


Fig. B. Acts dealing with domestic trade

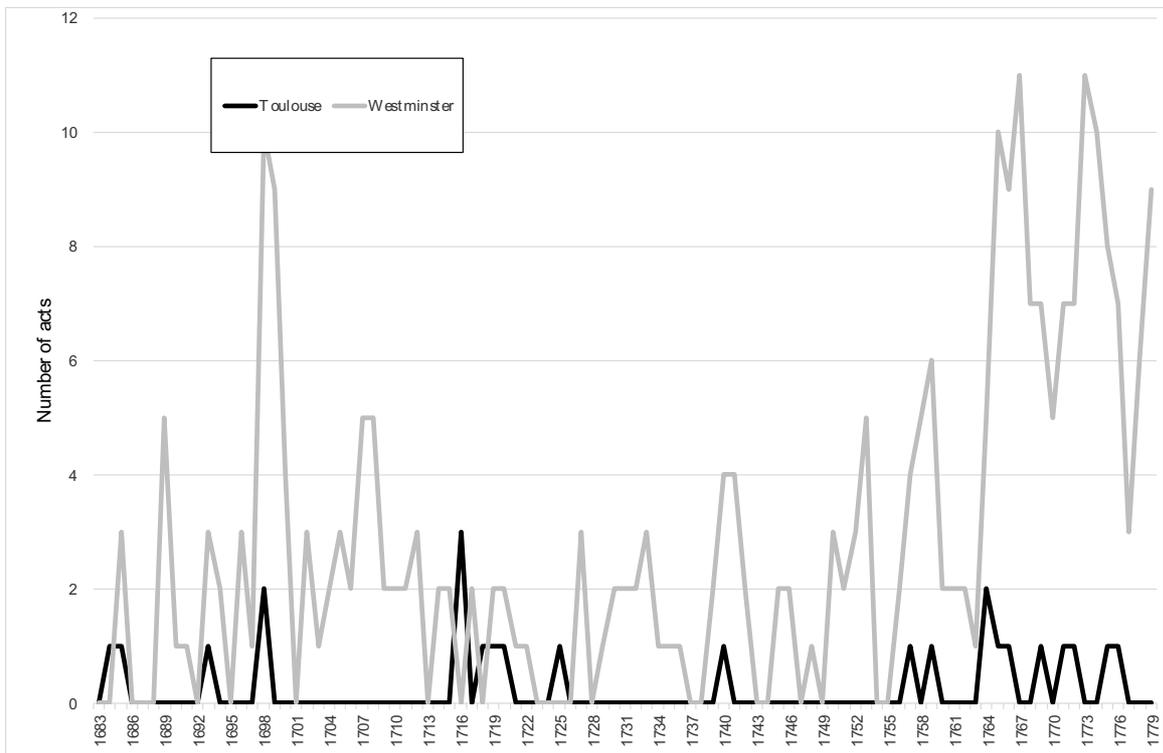


Fig. C. Acts dealing with international trade

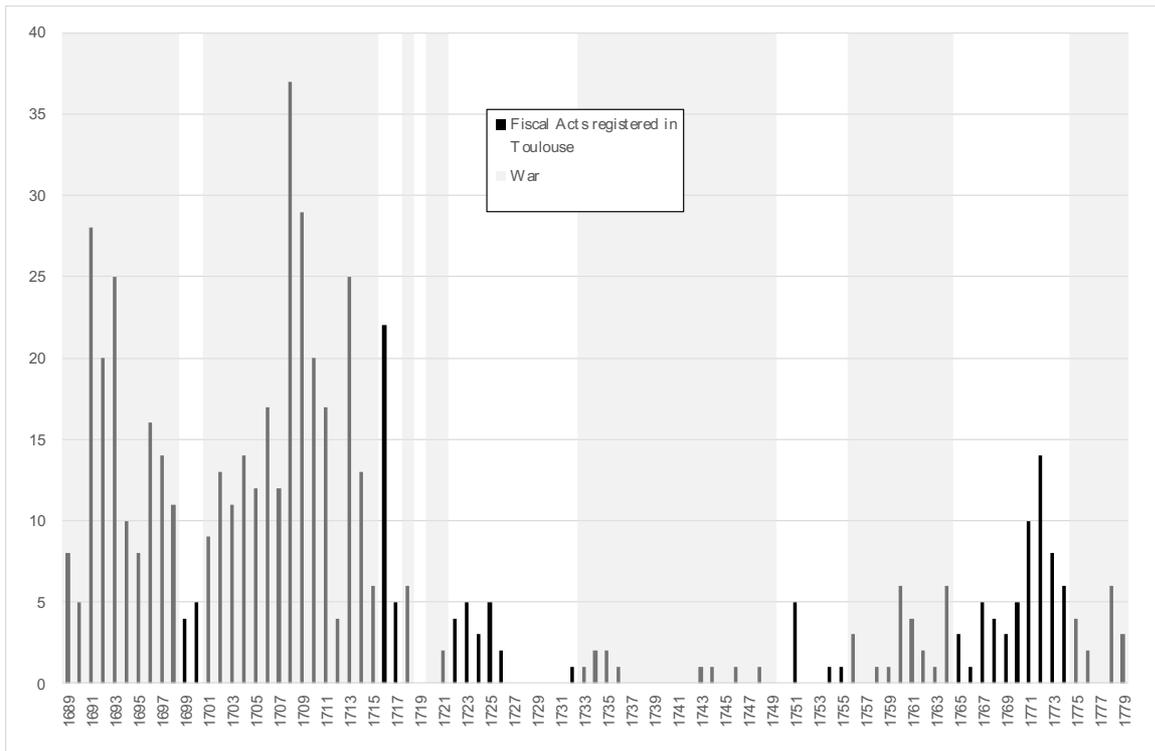


