

on certain issues, primarily on matters of tactics...'' (p. xix). The willingness of Charles Maurras to plot a Right wing coup and be jailed for incitement to murder (p. 13), however, reminds us that differences in tactical views could be fundamental and that conservatism and the radical Right are hardly identical. The *Jeunesses Patriotes* were also ready to use "any means necessary" to defeat communism (p. 39) and their leader, Pierre Taittinger, was ready to use communist means to defeat communist ends (p. 47). Taittinger, whom Soucy correctly puts in the fascist camp, wanted to lead a dictatorship to destroy the Third Republic and quash the threat of the *Cartel des Gauches* in 1925 and 1926 (p. 61). Taittinger's defense of social solidarity was certainly closer to the Right than the Left, but neither he nor Maurras nor Valois defended the status quo any more than did Hitler, as Soucy in fact reminds us (p. 69). Taittinger's "populism" (p. 76) was designed to stir things up and so was Valois' call for war veterans to run the government, even while leaving control of the economy in the hands of the bourgeoisie (p. 166).

That the fascists wanted a reorganization of society based on bourgeois control of the economy did not make their schemes less radical in their demand for change. The value of Soucy's argument for linking the French fascists of the 1920s and early 1930s with defense of middle class interests lies precisely in his showing that there were elements within the middle classes in France who were extremely dissatisfied with the French state as it was and wanted fundamental change. A French state under Taittinger or Maurras would have been very different from the France of the Third Republic, just as, in fact, the Vichy Regime was after 1940, as I have attempted to show in my own book, *Collaborationism in France during the Second World War*. The political radicalism of the French fascists after 1940, combined with their unwillingness to overthrow the middle class social order, led them to the same kinds of calls for radical political reorganization as those of Maurras, Valois, and Taittinger. Rather than conservatism, these groups represented an ongoing radical Right in France.

Finally, Soucy analyzes the reasons for the failure of the 1924-1933 wave of French fascism. The economic crisis of 1926 in France was not as severe as those of 1922 and 1933 in Italy and Germany, respectively. The French Left posed less dangerous a revolutionary threat than did the Italian and the German and the fascist appeal to violence to preserve middle class interests was rendered irrelevant by the ability of the parliamentary Right and the police and military institutions of the Third Republic to blunt any threat from the Left. The anti-fascist attitude of the majority of the French population, educated by the lay schools of the Republic and lacking the keen edge of betrayal felt by many Italians and Germans after World War I, also worked against the success of the French fascists.

The problem of fascism is that it is a cultural climate of opinion that clearly predates the 1924-1933 period and has much broader implications than appear in Soucy's book. Even the term "fascism" has roots in the pre-World War I years. The "Fasci siciliani" were a coalition of urban petty bourgeoisie, sulphur mine workers, and peasants who rioted between 1892 and 1894. Dynamism, voluntarism, and Social Darwinism have complex roots in the work of Ernst Haeckel, whose writings attracted the young Heinrich Himmler, and, in France, Edouard Drumont and his epigones. What is needed is a serious attempt by historians to grapple with the *conjuncture* that made fascism a success in so many different areas of Europe and, at least to this historian's eye, to Asia, Africa, and contemporary Latin America, as well.

Bertram M. Gordon
Mills College

Bailey Stone — *The French Parlements and the Crisis of the Old Regime*. Chapel Hill and London: University of North Carolina Press, 1986. Pp. x, 326.

The *Parlements* of France played the leading role in the defeat of the government's economic and financial program of 1787-88, a political defeat which led to the royal bankruptcy of August 1788,

the summoning of the Estates General for 1789, and eventually to the Revolution itself. While mindful of this political context, which has been best examined by the late Jean Egret, Bailey Stone has chosen to subordinate narrative to a study of the "attitudes" of the *Parlement* of Paris and of the provincial *parlements* to what he calls the "public issues" which arose during the crisis years of 1787-88. Although the book contains many interesting points, it is not, on balance, a success. Both conception and execution are seriously flawed.

Given the author's interest in attitudes, he has necessarily adopted a topical approach, treating a wide range of topics under various themes (e.g., "Ambivalence toward the Social Elite," "Political Robe versus Political Sword," etc.) around which the chapters are organized. While this procedure works well enough in chapter two, which is devoted to the *Parlement* of Paris, it breaks down in chapters three, four, and five, which are given over to the provincial tribunals. The topics treated are numerous and of unequal importance, like the provincial *parlements* themselves; and at the end, the reader is lurching from one *parlement* to the next as he tries to grapple with issues and questions the importance of which is not always very clear.

Indeed, the author has deliberately chosen to include "issues," if that is indeed the right word, which by his own admission were "purely local matters" (p. 14) and related "only indirectly or not at all" (p. 232) to the "crisis" which appears in his title and about which his readers are bound to be most curious. Thus, we are informed at some length about jurisdictional struggles by the *Parlements* of Dijon and Rouen; the resistance at Bordeaux, Rennes, and Aix to the extension of the stamp tax to articles shipped overseas by merchants; and the efforts of most *parlements* to regulate local grain markets and the export of grain during the harvest failure of 1788, and so on.