Fig. D. Acts dealing with taxation registered in Toulouse and French wars

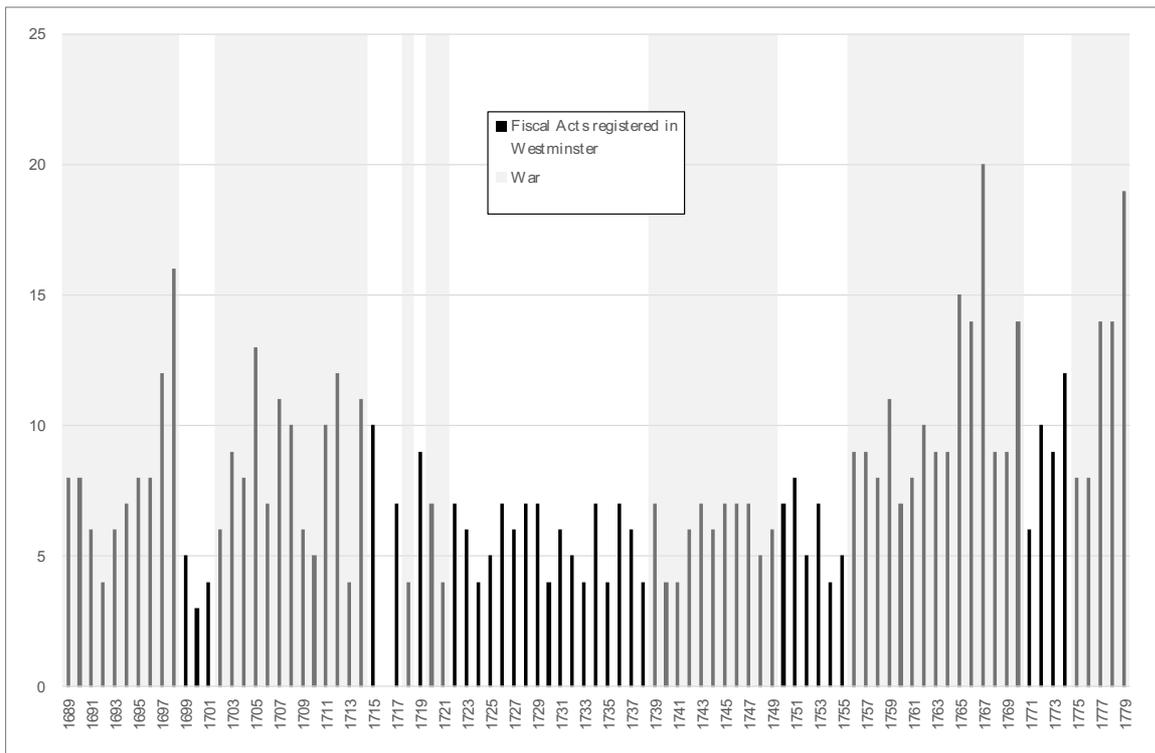


Fig. E. Acts dealing with taxation registered in Westminster and English wars