While this sort of judicial intervention has convinced Professor Stone that the *parlements* on at least some occasions made a genuine effort to protect the interests of both the bourgeoisie and the common people, thus entitling them to a revision of their historical reputation as partisans of elite interests only, such as extended treatment does little to help us understand the dynamics or the context of the political conflict which brought the Old Regime down. It is worth noting, moreover, that judicial interventions on behalf of the bourgeoisie and the common people took place all during the Old Regime, especially with regard to jurisdiction, taxes, and the grain trade, as the author very well knows. It therefore seems odd to read that such endeavours "actually anticipated the most radical tribunals of the masses in the Revolution" (p. 251).

This brings us to another difficulty. Concentrated as the book is on the proclamations, statements, and expressions of the *parlements* and their magistrates as issued in 1787-88, with items from 1786 or earlier slipped in, it suffers at times from a loss of that historical perspective which would illuminate *parlementary* behavior in these years of crisis. A good example of this tendency occurs in chapter two, where the author evokes the quasi-constitutional statements emanating from the Parlement of Paris or its judges in 1787-88. He is by no means alone in regarding some of these pronouncements, particularly the attempt on 3 May 1788 to define "fundamental laws," as endowed with considerable importance.

However, Stone allows his facility with words to get the better of him when he writes that there was "increasingly radical rhetoric flowing from the pens of" (p. 90) opposition judges in these months; that the stance of the magistrates on "constitutional matters became progressively more radical" (p. 102) at this time; that the *Parlement's* list of fundamental laws was an "increasingly radical critique of the fiscal and constitutional aspects of French monarchy" (p. 92); and that the *Parlement* of Paris stood for a "highly novel conception of French kingship itself (p. 88)." Of course, the provincial *parlements* were "just as surely radicalized" (p. 157) as the *Parlement* of Paris.

This designation of *parlementary* views as innovative to the point of being radical cries out for additional analysis and argument; and it badly needs to be put into the context of the constitutional views of the magistrates as elaborated in the sixteenth and early seventeenth centuries. At least a few of the *parlementary* views as listed here are plainly artifacts from a much earlier period. Nor is it clear whether the author regards innovative views as having originated in the *parlements* or, as the

late William F. Church maintained, having been derived, belatedly and opportunistically, from the rational philosophy of the Enlightenment. The author has, of course, read Church's works; he would have done well to have incorporated them into his study. Meanwhile, we need to know much more precisely why we should regard the political thought of the *parlements* of 1787-88 as radical and becoming more so.

Chapter one ("The *Parlementaires*: Judges, Gentlemen, *Bons Vivants*") contains the socio-economic information which will presumably be of most interest to the readers of this journal. It is, however, based almost entirely upon the research of such scholars as Jean Meyer, Francois Bluche, William Doyle, and others. Not that this is a fault. Given his purposes, the author did not need to do original socio-economic research. The social information is helpful in understanding the political themes of the book; but the economic information, which is awkwardly and misleadingly presented, bears no relationship to the pages which follow.

Despite these animadversions, this book is not without its merits. The intensity of the provincial onslaught against "ministerial despotism" is brought out particularly well, and the provincial opposition to the renewal of the *vingtièmes* and the conversion of the *corvée royale* into increased taxes is presented most convincingly. Opposition to the new-fangled provincial assemblies of Calonne and Loménie de Brienne was plainly more widespread and intense than has been believed. It is now quite apparent that the *parlements* were utterly unwilling to serve the political interests of the aristocracy as against the political interests of the magistracy. Even the wide-ranging treatment of jurisdiction, taxes, and grain regulations has its purpose, as the author notes correctly that some of this judicial intervention helps explain why the *parlements* were far more popular than the crown.

But the interesting and provocative information, being scattered throughout the book and assigned to its various topical themes, can be hard to tease out, evaluate, and synthesize. Anyway, you have to do this work yourself. In my view, the author should have adopted a narrative approach so as to bring his commendable archival research to bear upon the long chain of crises that punctuated 1787-88. To be sure, Egret, some of whose own research notes Stone has been able to use, went over this terrain in his *La Pré-Révolution française* (Paris, 1962) but a political narrative concentrating on the *parlements* and the crown is still needed. Authors, of course, have to make these decisions themselves. As it stands now, Stone's book is inadequately synthesized and insufficiently explanatory.

John J. Hurt
University of Delaware

Gerald Strauss — *Law, Resistance, and the State: the Opposition to Roman Law in Reformation Germany*. Princeton: Princeton University Press, 1986. Pp. xii, 302.

Systems of law have always been the decisive means of giving direction to state and society. Whenever this structure is changed, the fundamental fabric of society undergoes a trauma that permanently affects every aspect of life. Within the setting of the rise of the emerging phenomena known as the modern state, Gerald Strauss provides a panorama of the widespread opposition in sixteenth century Germany to both Roman Law and lawyers. This book makes an important contribution to our understanding of early modern Europe. Approaching his subject from the social history standpoint, the author gives us a glimpse of the attitudes toward the changes in Law from the position of both the rulers and the rural folk.

The rise of the modern state was concomitant with the change in Europe from a feudal society to that of one dominated by Roman Law. The nature of the two legal systems, their incompatibility and the changes they fostered were the great matters at issue — hence the resistance. The ranked society of the European feudal system had provided considerable security in settling down the up-