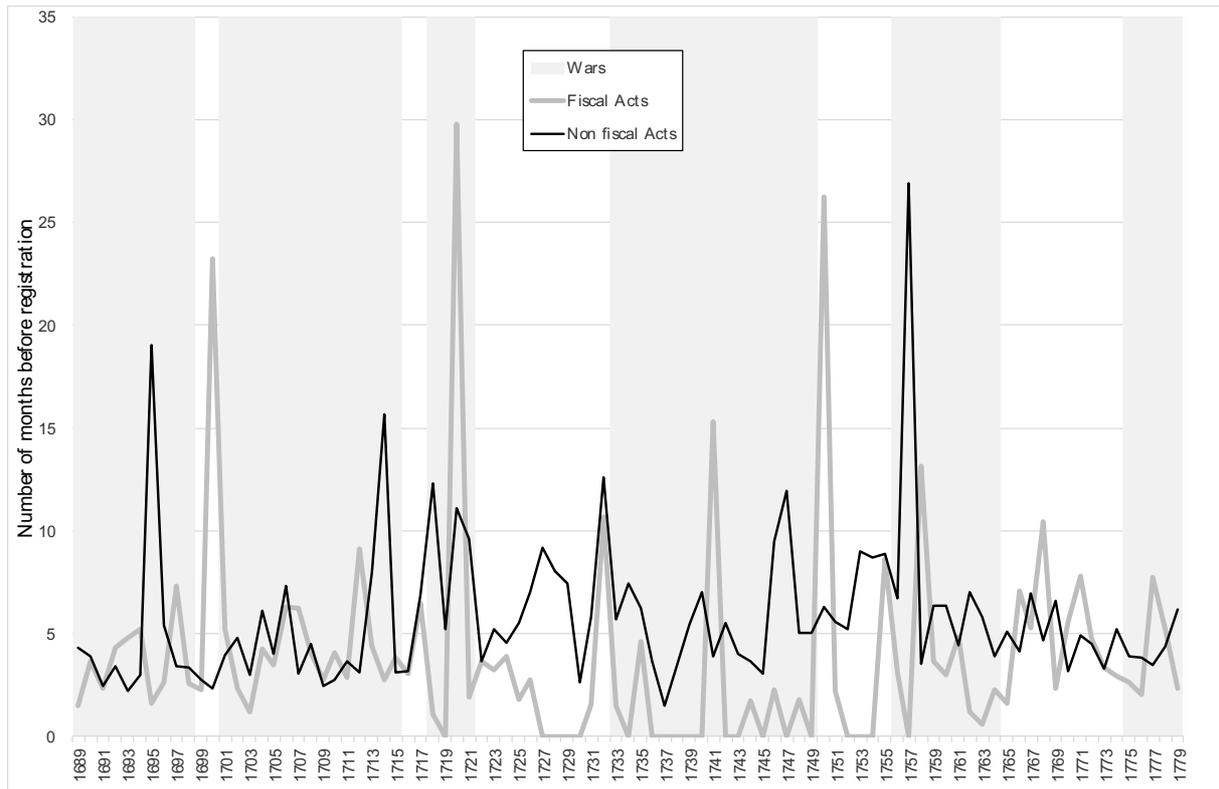


Fig. F. Delay for registration of Acts in Toulouse Parliament.

Note: For each year, we measure the average delay of Fiscal and all Acts.

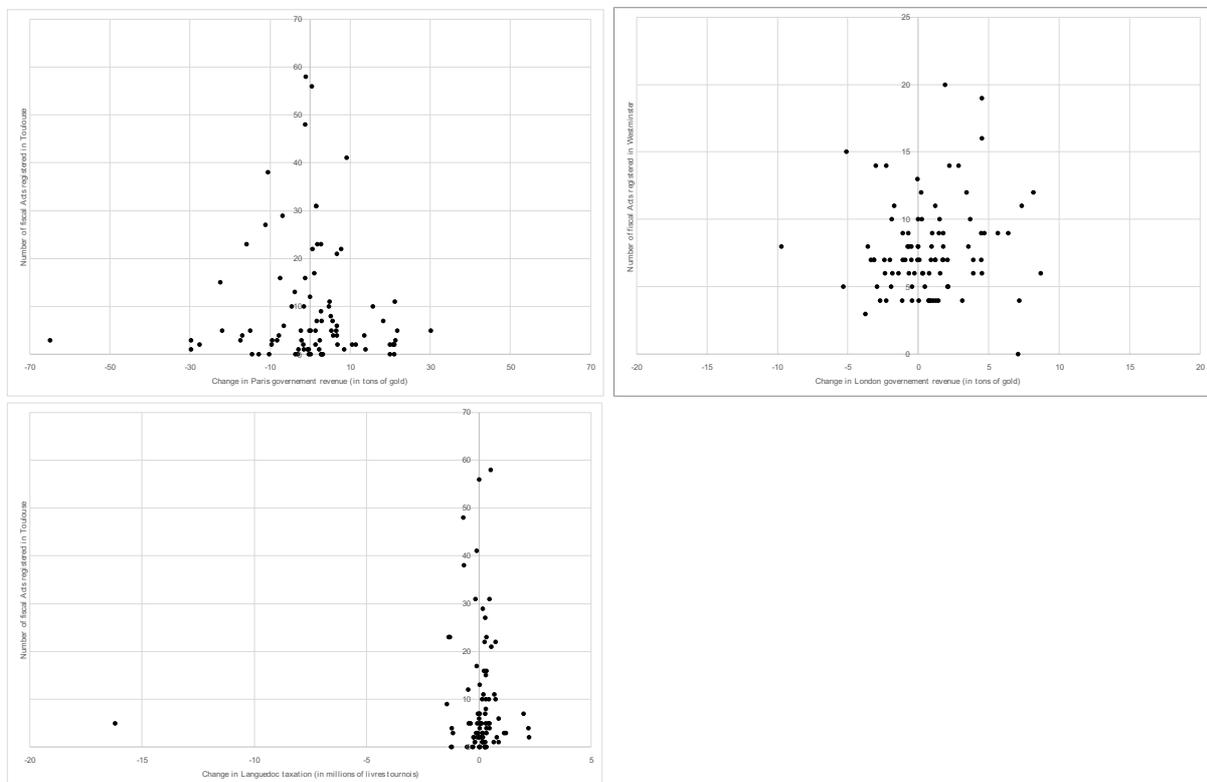


Fig. G: Number of fiscal Acts registered and change in government revenues.

Table A: Acts registered in the Toulouse Parliament (main yearly data)

	Acts			Issues				Delay to register	
	All	General	Tax	Economy	Religion	Transport	Property R.	Non fiscal	Fiscal
1689	20	10	8	1	5	0	1	4.3	1.5
1690	17	11	5	1	4	0	1	3.9	3.7
1691	38	31	27	1	4	0	3	2.5	2.3
1692	36	26	21	5	2	0	4	3.4	4.3
1693	51	38	25	3	5	0	6	2.2	4.8
1694	24	14	10	2	2	0	2	3.0	5.2
1695	16	9	8	0	1	0	2	19.0	1.6
1696	38	20	16	2	3	0	4	5.4	2.6
1697	40	16	14	5	3	0	2	3.4	7.3
1698	25	12	11	5	4	0	0	3.4	2.6
1699	56	26	4	5	25	0	1	2.7	2.3
1700	14	6	5	2	2	0	0	2.3	23.3
1701	18	11	9	3	2	0	0	3.9	5.2
1702	39	17	13	3	8	1	1	4.8	2.3
1703	31	20	11	2	3	0	1	3.0	1.2
1704	18	15	14	0	1	0	0	6.1	4.3
1705	28	18	12	2	2	0	5	4.0	3.5
1706	34	18	17	0	4	0	1	7.3	6.3
1707	31	18	12	3	3	0	2	3.1	6.2
1708	58	53	37	1	4	0	3	4.5	4.1
1709	53	39	29	4	3	0	1	2.5	2.8
1710	48	33	20	5	2	2	2	2.8	4.1
1711	36	25	17	0	7	0	1	3.7	2.9
1712	31	11	4	4	11	0	1	3.1	9.1
1713	51	30	25	5	5	1	1	8.0	4.4
1714	31	21	13	2	3	0	0	15.7	2.8
1715	22	12	6	3	4	0	0	3.1	3.9
1716	60	40	22	18	9	0	1	3.2	3.1
1717	25	8	5	5	6	1	0	6.9	6.5
1718	27	11	6	5	5	0	3	12.3	1.1
1719	19	6	0	3	3	0	1	5.2	
1720	17	3	0	2	6	0	0	11.1	29.8
1721	16	3	2	4	6	0	0	9.6	1.9
1722	23	11	3	2	5	0	4	3.6	3.6
1723	38	11	6	4	5	0	2	5.2	3.2
1724	22	9	3	2	5	0	0	4.6	3.9
1725	26	7	5	3	10	0	0	5.5	1.8
1726	30	8	2	6	14	0	0	7.0	2.8
1727	19	1	0	3	9	0	0	9.2	
1728	4	0	0	1	3	0	0	8.0	
1729	19	0	0	1	13	0	0	7.4	
1730	24	3	0	4	12	0	0	2.6	
1731	25	5	0	3	17	0	0	5.8	1.6
1732	21	1	1	2	4	0	2	12.6	10.7
1733	11	2	1	2	4	0	1	5.7	1.5
1734	17	1	2	1	5	0	0	7.4	
1735	24	2	2	3	5	0	0	6.3	4.6
1736	28	3	1	1	7	0	0	3.6	
1737	23	0	0	1	6	0	0	1.5	
1738	21	0	0	1	3	0	0	3.5	
1739	29	3	0	2	3	0	0	5.5	
1740	20	2	0	2	0	0	0	7.0	
1741	26	1	0	1	7	0	0	3.9	15.3
1742	33	1	0	2	12	0	0	5.5	
1743	31	1	1	1	11	0	0	4.0	
1744	23	1	1	1	3	0	0	3.6	1.7
1745	20	0	0	1	6	0	0	3.0	
1746	32	0	1	2	9	0	1	9.5	2.3
1747	29	0	0	0	6	0	0	11.9	
1748	33	2	1	2	9	0	0	5.0	1.8
1749	32	1	0	1	7	0	0	5.1	
1750	32	1	0	2	8	0	0	6.3	26.3
1751	48	4	5	4	7	0	0	5.6	2.2
1752	35	1	0	3	10	0	0	5.2	
1753	38	0	0	2	9	1	0	9.0	
1754	34	2	1	2	13	0	0	8.7	
1755	44	4	1	1	9	0	2	8.9	8.7
1756	66	6	3	4	20	0	1	6.7	3.1
1757	19	4	0	2	6	0	1	26.9	
1758	40	1	1	1	11	0	2	3.5	13.2
1759	44	2	1	3	13	0	1	6.3	3.6
1760	33	9	6	3	13	0	1	6.3	3.0
1761	39	2	4	1	12	0	1	4.4	4.9
1762	32	3	2	2	9	1	1	7.0	1.2
1763	31	6	1	2	11	0	1	5.8	0.6
1764	51	10	6	6	17	0	1	3.9	2.3
1765	45	7	3	8	13	0	0	5.1	1.6
1766	45	9	1	4	15	0	1	4.1	7.1
1767	62	5	5	3	19	0	1	6.9	5.3
1768	76	16	4	9	19	0	0	4.7	10.4
1769	44	6	3	4	19	0	0	6.6	2.3
1770	67	9	4	7	27	0	1	3.2	5.6
1771	49	10	11	3	9	0	0	4.9	7.8
1772	68	18	14	5	10	0	0	4.5	4.7
1773	65	11	8	7	16	0	0	3.3	3.4
1774	48	8	6	1	11	0	0	5.2	2.9
1775	66	7	4	5	18	0	4	3.9	2.6
1776	59	15	2	5	22	1	1	3.9	2.0
1777	61	7	0	1	21	2	2	3.5	7.8
1778	62	15	6	3	19	0	0	4.3	5.2
1779	57	5	3	1	20	0	1	6.2	2.3